

THURSDAY, 19TH MARCH 2015

The Speaker took the Chair at 9.00am.

Prayer.

OTHER ANNOUNCEMENTS BY THE SPEAKER

MR SPEAKER: Greetings and welcome distinguished members of Parliament this new morning. I believe God has sent His blessings and renew strength upon everyone today.

I acknowledge everyone's patience and perseverance upon our sitting schedule program this week. Greetings Samoa, teachers and children who are taking part in today's Parliamentary Awareness Program.

Greetings and welcome Government Heads of Public Enterprises.

I trust your support and prayers Samoa most predominantly God's Servants have helped built strength upon your Parliament today.

MOTION TO SET ASIDE STANDING ORDERS 100(1)

MR SPEAKER: I call the Hon Prime Minister.

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI (Prime Minister): Mr Speaker we concur thanksgiving to the Highest God for instilling good health and spirit upon us to carry on our calling.

Well done honourable members specially the support of Samoa listening in as we continue Parliamentary Proceedings this new morning.

Mr Speaker I rise to move the motion, *That Standing Orders 100(1) be set aside to allow the second reading of the bills read out on Tuesday, 17 March 2015*". The reasons are as follows:

Firstly, this Standing Order was drafted at the time when opportunity was sought to print and read these legislations, despite the various new and **advanced technological change including...involving the many eligible** University graduates and professors from the various Public Ministries and Enterprises and the Pre Sitting Briefing Programs that provides the interpretation and clarification of these proposed legislations to Parliamentarians lest a member is confused by continuously asking questions that poses disturbance to our sittings and therefore drag orders in the House. These legislations are also available on the websites designed and posted by information technicians.

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**P.P. 2014/2015 No.203, Government Responses on P.P.2014/2015 No.135,
Report of the Works, Transport and Environment Committee on
P.P.2014/2015 No.65, Annual Report of the Samoa Ports Authority for
the Financial Year Ending 30 June 2012**

Today we have first read five Bills which means by Thursday we should be well on to second reading of these Bills and on to its normal procedures. It will mean the work load will continue to increase and the Chair therefore urges the Committee to be vigilant with our work. We are nearing the half of the year and our work should progress before we move on to the Budget. It is hopeful that by Friday we should have completed most of our work.

Therefore I believe we should adjourn for the day. The Assembly will not meet tomorrow but will re-adjourn on Thursday as per recommendation from the Clerk of the Assembly. It will give us time to carefully consider the Bills and ensure that our work is in depth once we come back. There will be no point in coming to the Meeting when it will be a short day. Therefore we will adjourn until Thursday.

Furthermore, I request the Chairpersons of the Committees to remember our work. I also ask the Business, Standing Orders, House and Electoral Matters Committee to remain for a meeting shortly after with the Minister responsible for the Electoral Commission to finalize a few things before tabling the Bill sometime this week. We need to proceed with election preparations as we are nearing the time for the general elections.

Lastly, I acknowledge the Members of the Chamber for our work today. I also thank the Heads of Government Departments; I pray the Lord continues to bless you for your service to the country. Samoa I thank you for your support and prayers. May you continue to support your Parliament. I pray that whatever mishaps and friction you may have observed on our part, do not take matters seriously as it is the way of politics.

I firmly believe that in order to be better we need to be better informed and knowledgeable of the Government and vice versa. I believe we should adjourn for the day and I humbly ask the Member for Anoomaa East to lead us in prayer before we adjourn.

*Proceedings of the Assembly adjourned at 1.05pm until 9.00am on
Thursday, 19 March 2015.*

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Motion to Set Aside Sanding Orders 100(1)

Hence, as Leaders of the Parliament this section of the Standing Orders should be reviewed and amended given the fast track technology and lifestyle we have today.

That is the main objective that correlates with far sighted wisdom to improve our Parliamentary work. Since we are in the final year for this Parliamentary term, we are fast tracking our work whilst time is permissible and in accordance to the sitting agenda towards the second reading before referral to the House Committee for their review and before they back to the Legislative Assembly.

Mr Speaker and the notable House, that is the short motion moved this morning for everyone to support and approve.

Seconded by the Deputy Prime Minister, Minister for Public Enterprises, Minister for Health.

Afioga Hon Palusalua Faapo II (Leader of the Opposition): Mr Speaker.....

MR SPEAKER: Well Leader of the Opposition, do you take fourth the motion or....?

Afioga Hon Palusalua Faapo II: No your honor.

MR SPEAKER: Very well.

Afioga Hon Palusalua Faapo II: I rise with respect in accordance to the moving motion to omit some sections of the Standing Order. I believe this should not be erased through a motion rather it should be referred to a Standing Order Parliamentary Committee given the significant amendments we have obtained. That is the submission with respect but the motion is inappropriate.

MR SPEAKER: I beg your pardon Leader of the Opposition but I wish to clarify your concern, the correction can be omitted today but not in here. Previously the second reading of Bills can be progressed following the third sitting day. This clarification was given the whole day on Tuesday before the presence of Government Heads. This is well noted and available on the Website nonetheless we must proceed...

I call the Hon Prime Minister.

Susuga Hon TUILAIPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker the Leader of the Opposition is mixed up given your well explanatory clarification on Part two hence the correction to the motion refers to Part one.

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Motion to Set Aside Sanding Orders 100(1)

The first part must be suspended before we carry on, otherwise we cannot proceed. That is the normal procedure and practice. As for Part two the Leader of the Opposition is confused and it's making him overlook Part one.

Afioga Hon Palusalue Faapo II: Mr Speaker point of clarification, the motion is very brief in accordance to the procedures of the House, before we proceed Standing Orders is set aside in compliance to, whereas the lengthy statement given just now seems meaningless....instead of maintaining normal procedures.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker, in Section two, this is not a statement rather an interpretation to shed light to the confused like the Leader of the Opposition.

The Standing Orders 100 was set aside and the motion was approved.

STATISTICS BILL 2015 – third reading

MR SPEAKER: I call the Hon Prime Minister.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I rise to move a short motion, *That the Statistics Bill 2015 be now read a third time.*

Seconded by the Deputy Prime Minister, Minister of Commerce, Industry and Labour.

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

MR SPEAKER: I announce that the Statistics Bill 2015 is now progressed in the assembling Parliament and had passed the Legislative Assembly.

**PUBLIC FINANCE MANAGEMENT AMENDMENT BILL 2015
– third reading**

MR SPEAKER: I call upon the Hon Minister of Finance.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I move, *That the Public Finance Management Amendment Bill 2015 be now read a third time.*

Seconded by the Deputy Prime Minister and the Minister for Revenue.

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

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PUBLIC HOLIDAYS AMENDMENT BILL 2014 - consideration

MR SPEAKER: Pursuant to Standing Orders 106 the Assembly must confirm the Report of the Committee to allow the consideration of the Bill.

I call the honourable Chairperson of the Committee for Primary Production, Commerce and Labour Committee.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: (Chairperson for the Primary Production, Commerce and Labour Committee): Thank you honourable Speaker for the opportunity to move the motion, *That this Assembly approves the Committee Report which recommends that the Public Holidays Amendment Bill 2014 progressed with Corrections.*

Seconded by the Deputy Prime Minister, Minister for Public Enterprises, and one of the Members for Faasaleleaga No.1, Afioga Hon Gatoloaifaana Amataga Alesana Gidlow.

MR SPEAKER: The Assembly now consider the Public Holidays Amendment Bill 2014.

Pursuant to Standing Orders 102 the consideration of the Bill commences with Clause 2.

CLAUSE 2: Section 2 amended.

Approved.

CLAUSE 3: Section 5 amended.

Approved.

CLAUSE 4: Section 7 amended.

Approved.

CLAUSE 5: Repeal of Shops Ordinance 1961.

Approved.

CLAUSE 1 & TITLE:

CLAUSE 1: Short title & commencement.

TITLE: Public Holidays Amendment Bill 2014.

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Public Holidays Amendment Bill 2014 - consideration

MR SPEAKER: There is Amendment to Clause 1 and Title in the Order Paper.

Afioga Hon LEAUPEPE TOLEAFOA APUPU FAAFISI: Mr Speaker I move the Correction under Clause 1 and Title as follows:

“CORRECTION:

To omit the number “2014” and substitute thereby the number “2015” thus the Title of the Act reads:

PUBLIC HOLIDAYS AMENDMENT ACT 2015.”

Correction approved

Clause 1 and Title now approved with corrections.

The Public Holidays Amendment Act 2015 now progressed with corrections.

METROLOGY BILL 2014 – consideration in detail

MR SPEAKER: Pursuant to Standing Orders 106, this Assembly must approve the Report of the Committee to allow for the Bill’s consideration.

I call upon the Chairperson of the Primary Production, Commerce, Industry and Labour Committee.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: Mr Speaker I move, *That the Legislative Assembly confirms the Report of the Committee which recommends the Metrology Bill be now progressed with Corrections.*

Seconded by the member for Siumu and the Minister of Communications and Information Technology.

MR SPEAKER: That the Assembly takes into consideration the Metrology Bill 2014.

Pursuant to Standing Orders 102, the consideration commences with Clause 2.

CLAUSE 2: Interpretation.

Approved.

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Metrology Bill 2014 – consideration in detail

CLAUSE 3: Legal units used for trade.

Approved.

CLAUSE 4: Authorised units.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker....

MR SPEAKER: What clause member?

Tofa LEALAILEPULE RIMONI AIAFI: Clause 4 please.

MR SPEAKER: Authorised units. I call upon the respectable member.

Tofa LEALAILEPULE RIMONI AIAFI: To query reference to previous discussions on this legislation, a submission was made to the Primary Production, Commerce and Industry Committee to seek an explanation from the Ministry of Education regarding these measures and normal curriculum taught in schools. The Chairperson was asked if they had sought the opinion of the Ministry of Education in regards to this event.

With all due respect.

MR SPEAKER: Perhaps this is the only question, I call the Chairperson.

Afioga Hon MAGELE MAULIU (Minister of Education, Sports and Culture): Mr Speaker....

MR SPEAKER: Pardon me honourable Chairperson I recognize the Minister of Education, Sports and Culture.

Afioga Hon MAGELE MAULIU: Mr Speaker since the Ministry of Education is now mentioned, I am shocked with the member's short memory. The difference between these two measures has been clarified just recently. Thank you.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker this is the main reason for asking as both measures are taught in schools which is the main objective of the Ministry of Education and the new change will be effective soon. But my memory is sharp as far as the day I was born unforgettably. Respectfully.

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Metrology Bill 2014 – consideration in detail

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: Mr Speaker the respective Minister for this legislation in re relation to educating our children has spoken. The reply is short, the questions and recommendations have been submitted but your question is very productive, thank you.

MR SPEAKER: I call the Prime Minister.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO (Deputy Prime Minister): Mr Speaker just a short addition in regards to the member's last question. The content of the legislation does not avoid the two measures from being taught thus its enactment is also stipulated in the Bill.

Clause 4 was approved.

CLAUSE 5: Standards.

Approved.

CLAUSE 6: Primary standards.

Approved.

CLAUSE 7: Secondary standards.

Approved.

CLAUSE 8: Working standards.

Approved.

CLAUSE 9: Temporary standards.

Approved.

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Metrology Bill 2014 – consideration in detail

CLAUSE 10: Custodian of standards.

Approved.

CLAUSE 11: Obligations to sell by net weight or measure.

Approved

CLAUSE 12: Obligation to weigh or measure.

Approved.

CLAUSE 13: Offence to supply short weight, measure or number.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER
(Aana Alofi No. 3): Mr Speaker....

MR SPEAKER: Which clause?

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:
Clauses 11 and 13 please. I wish to ask the Committee particularly the Chairperson if this becomes law, is the Ministry ready as some shops now weigh flour at 50 cents a pound particular retail shops in the rural areas.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker the answer is very short pardon the honourable Chairperson. The legislation states the date of notice declared by the Minister will also be the day this will come into effect. This is the requirement for all shop owners according to the legislation.

MR SPEAKER: I once again call the member.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:
Mr Speaker I appreciate the statement by the Deputy Prime Minister, but I intended to ask the Committee if they have visited the shops in the rural side. What is their intention? There is a time for execution and a time to change the scales. What did they say about this particularly the retail shops that will solely engaged with this new doing.

MR SPEAKER: I call the honourable Chairperson.

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Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: Mr Speaker this is in line with the recommendation. All stores have been issued this notice. I also take this chance to deliver the regards from owners of all these stores to our Parliament. Thank you.

Clause 11 was approved.

CLAUSE 14: Packaged goods.

Tofa LEVAOPOLO TALATONU (Gagaemauga No. 2): Mr Speaker clause 4 please.

MR SPEAKER: Well I call the respectable member.

Afioga LEVAOPOLO TALATONU: I wish to query the honourable Chairperson of the Committee regarding packaged items – and labelling price tags that does not involve chicken weight etc. Have you conducted any findings on this regard?

With due respect.

MR SPEAKER: Mr Chairperson.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: With respect we already have a draft and we also have the Fair Trading Act, if the consumer sees and finds that the pounds is lacking we can always find another way to verify it, thus the intention is to make visible the weighing pounds to the consumers before purchasing. Respectfully.

Afioga LEVAOPOLO TALATONU: Mr Speaker that is exactly the meaning of my question. I see that the Committee has not conducted a visit on this according to the Report, hence their work is incomplete.

MR SPEAKER: I call the Deputy Prime Minister.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker I wish to assist this matter which directly involves one of the key functions of the Ministry. The Ministry conducts two visits to monitor and evaluate the appropriateness of weighing goods in stores using both the stores and the Ministry scales. At times they progress to calibrate the scales used in stores to see if they are appropriately used at all times.

MR SPEAKER: Pardon me Levaopolo you have had your two chances, I will recognize Aveau. Go ahead Aveau.

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Tofa AVEAU TUALA LEPALE NIKO PALAMO (Faleata West): Mr Speaker as part of the Committee and given the members' queries, most of the answers are in the legislation if they had read it thoroughly. Labelling is also covered in the legislation so stores cannot release a bag of onion without a scale. Items should have tag price labels and two kilo otherwise you have to measure it yourself. That is not intolerable under this legislation. The weigh and measure should also be visible to the shopper for verification. With utmost respect.

Tofa LEVAOPOLO TALATONU: Mr Speaker I now get it now that that the member of Tautua has clarified it, but I have been confused all morning by your clarifications including the Prime Ministers.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker if the member can clearly recall the elaboration by the member of their Side, he is a member of the Committee, it is the same clarification that the Chairperson and I explained.

Clause 14 was approved.

CLAUSE 15: Obligation to mark packages.

CLAUSE 16: Obligation to sell packaged goods by weight or measure.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Mr Speaker Clause 15 and 16 please.

MR SPEAKER: The member may speak.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Mr Speaker in query, since...leave aside the weighing goods in stores but let us look at the receipt of exports and imports. Do we check the weighing goods upon arrival or check in stores? For instance a packet of chips weighing half a kilo, can the buyer reconfirm this weight by re-measuring this weight upon request or verify with the labour the appropriateness of this weight according to their findings. Thank you.

MR SPEAKER: I call upon the Chairperson.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: Mr Speaker the consumer will not be liable in this regard according to the legislation...importantly balance opportunity must be provided notwithstanding....

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The main purpose for this legislation is...to be in line with international trades. Hence we should seek balance with foreign trades. With respect

Clause 15 was approved.

Clause 16 was approved.

CLAUSE 17: Offences for false or incorrect declaration or statement.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:
Mr Speaker....

MR SPEAKER: What number?

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:
Clause 17 refers to a person not a company selling the wrong items. The company is not liable but an individual person or store. That is the clarification on this part.

MR SPEAKER: Well honourable Chairperson.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: Mr Speaker the member's voice is too low I can barely hear him but if you could repeat your statement that will be nice. I am cautioned in case his two chances is up and if he rises again then it will be his last chance.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Mr Speaker to clarify this part, a person is the same as the company. With respect.

MR SPEAKER: Well that is the response from the Committee.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:
Please your honor the definitions of person or company is not given. I guess those with special knowledge would have similar interpretation of the terms company and individual. Critically, a Company will not be liable. If this becomes law I recommend that this be reviewed and amended accordingly in the future.

MR SPEAKER: Thank you for the advice. I believe the Chairperson has taken note of that.

Clause 17 was approved.

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Metrology Bill 2014 – consideration in detail

CLAUSE 18: Court may order offender to make any good deficiency.

Tofa LEVAOPOLO TALATONU: Mr Speaker part of Clause 18 is now clear. You are on the right track; a person can be taken to Court when convicted. The term person is again mentioned instead of company. Respectfully.

MR SPEAKER: Well in case a company operator is being followed up when nobody can...I call the Hon Minister of Communications and Information Technology.

Afioga Hon TUISUGALETAUA SOFARA AVEAU (Minister of Communications and Information Technology): Respectfully I rise to second the Hon Prime Minister on the queries made that the Bill has not been read thoroughly. 17 has already been read out whilst someone said 18. It seems that they have not read the legislation. This has prolonged our session when...it is unnecessary to pose questions on company but the owner of the company. That is called ‘common sense’.

MR SPEAKER: Well, the member’s view is now ambiguous.

Clause 18 was approved.

CLAUSE 19: Requirement for equipment.

Approved.

CLAUSE 20: Marking.

Approved.

CLAUSE 21: Pattern approval

Approved.

CLAUSE 22: Verification.

Approved.

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Metrology Bill 2014 – consideration in detail

CLAUSE 23: Refusal to produce equipment.

Approved.

CLAUSE 24: Forgery.

Approved.

CLAUSE 25: Counterfeiting.

Approved.

CLAUSE 26: Meaning of “a person”.

Approved.

CLAUSE 27: Licence to manufacture, sell or repair equipment.

Approved.

CLAUSE 28: Offence for sale of unverified equipment.

Approved.

CLAUSE 29: Responsibilities and functions of the Ministry.

Approved.

CLAUSE 30: Powers of the Chief Executive Officer.

Approved.

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Metrology Bill 2014 – consideration in detail

CLAUSE 31: Appointment and termination of inspectors.

Approved.

CLAUSE 32: Duties of inspectors.

Approved.

CLAUSE 33: Authority to adjust, alter or repair.

Approved.

CLAUSE 34: Appointment of inspection agencies.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker.....

MR SPEAKER: What clause?

Tofa LEALAILEPULE RIMONI AIAFI: I wish to question Clause 34 please.

MR SPEAKER: Go ahead.

Tofa LEALAILEPULE RIMONI AIAFI: Chairperson, the Chief Executive Officer has the power to appoint agents and fees as stipulated in the legislation. Why is it necessary to appoint agents when the Ministry already has employees to do the job as such additional fees must be removed? Respectfully.

MR SPEAKER: I call the honourable Chairperson of the Committee.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: Thank you for the question. Keep in mind that sometimes we have inadequate workers. The Minister has the discretion to appoint recruits whenever necessary. That is the short response.

✓ *Clause 34 was approved.*

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Metrology Bill 2014 – consideration in detail

CLAUSE 35: Offences for inspectors.

Approved.

CLAUSE 36: General penalty for forfeiture orders.

Approved.

CLAUSE 37: Principal liable for offences by employees and agents.

Approved.

CLAUSE 38: Evidence.

Approved.

CLAUSE 39: Defences.

Approved.

CLAUSE 40: Dispute settlement.

Approved.

CLAUSE 41: Fees and forms.

Approved.

CLAUSE 42: Regulations and amendment of Schedules.

Approved.

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Metrology Bill 2014 – consideration in detail

CLAUSE 43: Repeal, saving and transitional.

Approved.

SCHEDULE:

MR SPEAKER: We have corrections in the Samoan version under Schedule given in the Order Paper.

I call the Chairperson of the Committee.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: I move the Correction as follows:

“CORRECTION:

That the terms below be repealed from Schedule 1 & 2 and substitute thereby with the following terms below:

Gagana Peretania	Faaliliuga i le taimi nei	Faasaoga ma le faaliliuga
joule	toule	Touli
bushel	pusele	Posele
deciliter	tekilita	Tesilita
hectoliter	ekolita	Hetalita
decitex	kesitesi	Tesiteki
cubicinches	Kupita inisi	Inisi kupita”

Respectfully.

MR SPEAKER: Pardon me honourable Chairperson I recognize the Prime Minister.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker it sounds vague to the hearing. Can you repeat it again?

MR SPEAKER: Pardon me honourable Chairperson to save time, I call the Leader of the Opposition.

Afioga Hon PALUSALUE FAAPO II: Mr Speaker I am disappointed with the usage of these words by the Chairperson and the Committee pursuant to the Samoan Language. I see that some of these words are vulgar. How did you get them. That is the basis with great respect.

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Metrology Bill 2014 – consideration in detail

MR SPEAKER: I call the honourable Chairperson.

Afioga Hon LEAUEPE TOLEAFOA APULU FAAFISI: Mr Speaker, lest the Committee is being accused of the specified terms that is confusing the Opposition Leader, the terms were being translated rightfully from the Samoan language into English as opposed to the language used by the Opposition Leader. I will keep the Ministry that made these translations anonymous. The translations were converted into simpler language to avoid the pointless reviews made by the Opposition Leader. That is it with due respect.

MR SPEAKER: The Prime Minister reiterated the last notice not the first one honourable Chairperson commencing from touli.

Afioga Hon LEAUEPE TOLEAFOA APULU FAAFISI: I will pass this to the Prime Minister soon. Thank you for the opportunity.

Schedule approved as corrected.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Metrology Bill 2014.

MR SPEAKER: The Committee has correction to Clause 1 and Title according to the Order Paper.

I call the honourable Chairperson of the Committee.

Afioga Hon LEAUEPE TOLEAFOA APULU FAAFISI: Mr Speaker I rise to make corrections to Clause 1 and Title as follows:

“CORRECTION:

That the number “2014” be substituted with the number “2015” to read as:

“METROLOGY BILL 2015.”

With respect.

Correction was approved.

Clause 1 and Title was approved as corrected.

The Metrology Bill 2015 now progressed with Corrections.

19 MARCH 2015

HEALTH PROMOTION FOUNDATION BILL 2013
– consideration in detail

MR SPEAKER: Pursuant to Standing Orders 106, the Legislative Assembly must firstly approve the Committee's Report to permit the consideration of the Bill.

I call the honorable Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW (Chairperson): Mr Speaker I move, *That the Legislative Assembly confirms the report of the Committee which recommends that the Health Promotion Foundation Bill 2013 progressed with Corrections.*

Seconded by one of the members for Individual Voters, Susuga Hon Papaliitele Niko Lee Hang, and the member for Aleipata Itupa i Lalo.

MR SPEAKER: I announce that the Assembly has approved the Report of the Health, Social Services, Internal Affairs, Community and Social Development Committee on the Health Promotion Foundation Bill 2013.

Pursuant to Standing Orders 102, the consideration of the Bill commences with Clause 2.

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Establishment of Foundation.

Approved.

CLAUSE 4: Objectives of Foundation.

Tofa LEALAILEPULE RIMONI AIAFI (Faleata West): Mr Speaker...

MR SPEAKER: What Clause member for Faleata West?

Tofa LEALAILEPULE RIMONI AIAFI: Clause 4.

MR SPEAKER: You may resume.

Tofa LEALAILEPULE RIMONI AIAFI: I see you have had a number of witnesses making submissions given this Report. In summary, most reject the establishment of this meeting and have recommended effective and appropriate methods.

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**Health Promotion Foundation Bill 2013
– consideration in detail**

I wish to get an insight on this from the Chairperson that is quite imprecise in the Report. Respectfully.

MR SPEAKER: I call the honourable Chairperson. Pardon me I call the member for Aana Alofi No.3.

Afioga TOEOLESULUSULU CEDRIC POSE SALESIA SCHUSTER: Thank you Mr Speaker for the opportunity. I wish to query Clause 4 in accordance to the Committee's findings on proposed costs to implement this new Enterprise that is normally Government funded and the number of workers required? Thank you.

MR SPEAKER: I call the honourable Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Thank you Mr Speaker and the member for the question.

The Committee has reviewed the amount of supporters and opponents of this legislation. A reviewed report is now tabled in Parliament including the protracted time taken in consideration of this Bill.

According to projected costs for a new Unit we take note of the high Government expenditure to minimise emergency cases and its impact to the state's economy.

That is the response Mr Speaker.

Afioga TOEOLESULUSULU CEDRIC POSE SALESIA SCHUSTER: Mr Speaker....

MR SPEAKER: Very well this is the member's second chance.

Afioga TOEOLESULUSULU CEDRIC POSE SALESIA SCHUSTER: Thank you honourable Speaker for the opportunity. I intend to know if the Committee have consulted the respective Ministries and bodies who are also carrying out activities on health promotion. Does this involve any conditions or is the new unit able to overtake the entire role on Health Promotion? This could duplicate additional resources and expenditure should be reduced, thank you.

MR SPEAKER: Very well honourable Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Thank you for the question. That is exactly right. The Health Services specifically concentrates on encouraging health promotion whilst the Kidney Foundation focuses mainly on the causes and symptoms of dialysis thus the overall objective is health promotion under this new Unit.

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Health Promotion Foundation Bill 2013
– consideration in detail

MR SPEAKER: Well thank you. Go ahead honourable Chairperson.

Afioga Hon TUITAMA TALALELEI TUITAMA (Minister of Health):
Mr Speaker....

MR SPEAKER: I call the Hon Minister of Health.

Afioga Hon TUITAMA TALALELEI TUITAMA: We have received several submissions on this legislation today. Note the first paragraph in the summary which defines the separation of the health promotion service from the Ministry in 2006 and 2007 in order for Health to focus solely on monitoring and supervision related activities.

Health Promotion was not yet established at the time and was therefore merged with the general health protection under the Ministry of Health.

If the Foundation Unit is set up the Ministry of Health will focus specifically on its core functions. The role played by the workers in the Ministry of Health will similarly be carried out at the new Foundation Unit. Additional workers will not be necessary. Clearly the roles of the Ministry is now well defined thus dividing the monitoring and evaluation processes and quality screening and the new Unit will now focus on promoting education on health prevention.

Mr Speaker that is the short explanation, thank you.

MR SPEAKER: Well done thank you. I believe the Hon Minister's clarification is well taken.

Clause 4 was approved.

CLAUSE 5: Functions of Foundation.

Approved.

CLAUSE 6: Powers of Foundation.

Approved.

CLAUSE 7: Board of Directors.

Approved.

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**Health Promotion Foundation Bill 2013
– consideration in detail**

CLAUSE 8: Terms of appointment.

Approved.

CLAUSE 9: Remuneration and allowances.

Approved.

CLAUSE 10: Removal from office.

Approved.

CLAUSE 11: Resignation.

Approved.

CLAUSE 12: Vacancy of office.

Approved.

CLAUSE 13: Disclosure of interests, etc.

Approved.

CLAUSE 14: Validity of acts and decisions.

Approved.

CLAUSE 15: Meetings of Boards.

Approved.

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CLAUSE 16: Advisory Committees.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Chairperson....

MR SPEAKER: What Clause?

Tofa LEALAILEPULE RIMONI AIAFI: Clause 16 please.

MR SPEAKER: Go ahead member.

Tofa LEALAILEPULE RIMONI AIAFI: Quering the Committee Chairperson, why do we need an Advisory Committee when we already have the Board of Directors? The Board Committee members according to the law require three eligible members that is misinterpreted as the Advisory Committee. In query do we also need to pay allowance for these members?
Respectfully.

MR SPEAKER: Mr Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Thank you Mr Speaker, sometimes we need qualified persons to do the job to its fullest thus the Advisory Committee is required by the Board to execute the work completely in a timely manner. That is the response.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker the Board Committee has the discretion to call the qualified persons whenever necessary however it seems like we now have a separate Advisory Committee. With all due respect.

MR SPEAKER: Very well. I call the member for Falealupo the Deputy Leader of the Opposition.

Afioga Hon AEAU PENIAMINA LEAVALISEETA (Falealupo): Mr Speaker as a member of this Committee, I wish to clarify this as one of the submissions from our Committee in regards to the duplication of health works involving promotion and foundation.

In essence, the Foundation Unit aims to seek funding as a non communicable diseases project as its sole purpose. Whilst the implementation process is not so much a positive response for the foundation, otherwise, they aim to seek funds regardless of the incomplete support upon this new role. That is the clarification....

MR SPEAKER: I call the Leader of the Opposition.

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Afioga Hon PALUSALUE FAAPO II: Mr Speaker another additional Committee will waste money. The Chairperson has responded that an Advisory Committee will involve specialists. Mr Speaker in truth this will be another political move in term of appointment. Such includes an estimated million costs to public funds for the current Board Committees. This must be reviewed thoroughly honourable Chairperson. Considering the lack of available funds, we still have debts to pay off and a proposed Advisory Committee must be omitted from the legislation.

MR SPEAKER: I get the member's view and the Chairperson has already clarified this. I call the Hon Prime Minister.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, I have talked so many times about this Advisory Committee and the critical role these senior men are playing for the Government. Majority of these last Jews and senior members still hold the gift of knowledge on advisory role. Reference to the Bible, Rehoboam also sought the advice of the elders and instead accepted the advice of the young men that resulted to the Kingdom of Israel's miserable failure.

That is reason why the Government of the day still hold on to the experienced Jews to obtain indepth information and assistance to the Government. For instance, the establishment of the Advisory Committee was based on the recommendation submitted to Government to revive fine art *measina* over fine mats or ietoga that are commonly bitten by cockroaches and mice. A similar Committee was also set up and was greatly supported by the public given the productive programs aired on the radio saying that it is a lightburden. We have been educated well by obtaining a lot of fruitful recommendations from this Committee.

The Committee recommended the 24 herrings in a carton instead of 48. Additional recommendation supported 4 herrings that is easier for the people to take 100s in total to a funeral.

Do you get the signifant role played by this Advisory Committee that is incessantly despised by Palusalue. The raising concern by the Minister who is a doctor has stunned a dentist, I am in disbelief, the saying "*prevention is better than cure*" is well defined to the public. Part of the service provided by the Health Ministry is prevention. Another curable method is injecting the sick by mistake hence prevention is better than cure as uttered evidently by the Doctor of Doctors and is rejected by a Dentist. Therefore we should have an official notice in the House on poor oral inflammation due to the poor knowledge of the periodontist.

MR SPEAKER: He is almost finished then I will give you the chance.

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Afioga Hon AEAU PENIAMINA LEAVAISEETA: Very well....

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: This is why some people have poor oral hygiene due to the lack of knowledge. When you brush your teeth, make sure your brush is able to bend/flexible to get to your gums. Most of the patients wanting a tooth pulled out have gum disease that results from poor advertisement from dentists who suddenly jump to Parliament when they should be focusing on their professions. All in all when brushing teeth you must ensure to wash the gums innings in order to live 120 years without a falling tooth. Hence a dentist should not interfere with the work of those specialised in health prevention and promotion. Mr Speaker that is the slight addition but the Doctor will now conclude.

MR SPEAKER: I call the Leader of the Opposition.

Afioga Hon AEAU PENIAMINA LEAVAISEETA: Mr Speaker, pardon me but I wish to correct the given statement. I recommend the Hon Prime Minister to consider what you are good at because you are a Doctor of Economics, but do you know what is happening to the Government under your administration.....the country is terrified with the misuse of fundings but no one is concerned about dental health.

Mr Speaker I wish to assist in this matter, this is the only Committee that the Hon Prime Minister is part of, why? This is a very important Committee and do you know why it is important? It is vital because it aims to seek funds. Ok, so we have the Board, special one, we have the foundation. Do you get why this foundation is significant? To seek funding for the Ministry of Health although he is the Leader of the Government but he uses Health to raise funds. That is the objective of the foundation so the matter must be reviewed as it involves Doctors....

MR SPEAKER: I beg tolerance I call the Hon Prime Minister.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker the Bill's interpretation is extremely wrong. That intention was not to fundraise. This report is extensively false. You are trying to drag fundraising into the interpretation. That is why the Hon Minister was giving clarification on the defining roles of the Ministry. Mind you there are two main functions in any country of the world in regards to health, prevention and promotion. The most common prevention applied by doctors is giving injections, medicine and cutting patients. This is the view of another doctor who shares his medical experience or natural doctors that food is also the cause of sickness. In belief food is a medicine for the sick as well as a cause of sickness.

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This is the whole purpose of creating this new establishment to prioritize prevention as most of the views seem to place emphasis on cure and less priority on prevention.

This is a step forward to defining these two functions in separate not intending to raise funds. Mr Speaker, this is a very false submission, the Minister will now take the stand to conclude our discussion.

Afioga Hon PALUSALUE FAAPO II: Mr Speaker to save the Minister's time.

MR SPEAKER: Well the Hon Minister will give clarification before I give you the chance.

Afioga Hon PALUSALUE FAAPO II: Well in case the Hon Minister requires assistance.

MR SPEAKER: No it is better to clear the matter.

Afioga Hon TUITAMA TALALELEI TUITAMA: Mr Speaker I do not require assistance. Mr Speaker, this is exactly what you call exaggeration, when you look at the legislation, part of the Committee oppose Section 16, it is clearly given that the Committee comprises of two or three members not exceeding 40 people. I also wish to revisit the constructive Report of the Committee and the matter regarding Health Promotion that has taken 10 years of planning. The honourable Chairperson of the Committee also took part in this as a former Minister of Health who is well clarified of this legislation to its entirety laid out in Cabinet for quite some time now to be reviewed and therefore this time is now here for its enactment. The Health Promotoin began based on the directive of the World Health Organisation in 1978. That is how the concept of Health Promoting was created as there is no other low-cost or curable method to seek better health other than prevention. In 1978 a review was carried out by the World Health Organisation which concluded that the world should consider the application of prevention rather than cure.

Then in 1996, the Minister met with the entire members of the Pacific Health members in Fiji in the place called Yanutha Island, where the resolution or declaration was adopted that is now known as the Yanutha declaration that will holds its 20th anniversary this year, thus the Ministers will again hold another meeting to ensure the vision for the men of the South Pacific based on the concept of healthy island where people leave with freedom, free from deceases and surrounding with a clean oceans. That is the aim of this vision to achieve this dream for the Leaders of the entire Pacific to obtain peace.

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That is the main objective behind the health promotion concept otherwise our economy will never become successful. We talk about health expenditure but in reality, a healthy nation is a wealthy nation. The sick cannot seek funding nor become employed. Consider the rising number of obese persons who cannot make plantations to earn a living, they have no earning power because they have become sick because they are either diagnosed with glucose, high blood pressure, heart problems, cancer which are all part of health promotion required to reduce expenditure by encouraging healthy people, healthy lifestyles and a prosperous nation.

Afioga Hon PALUSALUE FAAPO II: Mr Speaker point of clarification.

MR SPEAKER: The Leader of the Opposition is now concluding before you have the chance.

Afioga Hon TUITAMA TALALELEI TUITAMA: However it seems that some people object healthy living for the people rather they want the country to get sick by reducing revenue earning for the country.

Mr Speaker and the dignified House, although we laugh and joke about this but all these discussions are recorded in Parliamentary Records for future generations who will know that this person rejected this affirming the root of the problem due to these kind of people.

Mr Speaker that is the brief explanation as this is not an easy subject. For the information of the House, the Governor General has appointed a small Committee of twelve members to represent the entire world. I am the only representative for the entire Pacific region in this Committee. This workforce will advise the Governor General on recommendations to minimize Non Communicable Diseases or NCDs. Thus the recommendation that the workforce is currently focusing on is putting into effect the UNA political declaration tabled in Parliament. Section 44 of this declaration seeks ways to engage the community and the private sector to work closely which is exactly the aim of this promotion otherwise without this collaboration engagement this will never be successful.

That is the aim of the health sector to engage the assistance of other sectors otherwise known as the multi sectoral approach also known as the government approach or the country approach. That is the strategic approach *in the long run that still seems unclear to some of us here.* Well let us forget the weak. Mr Speaker that is the addition with respect.

MR SPEAKER: Well done thank you Hon Minister for the clear clarification.

CLAUSE 15: Meetings of Boards.

Approved.

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CLAUSE 16: Advisory Committees.

Approved.

CLAUSE 17: Delegation of powers.

Approved.

CLAUSE 18: Chief Executive Officer.

Approved.

CLAUSE 19: Responsibilities of Chief Executive.

Approved.

CLAUSE 20: Appointment of staff.

Approved.

CLAUSE 21: Protection from personal liability.

Approved.

CLAUSE 22: Health Promotion Fund.

MR SPEAKER: I call the member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker I query Clause 22. Firstly, I congratulate the Hon Minister for appointing himself as part of the Advisory Committee for UN I guess he is well qualified for the job and the funny jokes he makes. But well done to that appointment.

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In query to this clause, mind you the Ministry of Health is now divided into four areas namely the National Health, Ministry of Health, Kidney Foundation and the Health Promotion once this legislation becomes law. So the Ministry is divided into four. In query, why is this...whether the works from the beginning was not executed properly. According to the Hon Minister's explanation, if the current people are employed in this new Unit and we know that prevention is not new, does this mean that these people will be transferred automatically to do the job once the new unit becomes independent? The Unit will also rely on public funds. In query, a few number will also be appointed in addition to these people....playing similar role or function. Respectfully.

MR SPEAKER: Well done. I call the Hon Minister before the Chairperson.

Afioga Hon TUITAMA TALALELEI TUITAMA: If the member can find the last lines in the second paragraph of the Bill where it says, "the duties of the Foundation will be performed by the Chief Executive Officer and staff of the appointed Foundation pursuant to the terms and conditions." It is very clear – it states four divisions all under the Ministry of Health. The stipulated Chief Executive in this second paragraph of the legislation is given in this summary. That is the explanation with respect.

MR SPEAKER: Well done thank you.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker I guess the Hon Minister did not get it...We will establish a Private Unit. This means that we currently have people implementing this task. Therefore these people will be transferred directly to the new Unit once it is done. And a new CEO will be appointed together with additional workers. Hence the existing workers will operate this new Unit. That is what I meant when we have the appropriation allocation, part of the budget will be allocated to this new Unit. That is the interpretation as these services cannot be duplicated?

MR SPEAKER: Well done, your view is now clarified. I call the honourable Chairperson of the Committee.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Mr Speaker I believe the assistance has been given to the Hon Minister's statement but the question is correct, the current employees on health promotion in the Ministry will work in this new Unit. This plans for the continuation of health promotion activity for all. The new establishment consists of a new CEO plus a few additional employees and part of the Ministry's Budget will be allocated to this new unit. That is the basis to this question. Thank you.

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Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:
Mr Speaker....

MR SPEAKER: What Clause?

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:
The same Clause Mr Speaker.

MR SPEAKER: I call the member.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:
Mr Speaker thank you for the granted opportunity. With the existing workers carrying out the same role for the new Foundation Promotion Unit, I wish to ask the Committee why these people had not achieve this function in the past and the need for a new Unit establishment.

If these same people are tasked to continue this undertaking, we must heed the liabilities why this function was not achieved in the past because according to the Hon Minister's statement and statistical records, life expectancy is on the rise. Yet these were the same personnels we evaluated. If this new foundation is on the go, these employees will get higher pay as most of them are senior and principal level officers who can overtake ACEO level yet again they are performing the same role. According to the Committee's findings, they sought to find out what initiatives these people can perform.

MR SPEAKER: The member's view is well taken. I call the honourable Chairperson of the Committee.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
Mr Speaker at the current we have inadequate number of workers as well as insufficient funding to prepare health promotion activities. Whilst with this new Foundation, it will focus particularly on the functions of the Foundation itself. With this transfer, it will greatly assist the new Unit to focus solely on health promotion as its main objective. As majority have mentioned it has taken years yet we still have not seen any sign of improvement. Therefore we should consider other avenues or options as reiterated by the Hon Minister to remedy the issue that is widely evident in the country. That is the clarification.

MR SPEAKER: Well done thank you. I believe the member's query is now well defined.

Clause 22 now approved.

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CLAUSE 23: Bank accounts.

Approved.

CLAUSE 24: Exemption from tax.

Approved.

CLAUSE 25: Charitable purpose.

Approved.

CLAUSE 26: Budget.

Approved.

CLAUSE 27: Accounts.

Approved.

CLAUSE 28: Annual report.

Approved.

CLAUSE 29: Manner of operation.

Approved.

CLAUSE 30: Review of funding.

Approved.

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CLAUSE 31: False information.

Approved.

CLAUSE 32: Repayment.

Approved.

CLAUSE 33: Offence by body corporate.

Approved.

CLAUSE 34: Regulations.

Approved.

CLAUSE 35: Transfer of personnel, resources and assets

Approved.

CLAUSE 36: Consequential amendments.

Approved.

CLAUSE 1 & TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Health Promotion Foundation Bill 2013.

MR SPEAKER: There is correction to Clause 1 and Title by the Committee in the Order Paper.

I call the honourable Chairperson of the Committee.

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Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
Mr Speaker I move the Correction to Clause 1 and Title as follows:

“CORRECTION:

To omit the number “2013” and thereby substitute with “2015” to read the Act as:

HEALTH PROMOTION FOUNDATION BILL 2015.”

Correction was approved.

Clause 1 and Title was approved as corrected.

The Health Promotion Foundation Bill 2013 progressed with Corrections

TEACHERS BILL 2015 - second reading

MR SPEAKER: I recognize the Hon Minister of Education, Sports and Culture

Afioga Hon MAGELE MAULIU: Mr Speaker I move, *That the Teachers Bill 2015 be now read a second time and I wish to elaborate it.*

Seconded by the Deputy Prime Minister, Minister of Public Enterprises, Minister of Communicaitons and Information Technology, Minister of Police and Prisons.

MR SPEAKER: I call the Hon Minister of Education, Sports and Culture to clarify the Bill.

Afioga Hon MAGELE MAULIU: Mr Speaker the Teachers Bill 2015 is a very important legislation in the Parliament House of Samoa. This morning marks another milestone in the history of Education for the country.

I recall the words of Faasaleleaga during days like this, “*Ua lau i ula, lau i toa le fale na i Amoa*”. Also in the words of Gagaifomauga the district of the honourable Speaker, “*se aumaia le maa lei se i fola ai o matou maota ma laoa*”. This particular morning, *ua lau i ula ae pou i toa ae fola i le maa lei le fale o Faiaoga o Samoa.*

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Teachers Bill 2015 - second reading

This is the peak for all Government contribution and efforts to raise quality education standards for the country. *O le fale sa fau ao ma fau po, ae poutu i poututoa e lima.*

Firstly, proper distribution is a sign of equality and impartiality regardless of where people live, the expansion of Secondary schools and Colleges is now readily available.

Secondly, in depth Education illustrates intelligence, common knowledge, academic implications and special professions.

Thirdly, good Education is measured by correct aptitude and ability that serves great benefits set out by appropriate guidelines.

Fourthly, good education is appropriate for the benefit of individuals and country as a whole.

Fifthly, education is a continuous development through proper management of funds and resources by people. Mr Speaker, the Government and the Ministry believes that higher education standard for our children is not the main thing rather it is the education development of our Teachers. It has taken five years since priority was purposely made for our teachers to improve their qualifications from Diploma to Degree and better pay with adequate resources and environment to be in line with the Vision of the World.

These good works have begun to bear good fruits as Rome was not built in one day. We have a total of 12 teachers on scholarships for the fields of Mathematics and Science this year. In the coming year, we have 15 scholarship opportunities proposed for Mathematics and Science, 60 scholarship Teachers are currently teaching Mathematics and Science at USP to be completed by midyear next year. The University is also working to provide more opportunities for teachers majoring in Bachelor of Science specifically in Chemist, Biology and Physics...

MR SPEAKER: I interrupt the Hon Minister's speech as we are now scheduled to break but we shall ensue the wonderful speech when we return. I announce that the Proceedings of the Legislative now set aside to seek energy this morning.

Proceedings of the Legislative Assembly now suspended for recess at 10:45am and resumed at 11:52am.

MR SPEAKER: I note that everyone has received new strength from our break which is the exact intention of the Clerk of the Legislative for us to take interval breaks given the huge load we are engaged in.

Before our break the Teachers Bill 2015 was in progress hence I ask the Hon Minister to resume your presentation on this very important Bill.

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Teachers Bill 2015 - second reading

Afioga Hon MAGELE MAULIU: Thank you honourable Speaker, and the morning tea that has rejuvenated energy for everyone. That is just what we need considering the huge presentation I am about to give.

Mr Speaker, before recess, I was explaining some of the Ministry's initiatives on scholarship opportunities for Mathematics and Science subjects for our Teachers at USP specifically for higher level education with plans to conduct a graduation ceremony for them by mid year. By the end of the year, we will receive a total of 50 teaching graduates from the Faculty of Education with Degrees that will advance towards the Secondary Schools. We have a total of 117 registered male and female teachers at our local University this year which is a very significant number. Out of 117, 48 graduated from Grade 4 who will pursue to Grade 12 of Year 13. Normally in the first year, majority of the graduates achieve Grade 16 and 18 for the Year 13 examination. This is a huge milestone achieved by our local teachers in regards to raising qualified profiles on teaching profession.

The Bill before the House is the top priority of Government to raise standards for our teachers including Lawyers, Auditors, Doctors and Engineers. Teachers will no longer be mocked nor ridiculed despite the many good initiatives they have achieved. Does anyone in this House remember the Teachers song lyrics "*E tagi e le fatu, le fatu ma le eleele. Ua fai au, fai au ma ou fala seese. Samoa e aua e te mateletele, o ita ua masani, masani i le faiva o see. Tiga ona sii, sii ita i luga, o faiaoga, o faiaoga le aoga. Silasila i le faafanua o galuega o lo o ua fua. Amuia lava le masina e alu ma sau, a o le ipuvai ua masaa ua maimau. Le tauemua o si o ta igoa i motu e tele o Samoa*". This song was conducted and sung by an old male teacher from Gagaemauga in Savaii.

Mr Speaker, if the Teachers are listening in, this is your time to shine. You will no longer be known as the *fala e see, a o le fala tautele*, rather you are known as a class of scholars who holds special recognition here and abroad. This Bill will regulate the registration of teachers including registration certificates issuance and licenses for all teachers from Government Schools, Private Schools, Church Schools and Pre Schools. This excludes the Teachers Bill for University levels and Polytechnic Institute regulated under its own rules and regulations. The 13 members under Samoan Teachers Council provides teachers registration certificates issuance, teaching license, professional and ethical standards security, professional teaching development and teaching awareness programs for their achievements.

This is the new change by the Ministry of Education to be in line with New Zealand and Australia and other countries of the World. After you receive your teacher's registration from the Teachers Council, a recommendation is submitted to the Public Service Commission to confirm that you are a qualified teacher. A three member Tribunal will also be established to handle the many complaints and appeals against the decisions of the Council upon the new incorporated elements. This new undertaking by the Ministry will align us with the rest of the world.

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Teachers Bill 2015 - second reading

Mr Speaker the purpose of this legislation aims to improve the teaching profession of teachers to a professional level than the function provided under the Public Service Commission. This will help push and encourage our children to be educated as they are the future of the family, church and the country. One of the father's saying as a teacher's spouse in my village goes, "I thank the Government for the new initiative seen today, but have mercy, it has been three months since my wife and I have not slept together, she does her homeworks the entire night and sleeps on the table whilst I sleep alone in bed." The message send by this father is that teachers are working at a professional level that is not the case anymore, as a principal and teacher, she must work hard to set out her lessons well. Behind a good woman lies a good husband who supports and prays for his wife's responsibilities to go well. 80% of the teachers in Samoa are women. This requires prayer and support. We must get used to sleeping alone and give our wives a chance to prepare for her students. Mr Speaker that is the clarification and summary to the significance of the Teachers Bill 2015 that is easy to read in both languages. It is brief and will be referred to the Committee shortly on the belief that we will receive very few submissions made up of two speeches from the Opposition Side which will have my full attention. These two submission will be given by the member for Faleata West and the member for Salega, Afioga Afualo Wood Uti Salele, who are the only graduating teachers of that side that find teaching profession simple in their thinking and feeling which they find challenging and enduring. May your speeches be blessed and so as this meeting, with respect.

MR SPEAKER: Well thank you for clarifying that Hon Minister of Education, Sports and Culture, I believe the Leader of the Opposition has complied with your request, pardon me, the lawyer will take his chance first, the member for Vaimauga West, Tofa Lefau Harry Schuster, I call the member.

Tofa LEFAU HARRY SCHUSTER (Vaimauga West): Mr Speaker I have very little to say, I like Hon Minister's suggestion however he is quite impartial with his submission with regards to the members for Salega, Afioga Afualo Wood Uti Salele and Faleata West who were former teachers, no it is not a....I was also a teacher at the University of Victoria, despite it is now drawn in the teachers classification. That is all I can say, but the Bill is all good.

MR SPEAKER: Very well. Pardon the Hon Minister, next up is another lawyer. I call the member for Faasaleleaga No. 2.

Susuga PAPALII LIO FAAVAIIVAIOMANU TAEU MASIPAU (Faasaleleaga No. 2): Thank you Mr Speaker and the insightful presentation by the Hon Minister and I am sure you have covered everything on this legislation. I wish to share a submission on this Bill.

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Teachers Bill 2015 - second reading

According to my interpretation of the Bill, it seems to focus on the improvement of teachers' skills and behaviour. The issue on the subjects of Mathematics and Science have now been addressed other than the normal roles of the Ministry, I extend appreciation to the Ministry for taking this matter into consideration for our teachers to pursue further studies particularly for Mathematics and Science fields.

As a recommendation we must maintain the walk to talk basis based on collective efforts and teamwork spirit. I believe everything will go as planned. Additionally, the Ministry as one of the key sector to the Government must encourage good education by providing schools adequate Mathematics and Science teachers and ensure to monitor and reevaluate this improvement.

Our village of Sapapalii presents a donation of \$5000 to Mataaeveve College every year for improvement purposes, despite it being a public school. The village matai have also donated a laptop and a screen projector to the School Principal to which they have given their appreciation two weeks ago. Sapapalii has initiated this assistance for the public schools to assist our children and Sapapalii will present a different donation in the coming year. Another function that is not covered in the bill is the role of school inspectors. This is one main role by school inspectors who conduct spot checks on teachers who are not performing their duties so it all comes down to better pay.

Regardless of the good plans and laws we make, we believe we can make improvement if we bear good benefits. Have a blessed meeting Mr Speaker.

MR SPEAKER: Well done thank you to the respectable member. Now let us call the member for Aana Alofi No. 3.

Afioga TOEOLLESULUSULU CEDRIC POSE SALESA SCHUSTER: Thank you Mr Speaker for the opportunity as well as the Hon Minister and those who drafted the Bill to raise academic standards for the teaching profession. For part time teachers they focus on specific subjects that do not require qualifications regardless these teachers are still required considering the shortage of teachers available. Noting the low grade result at NUS for teaching profession, the Association must push for higher pay for the teachers.

Lastly on the function of the Association or Council, it is recommended that *all schools whether Private, Public or Church must be encouraged to obtain adequate resources to be utilized by teachers to improve academic studies for the children.*

MR SPEAKER: Well done thank you to the notable member. I shall give the chance to this side of the House, member for Falealili, Tofa Tusa Misi Tupuola followed by the member for Vaisigano No. 1.

19 MARCH 2015

Teachers Bill 2015 - second reading

Tofa TUSA MISI TUPUOLA (Falealili): Thank you Mr Speaker and the dignified members of Parliament who have made contribution. Respectfully I rise to voice a submission on behalf of the district of Falealili in regards to the legislation before the House.

I did not intend to say anything but I was very touched by the Hon Minister's speech to improve the teaching profession in the country. I remember the words of King David after hearing God's Word, "This is the light of mine." This is the significance of this Bill to the House. And given its importance, other normal sayings in the country, *e le o le fale ae o le anoafale e taua* meaning it is not the house but the interior of the house. The Bill aims to instill perfection for teaching profession and maintain certified registration and license for their know-how skills such as the normal saying of the country, "teachers are an inspiration to parents". They set guidelines and standards in order to achieve quality education for our children in the rural area including Falealili. Thus we appreciate the well done efforts of the Hon Minister, CEO and the Ministry. Like the saying, 'what's good for Apia is also good for Falealili'. Have a blessed meeting.

MR SPEAKER: Well done thank you. I call the member for Vaisigano.

Afioga TUFUGA GAFOALEATA FAITUA (Vaisigano No.1): Thank you Mr Speaker for the opportunity. This legislation has our full support. I need clarification on a couple of questions. According to the Hon Minister's statement, he pointed Grade 1 comprises of 40 students majoring in teaching which is a ratio of 4:12 entering University level. To be exact, what grade does a student require to attain in order to enter the teaching profession? What grade requirement a student ought to achieve in order to take the subjects of Mathematics and Science? The two subjects have declined significantly. 4/12 students are majoring in Art. Secondly, a Council is now set up to administrate teachers and act as arbitrator to settle the teachers' grievances. In this case, will the Council play the role of administrating the teachers' grievances and not go through the Judiciary? Thirdly, the Bill stipulates the issuing of teachers' license; can this legal document be extended to other countries when the teachers teach offshore? Lastly, I speak of one gentleman who is married to a teacher because he is after a pay rise. Thank you for the opportunity.

MR SPEAKER: Thank you to the notable member, I recognise the Hon Prime Minister first. I call the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: For the interest of the public, perhaps this is one vital part of the legislation that I agree with the Minister and the Ministry given a milestone achieved by the Education sector to raise academic standards this morning.

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Teachers Bill 2015 - second reading

I wish to lay emphasis on Section 3 of the legislation for every teacher from public to private and church schools excluding University levels which follow their own set of rules and regulations. The essence of this Bill covers and involves all schools. In terms of better pay, teaching in Government schools shares the same benefit as the Church Schools for teachers to keep on in their profession. That is the assistance.

MR SPEAKER: Very well. Thank you for the elaboration Hon Prime Minister. I will give the last chance to the member for Salega Afioga Afualo Wood Uti Salele. I call the member.

Afioga AFUALO WOOD UTI SALELE (Salega): Thank you Mr speaker for the chance. The normal words of the country specially in the regional area we are situated in, *A sou le vai i Fuluasou sala ina sou ona o lea e toto ai le tia a Tautiaga*, whilst members of a subvillage I reside in say, *na o Neiafu lava na mele ai le Toelau*. I speak of these words as the Hon Minister has already given a clear clarification. For any country the service of teaching has a noble cause.

It is essential to develop and plan well our inner selves and vision in order to put the message across so that our children are well educated in the future. Any nation with well educated and healthy people indisputably develops a stable economic growth. From experience, I know the exact feeling when a task is poorly done. A true heart serves and contributes well for our children and the country which is the sole purpose of Parliament and the Government for our teachers. We are a Christian nation and we believe in the many blessings received through various ways as is the recommendation to the Minister and the Ministry to ensure quality and improved educational systems and services. With the push for high quality education standards, we have considered installing the accreditation system for Colleges which is very well established in most countries. Currently we are also part of the WTO whereby new schools are prepared to open nonetheless set guidelines is now in place to better educate our children in the future

I wish to conclude by thanking the Hon Minister and the Ministry for the well drafted legislation. Have a blessed meeting, thank you.

MR SPEAKER: I recognize the member for Faleata West followed by the member for Aana Alofi No. 1, Afioga Leaupepe Toleafoa Apulu Faafisi.

Tofa AVEAU TUALA LEPALE NIKO PALAMO (Faleata West): Thank you Mr Speaker. I wish to congratulate the Hon Minister and the Ministry for preparing this legislation. Considerably teaching profession is a very important role in the country. We all received education and have gone through the same process like the lawyers. Despite the many careers we have in life, we would not have been where we are today if not for the incredible sacrifices of the teachers.

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This is not a low life career but a very important profession. In a classroom of 30 to 40 students, you must familiarise yourself with every child's ability and standard because we have the good students, average students and the below average students. So when preparing your lessons you must heed this notion. Teachers must acquire problem solving methodologies to improve the below average students. Note that children spend 6 to 7 hours with their teachers every day. Pardon me but teachers outweigh a child's time than the parents themselves. Thus a teacher's role is very significant and the Government should find attractive ways for children to go to school. I think some find it hard to go to school on the belief that teachers finish at 2.00pm. If you have a total of 30 to 40 students, you will have 30 books to mark and if you take three to four subjects, then you have a total of 120 books to mark at home. So then – agreeing with the statement of the Minister, there is no time for the man and woman to sleep together because these books must be marked in order for the students to recognize their mistakes the next day. The job is not easy.

In short, this is a crucial legislation which aims to provide quality education for our children. The intention is not to make the teachers popular nor become millionaires. With the readily resources available, teachers must improve a child's education for a better living to support the families and the country. Looking at the legislation from the teachers' perspective we must seek better ways and methods for teachers to do their job efficiently. If the registration processes involves complications, this could be one disadvantage that is avoiding some teachers from teaching. In relation to the bill for example, if you want to become a teacher, you are required to pay up a fee, get a teaching certificate and a license which is the third payment you make before you actually become a certified teacher. Hon Minister and the Ministry, this fee must be reviewed to one payment only. Considering the number of teachers now at 3000 and the expenditure involved, it is quite significant.

Another section of the bill is the teachers' grievances. According to the Bill, if the offender press charges against a teacher and if the Ministry finds no records on such case and the same response is passed on to the Commission by the Ministry of Police, then the case can be resorted to either the PSC or the Council. The Council does the investigation and will indicate a person to do so. Why is the teacher investigated when the decision has already been made by the Commissioner and the Ministry of Police? To my interpretation it seems that the work of the Police is considered lightly. But I take it that the Commissioner may have outweighed significant conditions on this new undertaking.

I appreciate the new legislation and its improvement as I too was a teacher for a long time. In further the Bill will help improve our service as teachers.

That is the short view but well done Hon Minister and the Ministry.

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MR SPEAKER: I call the member for Aana Alofi No. 1, Afioga Leaupepe Toleafoa Apulu Faafisi followed by the member for Faleata West.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: Mr Speaker, thank you for the opportunity. Given the productive presentation of the Hon Minister of Education, Sports and Culture, I feel that I ought to give an explanation and a note of gratitude to the Minister, the Chief Executive Officer and the staff for the tremendous job.

The effort shown is filled with the heart of gratitude. The days has its good events *o le aso foi ma le filiga, o le fuata foi ma lona lou*. The proposed legislation is just in this time for our children today. Such is the appreciation to the Minister and the Ministry for raising the standard and services of our teachers according to the legislation. This not only protects the service provided by the teachers but also helps improve their academic standards. Not only are students expected to learn and study in school, parents also expect them to be well-disciplined, become respectful on the cultural side and even instill the principles and values on the Spiritual side on top of the teachers shoulders. Although parents are childrens' first teachers, however, their role is still minimal compared to the one offered by the teachers - I am not a teacher but as part of the Education Committee I know it. Hence, the service played by teachers is not easy.

The Hon Minister is now clarified and so as one father – in regards to educating the children which is a huge responsibility that takes up the entire day instead of 8 hours. I wholly support the entire purpose for setting up this legislation for the betterment of our children. Despite land development of cocoa and copra which we sometimes lack thus posing a huge impact on our economy, nonetheless, a good child who sincerely loves his or her family can do well and bring wealth to them. A blessed family and church also includes the state. That is the contribution from this district on this legislation.

The Bill will in time satisfy the country to its entirety otherwise, great appreciation to the Hon Minister and the Ministry for pushing this legislation to add more well-educated teachers for our children. That is the brief note of thanks extended to my fellow member. Respectfully thank you.

Tofa Hon Tuuu Anasii Leota (Siumu): Mr Speaker, since it is – point of clarification. Both of us support any given legislation and speaking on our behalf is the member for Aana Alofi Nu.1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi whereas I speak on matters we object. Respectfully.

MR SPEAKER: Well, I call the member for Faleata West to conclude his speech on the Bill.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you for the opportunity. I wish to express a point on this very significant Bill. I do not acknowledge the Minister and the Ministry rather I thank God for granting the wisdom and courage to push forward this Bill. Well done.

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Teachers Bill 2015 - second reading

Hon Minister, I ask that you try and advise the teachers to prioritise the husband and children first before her homeworks. If the husband is satisfied, the works of the teacher is also well supported. Teaching is a lifetime profession that takes up 30 years of a teacher's involvement and engagement with a number of students. In saying that, no person has the biggest influence to a child's life than the teachers.

The whole purpose of setting up this legislation is to raise better standards for our teachers, establish a Council and a Tribunal Commission to settle the grievances of teachers. The teaching profession is now considered greatly by the majority as most people choose different careers in life including the profession of teaching on the mindset that it is something of less value. Otherwise the intake of teaching profession and service at NUS is now becoming more attractive today and the future.

To assist the teachers, Sunday-School teachers from Church and Private Schools are all regulated under this Bill. These schools have their own set policies and guidelines for recruitment.

This will impact the majority. What about the evening class students who are required to take part time teaching in Colleges? As for the BA and BSC graduates, are they required to pursue teaching again before they become teachers? In addition, how long does it take to complete? This could pose discouragement. Is it possible to take immediate registration and pursue part time studies? This could mean that this section is unnecessary. Most of us including the Hon Prime Minister took evening classes in the past, so Hon Minister, how is this managed under the law.

A Commission is now set up covering multitude of tasks which I feel is a very huge process. We need extra specialists to do this job as the Council now comprises of Ministry heads and teachers. Do we have people for this job before the Council meets because according to the legislation, the Council meets twice a month? That means the Council convenes six times a year when this legislation is passed. Hence the proposed undertaking is quite huge including the tasks of those already involved.

Another matter is fees and the three years contract which is not illustrated in the legislation. How about a five year review to avoid the people's slackness from performing this vital task? The fees need to be considered properly by the Committee as this investment was intended for improvement purposes of teachers.

On a different matter, I thought teachers rights are covered under this legislation for their protection as students are not so easy to handle these days. Majority of students observed nowadays have the attitude that is difficult to control. If students are accidentally beaten by the teachers, where else will the teacher turn to? Established guidelines and policies must be in place to warrant the teachers whereas most parents rely on the teachers to discipline their children.

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The main role of the teachers is to educate children but disciplinary action is carried out in the homes by parents. Teachers' actions must be protected given the incontrollable behaviour of students as I too would do the same if I was a teacher. I cannot tolerate this kind of behaviour we are not use to. The....

MR SPEAKER: I beg tolerance to the member, I believe the matter is now taken well given this proposed legislation. However because we have arrived at adjourned time, we shall bear further chances when we return tomorrow. I extend sincere appreciation to the dignified members of the House from morning until now. Well done everyone. I believe we have covered a lot today.

The feeling of gratitude is not minimal. We shall seek good health for tomorrow's sitting. Before we resume we will take a break.

I also express sincere thanks to the general public for supporting the work of Parliament and its sitting schedule this month. Well done and thank you Servants of God for your prayers.

OTHER ANNOUNCEMENT BY MR SPEAKER

MR SPEAKER: I respectfully request the Business, Standing Orders, House and Electoral Committee that we will convene at the Speaker's room straight after today's sitting.

Before adjournment, I congratulate all Government Heads and Public Enterprises gathered before us today as well as the Media Group. I call the member for Gagaifomauga No.1 to end us with a prayer before we adjourn.

Proceedings of the Legislative Assembly now adjourned at 1:04pm until 9.00am Friday, 20 March 2015.

FRIDAY, 20TH MARCH 2015

Mr Speaker took the Chair at 9.00am

Prayer.

ANNOUNCEMENTS BY MR SPEAKER

MR SPEAKER: It is with due respect that I greet the high esteem present for our Meeting this new morning. To all the Members of the Chamber that are able to attend, I greet you all; Leader of the Government and your Cabinet, Leader of Opposition and all the Members of the House.

I greet you all and your honorific salutations. We are gathered again this morning because of the never ending love of our Lord and our thanksgiving is endless. I extend greetings to some of our Members who are just able to attend this morning, welcome. We prayed for your safe return so that we can be together again. To all the Heads of Government Ministries and Corporations and all those present, I greet you all.

I greet the esteem of Samoa listening in to the high chiefs and orators and *faletua and tausi*.

We ask for your support Samoa as your Parliament carries out its duties and responsibilities this day.

PRESENTATION OF PAPERS

The Clerk read out the list of Papers tabled pursuant to S.O.48.

1. P.P. 2014/2015 No. 220, Unit Trust of Samoa Annual Report for the Year ended 30 June 2014.
2. P.P. 2014/2015 No. 221, Prime Minister Ministerial Statement of 18/2-19/2/2015.

PRESENTATION OF SELECT COMMITTEE REPORTS

The Clerk read out the Select Committee Reports tabled pursuant to S.O.51(5).

1. P.P. 2014/2015 No. 222, Report of the Business, Standing Orders, House and Electoral Committee on the Electoral Amendment Bill 2014.
2. P.P. 2014/2015 No. 223, Report of the Business, Standing Orders, House and Electoral Committee on the Review of the Electoral Act 2015.