

THURSDAY, 27TH AUGUST 2015

Mr Speaker took the Chair at 9:00am.

Prayer.

MESSAGE FROM LE AO O LE MALO

Mr Speaker announced the Message from the Head of State.

“MEMORANDUM to;

Mr Speaker:

Pursuant to Section 59 of the Constitution of the Independent State of Samoa and in accordance with the Standing Orders of Parliament, consent is hereby given to the Legislative Assembly to consider the following Bills:

1. Electoral Amendment Bill (No.5) 2015.

GIVEN UNDER my own Hand this day Wednesday 26th August 2015.

(Signed): Tui Atua Tupua Tamasese Efi
O LE AO O LE MALO.”

CERTIFICATE OF URGENCY

Pursuant to Standing Orders 99(2) L. TUI ATUA TUPUA TAMASESE EFI, LE AO O LE MALO, hereby issue the Certificate of Urgency to the Legislative Assembly to consider the Bill listed hereunder in its current Meeting.

2. Electoral Amendment Bill (No.5) 2015.

GIVEN UNDER my own Hand this day Wednesday 26th August 2015.

(Signed): Tui Atua Tupua Tamasese Efi
O LE AO O LE MALO.”

27 AUGUST 2015

OBITUARIES

Mr Speaker announced the passing away of *Afioga LEILUA Punivalu*, a Member of Parliament for the Constituency of *Falealili*. He passed away on the 14th of AUGUST 2015.

The Member Afioga LEILUA Punivalu was first elected into the ninth Parliament from 1985-1988. He was re-elected in the twelfth Parliament in 1996-2001.

He was a Member of the Bills, Standing Orders and Privileges and Ethics Committee in 1985-1988.

I convey sincere condolences to the family, his wife and children especially the Constituency.

The Legislative Assembly stood for a moment of silence to show respect on the passing away of the Member.

MR SPEAKER: With utmost respect I want to thank all respectable Members of the House on our usual practices in respect to passing Members. The Member was one of the longest serving Members of this Parliament, therefore it is right that we pay respect for his services to our country especially as a Member for *Falealili*. I thank Members of the House for taking the stand in silence to pay final respect to the Member.

I welcome all Members of the House this new morning, to the Leader of Government and Cabinet, the Leader of the Opposition and all others Members of Parliament. I thank you all for your patience today. I believe we have been apart for a while to fulfill other duties, not only with the Leader of Government and Cabinet but also with the Chairmen and Vice Chairmen of different Parliamentary Committees. I thank you all for the hard work carried out over the past week yet we have reconvened to continue our orders of the day. We should not be discouraged as we resume with our calling in this Parliament as I continue to observe your willingness and dedication upon our work. Even though we have other personal matters to attend to within our Constituencies, church and family I see that Members still have perseverance to attend our sittings.

I acknowledge the support of our country Samoa, from His Excellency, the *Le Ao o le Malo* and his Good Lady, Member of the Council of Deputies and his Good Lady, as well as the Chief Justice and the Judiciary, and the Chief Executive Officers of Government Ministries and Corporations and those working in Government. Thank you for your patience.

We thank the support of Samoa in all its honorary salutations, the respect of *Usoga a Tumua ma Pule, le paia i Aiga ma Tama, o Tama ma Aiga*, the duties of your Parliament is blessed with your prayers.

Least I will not forget the support of our neighbors in the East, the Governor and the Deputy Governor, the President and the Speaker and all Members of Government in *Tutuila* and *Manua*.

27 AUGUST 2015

Presentation of Papers

It is to my understanding that this week will be a long one. This is in accordance to the important Bills that we are yet to consider and approve.

I ask that Members be considerate of our time and schedule. This House is not limited to us rather our discussions is widely heard around Samoa and everyone is entitled to their own judgement. Hence you are all aware of our orders, have a blessed one pursuant to our sitting scheduled program.

PRESENTATION OF PAPERS

Clerk read out the list of Papers tabled pursuant to Standing Orders 48.

1. P.P. 2015/2016 No. 43, Ombudsman Report on State of Human Rights 2015.
2. P.P. 2015/2016 Nu. 44, Delegation Report on the 46th Conference of the Presiding Officers and Clerks, 5th – 9th July 2015, Hobart, Tasmania.
3. P.P. 2015/2016 No. 48, Samoa Tourism Authority Annual Report 2013-2014.
4. P.P. 2015/2016 No. 50, Delegation Report to the Pacific Speakers Visit to the New Zealand House of Representatives, Wellington, New Zealand, 24-25 June 2015.

PRESENTATION OF SELECT COMMITTEE REPORTS

Clerk read out the list of Select Committee Reports pursuant to Standing Orders 51.

1. P.P. 2015/2016 No. 45, Justice Committee Report on the National Prosecution Office Bill 2015.
2. P.P. 2015/2016 No. 46, Justice Committee Report on the Infants Amendment Bill 2015.
3. P.P. 2015/2016 No. 47, Justice Committee Report on the Police Service Amendment Bill 2015.
4. P.P. 2015/2016 No. 49, Report of the Foreign Affairs Committee on the Foreign Investment Amendment Bill 2015.

27 AUGUST 2015

MOTION TO SUSPEND STANDING ORDERS

MR SPEAKER: I call on the Hon Prime Minister.

Susuga Hon TUILAEPFA FATIALOFA AUELUA LUPESOLIAI NEIOTI AIONO SAILELE MALIELEGAOI (Prime Minister): Mr Speaker you have already welcomed and acknowledged Members of the House this morning as well as the whole of Samoa listening in. I stand with respect to move a motion, *To suspend Standing Orders 106 and 107 (4) so we can consider the Bill in detail and read it for a third time today as reported from the Select Committee.*

Seconded by Deputy Prime Minister, Minister of Commerce Industry and Labour, Minister of Public Enterprises and Minister of Communications and Information Technology.

Motion approved and Standing Orders 107 (4) was suspended.

ELECTORAL AMENDMENT BILL (NO.5) 2015

– first reading

Afioga Hon FIAME NAOMI MATAAFA (Minister of Justice, Courts Administration and Electoral Commission): Mr Speaker I move a motion, *That the Electoral Amendment Bill (No.5) 2015 be read for the first time.*

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

Motion approved and the Bill was read for the first time.

ELECTORAL AMENDMENT BILL (NO.5) 2015

- second reading

MR SPEAKER: Since I have with me the Certificate of Urgency signed by Le Ao o le Malo on this Bill, the Legislative Assembly will now commence with the second reading of the Bill.

I call on the Hon Minister of Electoral Commission.

Afioga Hon FIAME NAOMI MATAAFA: Mr Speaker I move a motion, *That the Electoral Amendment Bill (No.5) 2015 be read a second time and I want to clarify the matter.*

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

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

MR SPEAKER: I call on the Minister of Electoral Commission for the clarification of the Bill.

Afioga Hon FIAME NAOMI MATAAFA: Mr Speaker thank you for the opportunity. I acknowledge the presence of all Members of the House this morning. I second the praises said this morning by the Chair, to the Lord Almighty for his protection and guidance that has enabled us to be here this morning in good health.

Mr Speaker this amendment is a very small one, perhaps the respectable Members still recalls the previous Bill Amendments No.4 that noted a three year term service. The debate on that Amendment (No.4) portrayed various opinions of Members the need to clarify the term “village service”. This is the reason for this amendment, to further clarify the meaning to the term “village service,” especially the service made in urban Constituencies.

Mr Speaker this is a brief clarification on the Amendment tabled, with respect.

MR SPEAKER: Thank you Hon Minister for the clarification. It is now time for our normal deliberations on the Bill. I call on one of the Members for Vaimauga West, Tofa Lefau Harry Schuster.

Tofa LEFAU HARRY SCHUSTER (Vaimauga West): Thank you Mr Speaker for the opportunity. I thank the Holy Father for his love and kindness. I humbly greet the Chair, the Hon Prime Minister and Cabinet, Leader of the Opposition and Deputy, Associate Ministers and Members of this side and all those present in the House today.

I take this time to acknowledge the support of Samoa especially my Constituency of Vaimauga West, also Vaimauga East, even though there are two Vaimauga during elections we are one in culture.

Mr Speaker such Bill as the one tabled saddens me based on legislations matters. Mr Speaker section 15 of the Constitution states “Freedom from discriminatory legislation”. All persons are equal before the law and entitled to equal protection under the law. Mr Speaker the amendment considered today emphasizes one of the core areas for democracy under the freedom to vote law, your choice to vote for which leader you choose to lead the country and your Constituency. This is the freedom for every titled man in Samoa, no matter where in Samoa you are from everyone has the right to run for candidacy.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Mr Speaker in consideration to this Bill, the implementation of any Act passed must provide equal protection to industry and freedom of the individual or to penalize so that everyone is equal. In terms of accountability through the law, if there is a belief that we are a free State, the law is blind to seeking justice. It is blind because the law does not want to admit or favor the rich preferably over the poor. This is the real intention behind this law, to mark no difference between the two kinds of people but rather view all as equal. My utmost concern with the tabling Bill is the achievement of its objective, however the implementation is quite severe, not only is the eye blind but teary and can properly view mistakes. The mistake I refer to in this case Mr Speaker is the requirements given to titled men running for Territorial Constituencies and the urban seat areas. The law now provides easier entitlement for titled men in the urban seat than those running from the Territorial Constituencies. If we look at the overall objective of the Bill, the clear interpretation for the term service requires three years service for candidates in the Constituency you represent. If you are to run for a Territorial Constituency you do a *monotaga*. Personally I am not a Judge neither an expert of the Samoan culture; we have male and female Judges in Court who have more knowledge in defining the term *monotaga*. A personal take on the matter being born and raised in Samoa, *monotaga* is a duty of a *matai*, not the family, not everyone in general or untitled men. It is the titled men of the family; this is your contribution to your village for three years. Only the titled men of this Constituency use this term “*monotaga*”. As for the candidates of Urban Constituencies I apologize, I am not saying that I disagree with the Chair but all Candidates must have the same requirements without the use of ‘*monotaga*.’ It states “community service” which includes contribution given to the pastor. This term of community service includes religious activities, events and other functions. This involves the monetary contribution to the pastor from Apia to Laulii; anyone is eligible to be a candidate of the urban seat if they give a contribution. As for function events this may involve your contribution to rugby and soccer clubs, you have served therefore you can run in the elections. As for territorial constituency candidates the term *monotaga* is used for your services, meaning three year *monotaga*.

I am saddened Mr Speaker, a personal take on the meaning of human rights, it is generalized that anyone can run as candidate, it is true that there are requirements to be met. I personally support the requirement to be a *matai* to run as a candidate, whether it is in rural Constituency or urban area and whatever other requirements to be in Parliament the important aspect is being a *matai*. This is what differentiates our country aside from other countries. I support the requirement that a Member has to live in Samoa for three years.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

This will also give the Candidate time to face the challenges within the Constituencies they will represent. It is not fair to stay overseas for years and only come back when it is time for elections; it is true that you have the knowledge but you do not feel the happiness and sadness the people of the Constituency felt, three years is appropriate. As for the monotaga stating that you serve for three years, I am confused whether it is a credential or a safety provision imposed for a candidate.

Mr Speaker I am saddened by this idea because it seems there are different methods of electing matais. The matais from the Territorial Constituencies are carrying a heavier burden than the ones running for the urban seat. Mr Speaker if we were to set aside the term service, the meaning of this term from both candidates of urban and Territorial Constituencies will suggest, they do not live in their Constituencies for three years but still contribute by giving money to help the people. This means that they contribute to their families which is the constituency overall it states their service. Although once it is labeled monotaga, it specifies a matai to give in sole contribution. If this is the case then we should all implement the term monotaga for both candidates in Territorial Constituencies and urban seats. All candidates can qualify if they serve by giving monetary gifts to the pastor, rugby and soccer club. Nonetheless it is stated in amendments that the two are different, it seems that one eye is blind whilst the other is wide open. On to a different matter I wish to note the practice for any Legislation.....

Tofa Lealailepule Rimoni Aiafi (Faleata West): Mr Speaker the Member has spoken a second time on this matter saying the same eye is blind and cries, I did not know a blind eye can cry except for the good eye. I thought a blind eye that is teary and has clear vision cannot view anything. Nonetheless I would appreciate an explanation from the Member.

MR SPEAKER: I am trying to assess the statement stated by the Member.

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

MR SPEAKER: I call on the Member for Palauli le Falefa.

Afioga Hon Faumuina Tiatia Faaolatane Liuga: Mr Speaker, the problem with this Member is that he lacks insight of a body's nature. When an eye turns blind the only thing that it produces is mucus. This means the Member for Vaimauga West, Tofa Lefau Harry Schuster is right.

With respect.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

MR SPEAKER: I have given chances to the Member nevertheless we shall pay respect to the listening public.

I ask the Member not to use the term blind eye any further. As per instructions to the Member for Faleata West it seems that we are discussing a Bill on blind eye when there is no such Bill in the House. I ask that the Member use another term in respect to the House. There is no such tabling Bill on blind eye here that gives inappropriate words. I humbly ask that you use another term as there are several other words you can use lest.....

Afioga Maualaivao Pat Ah Him (Individual Voters): Mr Speaker.....

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

MR SPEAKER: I call on the Leader of the Opposition.

Afioga Hon Palusalue Faapo II: The opinion made by the Member is very true. This is his understanding of the Bill which does not intend to disrupt the law on blind eye. I am saddened with the good speech by the Member. But I believe this is his own belief. Therefore he is correct by what he meant.

MR SPEAKER: Your opinion is now noted. But that is your own view. I call on one of the Members for the Individual Voters, Afioga Maualaivao Pat Ah Him, before the opportunity is given to the Hon Minister.

Afioga Maualaivao Pat Ah Him: Thank you Mr Speaker. I also want to contribute to the matter deliberated. The speech given by the Member was informative and it is quite important. I just want to assist with the matter since we are tired of hearing this word over and over again. Why not use one eye being dark and the other clear. That it the essence this morning with respect thank you.

MR SPEAKER: I call on the Minister of Communications and Information Technology.

Afioga Hon Tuisugaletau Sofara Aveau (Minister of Communications and Information Technology): Thank you Mr Speaker for the opportunity. I move with respect to state the Members opinions are not trustworthy anymore. These statements are made only by those who are one eyed although not one of them is one eyed. This means that they should not compare it to something they do not know.

MR SPEAKER: I call on the Deputy Leader of Opposition.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Afioga Hon Aeau Peniamina Leavaiseeta (Falealupo): Mr Speaker if statements made in the House are made official then it is accurate to say that the House recognizes the freedom of comparison. It is sad if we cannot give a comparison to illustrate an opinion. Nonetheless this opinion is very important. Just think about it, it is not the person with one eyed but the vitality and accuracy of the message behind it.

MR SPEAKER: This portrays the opinion made by the Member for Individual Voters, it is brilliant. The other eye is in the dark and the other is in the light. I call on the Member for Vaimauga West to continue his speech.

Tofa LEFAU HARRY SCHUSTER: Mr Speaker I have great respect for the Chair. I am trying to distinguish the severity in the statement I made on Jury and the Law that is regarded as blind. I do not mean it about a person. I am just elaborating the vast differences within the Bill. Now one eye is closed and the other is wide open, the closed eye looks at the monetary contribution given to the pastor and volley and soccer clubs. The other eye looks at the matai carrying out his customary practices or monotaga. This is the difference we ought to remove. There is a huge difference between monetary gifts given to pastors and the term monotaga, monotaga is bigger.

Mr Speaker all Legislation should give a person a chance to voice their rights which should not be ignored. If we look at the amendments on the Electoral Bill, we have six more months before Elections yet we are still making amendments. However it is not amended to ensure equality rather it intends to benefit and protect a few from the Law and not others.

What I mean by this amendment is that those who were planning to run for candidacy will not be able to run anymore given this six more month period requirement. The three years term requirement cannot be met. There are two questions. Why wasn't this implemented so that the three years requirement is guaranteed? I am certain that we are all aware of the three year term residence in Samoa. Those who were living overseas are also aware of this requirement. I also know that there are Members who came from overseas that are in this Parliament that came and lived here in order to satisfy this three years requirement. Now another three years is added to the matai together with services that I previously mentioned, some will not be able to accomplish. This matter is very simple. If we set aside the Legislation, leave it as it is. Tautua I recommend that you take this matter to Court, and find out the real definition to the term service. We make the Laws under the Constitution of the Samoan Government not the Court. But when it comes to defining the term "service" we have the opportunity to argue, the Government has spent a lot on the Lands and Titles Court....

Afioga Tafua Maluelue Tafua (Aleipata Itupa i Lalo): Mr Speaker a point of clarification.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

MR SPEAKER: Pardon the Member; I will give the opportunity to the interruption made by the Member on a clarification.

I call on the Member for Aleipata Itupa i Lalo.

Afioga Tafua Maluelue Tafua: I move with respect not to interrupt the speech. The opinion voiced is interesting. A question with respect Mr Speaker, if we were to change this provision and give both matai candidates for Urban Constituency and Territorial Constituencies equal requirement, what will be the response?

With respect.

MR SPEAKER: I call on one of the Members for Vaimauga West, Tofa Lefau Harry Schuster, you may continue.

Tofa LEFAU HARRY SCHUSTER: I personally feel that we should put aside the term service but deliberate on what it is. Where will this service be provided? Whether it will be where you live or in the urban seat that you will be representing. If we specify the term monotaga it will illustrate the inequality of the Bill. The burden carried by Candidates in Territorial Constituencies will be challenging than the matais in the Urban Seats.

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker...

MR SPEAKER: I call on the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: If we were to exercise what the Member is elaborating there will be a lot of wrongdoing. This will affirm the saying by one matai, a matai serving another constituency. This service does not mean that you can serve another constituency. This is just wrong. If you are a Lepa running from Lepa but currently reside and serve in Satupaitea, then the suggestion by the Member is correct. How can you run for Lepa when you are serving Satupaitea? You see the weakness here on the Member.

Mr Speaker there is a Samoan saying that goes, "the duty of the intelligent is to preach, but the foolish to be silent." This is what the Bill is trying to implement. The House has been debating this matter in relation to the Bill since it was tabled. The same issue rises every time they do not understand this term and the meaning of the word, "service." The word "service" is related to the term monotaga which is directed to the matai. If your service was rendered as an untitled man, you cannot extend nor utilize that service over your matai title. The title deliberated is the title given by the constituency to the matai. Therefore your service during the time you were not a matai cannot be extended over your matai title.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Mr Speaker I want to thank the Minister of Justice and Courts Administration. We have just concluded discussions explaining the meaning of the term service. It is much clear to understand this term if we use the word monotaga. Now we have changed it but still there is criticism. The country is listening in to our deliberations and opinions. If we were to implement equality as stated under the Constitution, we have already amended the Constitution. We have already overlooked this matter in order to implement the Electoral Amendments and to abide by the law. Therefore the Constitution has already been amended. The reason was the implementation of the urban seats. There are several issues faced with this new seat.

Is it an issue that we previously created? No, it was an issue created by our former ancestors. It was them that implemented the Constitution and created this inequality. This inequality was there for a long time which we are now trying to amend. What is culture, it is being governed by matai, but during the first Parliament the Members included two untitled men? This is just not appropriate. Nonetheless it was implemented based on the Constitution on the knowledge and understanding. This progressed on and on until this day. There were a lot of titled men who were not happy with this decision. How can this be an Assembly of the High order when there were untitled men present? This is not how village council meetings are conducted. Nonetheless this was the way the country was governed under our ancestors. Then later on it has slowly changed to every Member being matais. Now our Parliament is a hundred percent Samoan. This did not conclude the amendments made because there were several minor changes that were to be implemented. Perhaps there will be another new amendment in the future. Nonetheless we have read the amendments made on monotaga within the Bill. If we were to implement the change mentioned by the Member the two new seats will not be eligible anymore. It is not appropriate. This is the same for the Chair, we try and classify several opinions voiced by Members, so that we will be able to justify each issue and make the right decisions. As I earlier mentioned, 'the duty of the intelligent is to preach.'

Afioga Hon Palusalue Faapo II: Mr Speaker a minor issue in relation to the speech by the Hon Prime Minister.

MR SPEAKER: We are trying to be consistent with our time schedule especially for the Member taking the floor. I recommend that comments be directed to the speech given by the Member, I cannot allow any interruption nor any corrections.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Afioga Hon Palusalue Faapo II: The only problem is that the Hon Prime Minister used a wrong example. If you live at Satupaitea and run for candidacy in Lepa, the clarification given by the Member is correct. The Constituency that you serve and give the monotaga to is the one you represent in elections. This is what the Member is trying to convey.

MR SPEAKER: The opinion is now understood. It seems the clarification by the Hon Prime Minister is made against the current speaker. I call the....

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker the point I made earlier is clear. The matter discussed by the Member is directed at the Urban Seat candidate, if we implement this idea to run for the Constituencies were the title originated from this will not be accurate. This means that there will be no candidates for the urban seats. Since they have to run for the Constituencies they were titled. There are no matais for urban areas. Do you understand? There are no matai titles given to people living on freehold land.

This is the reason why we implemented different provisions. If we were to implement the provisions of Urban seats for the Territorial seats it will not be accurate. The intention is to meet the differences for both sides for the time being.

MR SPEAKER: I call on the Member for Vaimauga West, Tofa Lefau Harry Schuster to conclude his speech.

Tofa LEFAU HARRY SCHUSTER: Mr Speaker the clarification made by the Hon Prime Minister differs from this statement, although the point also regards these two candidates. All of us running for the Territorial Constituencies has insight of this Bill from the start, only the village and constituency you were bestowed a title is right for you to run from. This applies to all of us. As for the urban seats you have to live there in the areas of Faleata and Vaimauga for six months. You are also a matai serving another constituency where you are able to be a candidate in the elections. This is the difference that I was talking about.

Mr Speaker I am not saying that there should be a difference for urban seats.

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker a Point of Order. I am discussing what the Member stated, for equality which we cannot do.

MR SPEAKER: Pardon me Member; I will give the opportunity to the Hon Prime Minister.

27 AUGUST 2015

**Electoral Amendment Bill (No.5) 2015
- second reading**

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: I ask that the Member take his seat. I want to amend the statement on the matter of equality. How are we going to implement equality? If we were to implement the same provisions on Urban seat candidates to allow other candidate it will be wrong. This will mean candidates that serve other Constituencies can run for any seat because the meaning of service is now generalized.

This is the reason why I earlier stated that there are matters that need to be defined differently because there are provisions for these Territorial seats ever since our Independence. We are trying to protect the continuation of these seats even though we have changed the name, perhaps by the next Parliamentary term there will be other Amendments. Since consistent difficulties still arise from time to time over these seats that cannot be removed, nonetheless this is what the Government has decided for now.

MR SPEAKER: The Member for Vaimauga West, Tofa Lefau Schuster I recommend that you conclude because your time is up.

Tofa LEFAU HARRY SCHUSTER: Mr Speaker can I have another twenty minutes?

MR SPEAKER: I appease the Member that this is not the end, we still have consideration in detail, I suggest that you conclude with your opinion as the Government has responded. The House is informed of the opinion given and it has been recorded, the Government has given its response. I call on the Member to conclude.

Tofa LEFAU HARRY SCHUSTER: Thank you Mr Speaker. No. I have a different opinion in relation to those running in elections, to implement similar provisions. The statement voiced was made in relation to those representing Territorial Constituencies; the meaning of service is to contribute monetary gifts to the pastor and to the village in general.

This is implied on urban candidates nonetheless we are all the same when it comes to service. But if we use the term *monotaga* it will be different from how it is implied to Members in Territorial Constituencies and not to those in urban constituencies. If we generalize the meaning of service and assistance given to the church in Faleata and the urban area I have no objection to these candidates serving in this area. If *monotaga* is implied on Members from Territorial Constituencies it will be hard, this means that there will be matais from the Constituency that will want to run in elections and cannot do so considering this provision. This is my own personal understanding. If we were to set aside this provision and generalize the implication of service, everyone will be able to run for elections, including candidates for urban seats. However if *monotaga* is made specific, the duties of the Members in Territorial Constituencies will be difficult.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

An example, a person coming from New Zealand has been a matai for three years and has asked for monotaga however the candidate has not reached this three year period, he or she will not be able to run for candidacy. I believe the Bill is being biased as this individual will not have a chance to run for elections. This provision can be applied later to give candidates the opportunity to run in the next elections. The time period to reside in Samoa is three years to get a matai title and serve through a monotaga. There is enough time in the future to carry out these duties and later run in the elections. This is without debate. If you cannot provide monotaga within the three years period then it is the fault of the individual. We are all aware that the time period given is enough to fulfill these duties. Notably everyone is aware that we cannot meet these duties within a six months period as we are nearing the elections.

MR SPEAKER: I appease the Member be patient, the speech given by the Member is nearly concluded.

Tofa LEFAU HARRY SCHUSTER: Thank you Mr Speaker I apologize for any misconduct. Thank you for the opportunity. Bless our proceedings.

MR SPEAKER: Very well thank you. The Member has concluded his speech. I call on the Hon Minister of Women, Community and Social Development.

Tofa Hon Tolofuaivalelei Falemoe Leiataua (Minister of Women, Community and Social Development): Thank you Mr Speaker and respectable Members of the House especially the support of all Samoa. I believe the Member is saddened by the Amendment and it seems like the Government has implemented unfair decisions according to the law and culture.

A clarification on the matter this Bill correlates with our culture. Least the Member should not forget eventhough he is an Attorney, there is a higher council giving advice to Government the Attorney General. The Government does not make its decisions lightly. For clarification of the Opposition the Government always heeds the advice of the Attorney General on any Bill. Therefore the figurative comments made towards the Bill are inaccurate; as we have the speakers as well as the note takers or observers.

Afioga Hon Palusalua Faapo II: Mr Speaker, a point of order since the Opposition is being generally mentioned.

MR SPEAKER: Patience Leader of Opposition I will grant you an opportunity later. There will be opportunities given to Members to deliberate the matter soon.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Tofa Hon Tolofuaivalelei Falemoe Leiataua: As for the provision of implementing the amendment on the three year term we have already carried out research and the Bill is just. It does not mean that you have to reside here for only three years and serve as an untitled man; you must have a matai title.

Secondly you cannot live in a territorial constituency without service; this is a practice from long ago, the definition on the terms service and monotaga is clear in the Bill. It is only those who are not part of the village council that do not understand these terms. As for the person who is part of the village council, the alii and faipule understands it well.

This is why I also advice, there are rumors going around to revile the sound decisions made by the Government. The Hon Prime Minister has already clarified the matter; the amendment was intended in accordance to what the Members have agreed to. It seems the speech given by the Member is figurative, the attorney lacks insight to the use of the terms service and monotaga in urban and territorial constituencies.

Afioga Hon Palusalue Faapo II: Mr Speaker do you accept the given accusation that this is a figurative comment? The Member is speaking from his own personal view yet he is saying that it is figurative.

MR SPEAKER: Pardon me Hon Minister. I appease the Hon Minister....

Tofa Hon Tolofuaivalelei Falemoe Leiataua: The Leader of the Opposition is creating disturbance, nonetheless, may God bless him.

MR SPEAKER: Pardon me Hon Minister of Women, Community and Social Development, I will stop you there since the Member is now concluding his speech. I believe this matter will not be reiterated again, it is clearly understood it is the Members personal take on the issue. I believe this concludes this issue; the opinion stated by the Member has been heard and now understood.

Tofa LEFAU HARRY SCHUSTER: Mr Speaker thank you for the opportunity. I have great respect for the Attorney General, the Minister and Ministry, since it is not an easy task. It does mean another Attorney has to correct the other because all Attorneys are smart; there are also different Attorneys one stays in the office and the other goes to court. For the lawyers that go to Court the understanding is boarden once you stand before the Court of Appeal. This does not mean one lawyer has to correct the other; the nature of the lawyer is to argue. There is no law that states that if you are a high judge or high attorney only those who are smart are given milestones because every lawyer is smart.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Mr Speaker as for deliberations made in the House, I apologize if I have given the wrong viewpoint. I strongly believe that Members of this House cannot hide their opinions from one another, we argue even if our opinions are different. The laws of the Parliament and the Court are precisely different and clear. All laws in Parliament are deliberated. Unless the Court declares an error but the court and Parliament cannot say that a Bill is erroneous.

Mr Speaker with utmost respect.

MR SPEAKER: Very well. I just want to inform our Members that we are following provisions under our Standing Orders. The opinions of Members are made in consideration to these guidelines. Standing Order 82, "A member should not speak abusively, insult, or otherwise reflect the violation of an Act." This is the main intention to Members this morning to use other words in our language as we have several vocabularies.

As for the matter on giving opportunities, no the opportunities are still given to Members to carry out debates. Nonetheless Members should be mindful as we are not the only ones convening, the public is also tuning in. Let us lead by example by using respectful language and tone in the House. What is the use of making laws when they are called unjust, blind and inappropriate? How is this called justice? It is out of here. We should show dignity in the way we speak and voice opinions. As for deliberations, that is my duty, to maintain peace and order in the House. Be cautious of your statements lest they are misinterpreted by others and take note of the public listening in. It is very easy to identify the fish that swims in the shallow waters and the deep sea. I call on the Member for Aana Alofi No.1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI (Aana Alofi No.1): Thank you Mr Speaker for the opportunity. I have been hearing some interesting comments this morning from Members especially the responses given by Government to clarify such matters. Not only the clarifications given by the Lady Minister but also the one made by the Hon Prime Minister.

Mr Speaker when I was heading to our proceedings this morning I had a strong feeling that this amendment will be rejected given the reasons voiced by the Member for Vaimauga West. Fortunately the explanation given by the Hon Prime Minister has clarified the issue. Although it seems there are still Members whom are still lacking this clarification. Nonetheless I had the same idea as the one voiced by some of the Members this morning. The Hon Prime Minister said, "You give a monotaga in Satupaitea but want to run for Lepa." Does it make sense? Well it does not make sense. This is the same as the situation practiced for the Urban Seat. The Hon Prime Minister used the saying, 'the duty of the intelligent is to preach.' If these were the Legislations by our ancestors whom we are now amending, all Members of this Parliament are matais. But what did our ancestors implement in the past?

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

There were two Members without titles maybe more. The given amendment is to ensure consistency for everyone; everyone has a matai title under one poll. Those who are not clear on the matter should listen carefully to the clarifications given because it is taking the Government all day to respond to reasons why the Amendment was brought forward.

Afioga Hon Palusalue Faapo II: Mr Speaker a Point of Order.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: How can the Member implement a Point of Order when I have just started....

Afioga Hon Palusalue Faapo II: Yes.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: What is the Point of Order?

Afioga Hon Palusalue Faapo II: I apologize to one of the Members for Aana Alofi Nu. 1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi.....

MR SPEAKER: Pardon the Member but I will give the opportunity to the Leader of the Opposition.

Afioga Hon Palusalue Faapo II: Yes we do understand the Bill, because it seems we blamed for not understanding it. This is the reason why we are arguing this Bill of the issues that may affect candidates running for elections. This is the reason.

MR SPEAKER: The opinion of the Member is now noted, but.....

Afioga Hon Palusalue Faapo II: One of the Members has just now understood the matter, the Member for Aana Alofi Nu. 1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi.

Tofa Levaopolo Talatonu (Gagaemauga No. 2): Mr Speaker.....

MR SPEAKER: The Member is speaking from his own point of view, I will give the opportunity to the Member for Aana Alofi Nu. 1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi, you may also be given an opportunity later.

Tofa Levaopolo Talatonu: Mr Speaker a Point of Order, perhaps.....

MR SPEAKER: I appease the Member for Gagaemauga Nu. 2.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Tofa Levaopolo Talatonu: A minor issue Mr Speaker since the clarification made by the Associate Minister is incorrect. The statement, 'duty of the intelligent is to preach' is reiterated why not insert this statement into the Bill. It seems this statement is too general whilst the terms in the Bill are straightforward... Can this statement be included in the Bill and its provisions? That is the assistance...

MR SPEAKER: The opinion of the Member is now understood, the Member for Aana Alofi No. 1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi, you may continue.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: Thank you. It is quickening that I got the clear explanation by the Hon Prime Minister on this very term service by example, serving Satupaitea pardon the constituency; I serve at Fagalii under my title Pulemagafa, but run for Fasitoo and it is not fair according to the recent clarification I received this morning that I must run from the Urban Seat. My entire service is made in Fasitoo where I can get confirmation from however I do not go to Fasitoo but the Urban Seat. This is why the statement is accurate.

The only difference, *monotaga* is emphasized for territorial constituencies but this is where service is strong. It seems Members of Parliament are worried about the use of the term *monotaga*, why not remove *monotaga* from members in the territorial constituencies and seek consistent service for all.

I think that we all have that worrisome feeling once something new comes up we are anxious especially for the future. If we do not clarify the term *monotaga* some candidates might not be able to run for elections, *monotaga* is service carried out by the family. An example I am the high chief of the family, it is the duty of the untitled men in my family to serve the village through me, they serve the high chief of the family. I do not perform the *monotaga* because I have untitled men of my family to do this for me. Although if the village council assembles on an important matter the high chief is called to represent the family in the gathering. The high chief is called for his opinion if an untitled man is the one making the ceremonial speech, if the untitled man is expelled the high chief is, as well because untitled men are not allowed to give ceremonial speeches. This is the way our culture works. This is the reason why the clarification made by the Hon Prime Minister is important. I came here this morning with the opinion to object this amendment due to these reasons. As one of the Members for Vaimauga West, Tofa Lefau Harry Schuster, has stated some Members have interrupted the term *monotaga* differently. Nonetheless it has now been clarified; let us not be afraid because *monotaga* is the same as service.

Leulumoega since you asked on matters related to our culture, there are instances where I have attended meetings in several villages, as for your ancestors they serve Vaimauga...

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

MR SPEAKER: Pardon me I give the opportunity to the interruption made by the Member.

Tofa Hon Tuuu Anasii Leota (Siumu): Mr Speaker, I do not want to interrupt the speech given by the Member, but a clarification for the understanding of the House and the people of Samoa.

The Member spoke about the term *monotaga*, *matai monotaga* which is carried out by those who serve, which is exactly what we are doing. This means that service is provided by untitled men. What does the Member think of what we have right now? It seems the benefit is given to those in urban seats. Does this mean that they will still remain as untitled men? With respect.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: The clarification given is quite clear, if we do not implement this provision we will not be able to discuss it. All Members of Parliament are *matais* and we have passed this provision.

The first amendment we passed in the past Parliamentary term was the provision for Individual Voters to have *matai* titles. They now hold *matai* titles which was the first amendment. We now have another amendment which is easy for us to understand. We do not have to go by the example as given by the Hon Prime Minister, if you are a *matai* running from Vaimauga but your *monotaga* is made in Savaii, that is not the case, you must have eligibility. This is the same for urban seats. It is not fair for a *matai* serving in the rural area to run for this seat without understanding the conditions. What then is the use of the six months and the three years? It is easy to understand these explanations than sitting under the shadow of the tree and have no insight of what's happening. When I came in this morning, I hugely objected this amendment otherwise when I heard the explicit clarification just yet, I wish to note that *Fasitoo-uta* supports this change. With utmost respect bless our proceedings.

Tofa AVEAU TUALA LEPALE NIKO PALAMO (Faleata East): Mr Speaker...

MR SPEAKER: Pardon the Member for Faleata East but the Member for Faleata West was first. Therefore I give the opportunity to the Member for Faleata West? I call on the Member.

Tofa LEALAILPULE RIMONI AIAFI: Thank you Mr Speaker, I thought the opportunity was going to be given first to the Member since he is older. Although it is also great that I will be speaking first because the speeches I often write are usually disregarded.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

I thank the Chair for the opportunity; I thank all Members of the House this beautiful morning and with Samoa listening in, I humbly greet you all. As normal we say thanks to our Heavenly Father before we go to bed at night. I thank our ancestors for the decisions made which has now benefited our Government. There are many types of Government, Communist, Military, Dictatorship but our ancestors chose a democratic Government meaning we are now free and happy. This is the freedom given to us to voice our opinions on any Bill. I want to thank the Clerk and staff for your endless efforts in accordance to our proceedings for this House, well done.

Every time I sleep I always snore contentedly and peacefully. Last night I could not get myself to sleep, my wife is always up at night doing her work. Therefore when she saw that I could not sleep she asked, 'who are you thinking of?' I replied ever since I fell for you I did not think of anyone else, you won my heart. Then she said, 'why are you still awake then, what are you thinking about?' I answered, I am thinking of the Bill that is going to be deliberated in the sitting tomorrow. Then she said, 'why do you think about it when you never think heavily of any Bill?' I replied I am not worried about the Bill but the person who drafted the Bill I trust they are not at peace and are not resting well too. Do you know the current Bill we are discussing? It is the Electoral Bill and this is the first time in the Samoan history something like this has happened due to several amendments, we are now on the fifth amendment and it is just endless. I pity it. Then my wife responded do you mean to say that it is like a leaky ship whereby when one leak has been patched up another part of the ship springs a leak. Then I said to her, everything happens for a reason. There is a Samoan saying that goes, 'the bonito has gone astray' meaning the bonito has gone to the other side of the boat. If the bonito has gone to the wrong side this means the fisherman is not thinking heavily of his task. He is uncertain....

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker I do know if the Bill has similarities with the nonsense mentioned by the Member. It seems the Bill is being set aside for the storytelling of the Member. I am saddened because it seems the opinion the Member is trying to convey is to condemn the Bill without reasons. The Bill is being violated without clarification. I recommend that the Member voice his concern. The examples voiced by the Member do not even relate to the issue. I note in the previous sitting that this member was one of the people who spoke of the clarification of service. It is now clear that the Member is taking the floor to discuss a different matter. I want to remind him that the voters are taking note of proceedings. It is not a good thing to take the floor back and forth. We are nearing the end of deliberations. Let others think they can get extra points for speaking up these last extra minutes however that will not happen.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker...

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

MR SPEAKER: I will give the opportunity to the Hon Minister. I call on the Minister of Women, Community and Social Development.

Tofa Hon Tolofuaivalelei Falemoe Leiataua: Thank you Mr Speaker, I believe the Member has taken all this time to speak on the reasons why he could not sleep. I have noted that the meaning of the proverb the Member was trying to get across is wrong. The saying does not mean the bonito is wrong it is the fisherman that is wrong. The Member is well aware of this meaning. This means he could not sleep because he was trying to make sense the terms he will be saying here today. For the Constituency in Vaitele do not be alarmed with the behavior of Tofa Lealailepule Aiafi. I believe the Member was trying to make sure that his speech was right which is reason why he could not sleep. With respect.

MR SPEAKER: Very well before the opportunity is handed back to the Member for Faleata West time is of essence. Do be mindful of our time. As such do not speak of unimportant matters; You are given only fifteen to twenty minutes so I suggest that you say what you have to say, I have great respect for you which is the reason why I am giving opportunities. Nonetheless I recommend that you go straight to the point, the Government has heard your concern on the Bill and the continuous amendment made. I ask that you use your time wisely as you have already spent ten minutes storytelling.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker the introduction must always start with a Samoan story. It starts with something that soothes the audience before it gets to the main issue. I was getting to the main issue when I was interrupted by the Minister of Women, Community and Social Development. The Hon Minister clearly understands what I was saying, the bonito was misplaced by the fisherman thank you.

The Bill drafted is insignificant, the incentive is very poor. A term that could be used by Christians is no ordination on drafting the Bill. I just want to clarify one matter on the term service. Let me comment on the term service. I did not make any statement on the service. I told the Leader of the Opposition and our Party that this is the result of the fourth amendment. It is not an issue as the point made was on general service. It is noted that the terms monotaga and service intends for consistency for all as voiced by one Member earlier. That is one law for all not one law for Simi and Sione and a different one for Tui and Seve.

The tabling amendment sets apart the meaning for the two terms "service" and monotaga. The funny thing about it, is that there is no English term for 'monotaga.' I thought they found an English word for 'monotaga' nevertheless 'monotaga' is interpreted as it is. Mr Speaker the definition for monotaga is compulsory service as it states.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Mr Speaker I have with me four different dictionaries which are Maiai, Milner, Brat, Aladise. Of the four dictionaries, I have looked up the definition and translation to the term monotaga specifically those who did research on our culture. These are some of the people that have lived in Samoa for a long time. At least give a definition that is similar to the one in the Bill on compulsory service. Mr Speaker there is no such definition stated here...

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker.

MR SPEAKER: Pardon the Member, I will give the opportunity to the interruption from Government, I call on the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: I am not sure if the Member knows that these different glossaries are used only by those who do not sit in high chief meetings. Perhaps they do not know which council they are supposed to attend. As for Brat he is not a Samoan I am not sure who he was talking to about these different terms. All of us who sat in the gathering of high chiefs understand this term. I am not sure if the Member taking the floor attends any village council meetings.

Mr Speaker the reason for producing these glossaries is to aid those who do not understand terms, but these books ought not to be brought into the House. These are books written by Europeans so they could understand the culture and traditions of our people. This is the reason for taking the floor, Mr Speaker I ask that these glossaries be removed. I will give the opportunity to the Member for Falealupo who rarely attends his village council meetings.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you Mr Speaker, I believe all of us here have different definitions to the term monotaga. We all know that monotaga is your contribution to your village through service. But compulsory is totally not stated here. That is not the same as village council whereby culture is different from custom. Each village has its own definition of the term 'monotaga'.

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker every matai must have a monotaga. The Samoan term is accurate, because if a person does not carry out a monotaga they are banished from the village. This happens when they constantly do not abide by the rules of giving monotaga. This is appropriate because if you are a matai and do not provide this service, there is no use of being a matai at all.

Tofa Levaopolo Talatonu: Mr Speaker...

27 AUGUST 2015

**Electoral Amendment Bill (No.5) 2015
- second reading**

Afioga Hon Le Mamea Lemalu Su'a Leatuavao Tuiletufuga Ropati Mualia (Minister of Agriculture and Fisheries): Mr Speaker....

MR SPEAKER: First I will give the opportunity to the Minister of Agriculture and Fisheries.

Afioga Hon Le Mamea Lemalu Su'a Leatuavao Tuiletufuga Ropati Mualia: I apologize to the Member for interrupting his speech but I am grateful for the deliberating matter at hand. This is an important matter to all of us as heads of our families and villages. Monotaga is a very important matter. There are a lot of new matais nowadays that move overseas without serving the village through a monotaga. When the village gets monetary gifts of say \$20,000 to \$30,000 this money is distributed to the old men of the village specifically those who have rendered monotaga and disregard the matais who do not render service or monotaga. This is how our village works. I am one of the elders of the village. I always tell the village council every time monetary gifts are received, it should not be distributed given the number of matais except for those who have offered a monotaga. This is the clarification with respect.

MR SPEAKER: Very well the opinion by the Member is understood.

Tofa Levaopolo Talatonu: Mr Speaker.

MR SPEAKER: I call on the Member for Gagaemauga Nu.2.

Tofa Levaopolo Talatonu: It seems the Member is worried about the term monotaga. I believe the term should have been changed. The correct meaning to monotaga is "something which is put in the pocket". If we are going to continuously argue this matter making the Bill insignificant then do not hide issues into our pockets. This is a clarification to assist the Member.

MR SPEAKER: The Member taking the floor is now more confused.

Tofa LEALAILEPULE RIMONI AIAFI: An English translation should have been found in the pocket.

MR SPEAKER: The Member has five more minutes.

27 AUGUST 2015

**Electoral Amendment Bill (No.5) 2015
- second reading**

Tofa LEALAILEPULE RIMONI AIAFI: I just started at quarter past, nonetheless it is alright. The matters emphasized in my previous speech were these changes. The report that was submitted noted most of these issues which we have been reviewing for many weeks. But what was the response? Lay aside all those recommendations until the next Parliamentary term. What is the urgency for these new amendments? When we talk about service it means monotaga....

MR SPEAKER: I appease the Member, I believe your opinion has been deliberated.

Afioga Hon Fiaame Naomi Mataafa: Mr Speaker a Point of Order.

MR SPEAKER: I call on the Hon Minister of Justice, Courts and Administration and Electoral Commission who owns the Bill.

Afioga Hon Fiaame Naomi Mataafa: The speech by the Member on the submitted recommendations is perhaps referring to the Business, Standing Orders, House and Electoral Committee report labeled on the Parliamentary Paper No.223. I wish to assert the Member that no response has been issued as of yet. Government response is right there in the Parliamentary Paper 243. Most of the Member's comments are covered in the Government's response. In the legal perspective, some recommendations are inappropriate. Although some of these recommendations can fit well under these amendments. This is the only point of order in accordance to the speech of the Member.

MR SPEAKER: Very well, I call on the Member to conclude his speech the matter is now understood.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker the deliberating matter on the given amendments is quite severe. They must be debated in detail. This is why we suggested that a Parliamentary Committee be established in the next Parliamentary term. We agreed on it yet now it is being brought forward. Which matters require the views of the country and which ones require our decision making? This is not an easy matter. Majority will not be able to compete. On the overall this legislation and amendment protects the Members of Parliament and minimizes the chances of others wanting to run. This is what I think of this change. I strongly believe that opportunities should be open. One Bill for everyone stating that if monotaga is emphasized then everyone should do a monotaga. If service is offered then everyone should do so too, that is uniformity because the way to authority is through service. It is not right to give \$100 to the soccer team to secure their candidacy when Members from territorial constituencies are providing their services on a yearly basis.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

That is my utmost concern. No Samoan sits around and automatically becomes a matai. A matai represents the family not the village neither the constituency. The matai of the family is respected by the village and constituency. Yes, as the Lady Minister stated earlier, *faa-matai* is the *faasamoa*. I do not know how this new amendment will be addressed for Members who will be running for the Urban seats. There is a lot of debate in the Parliament on the many amendments in regards to protecting this seat. When it is time for these seats to be removed then just use our matai titles to run for elections.

Afioga Maualaivao Pat Ah Him: Mr Speaker...

MR SPEAKER: The Member taking the floor is nearing the end of his clarification, the opportunity will then be given to one of the Members of Individual Voters; Afioga Maualaivao Pat Ah Him.

Afioga Maualaivao Pat Ah Him: I will not worry about it further, until I am given the opportunity.

MR SPEAKER: You will be given an opportunity soon. The Member for Faasaleleaga No. 3, I call on the Member.

Tofa Tuileutu Alavaa Voi (Faasaleleaga No. 3): Thank you for the opportunity. But in the words of the country, if we want to find a solution we must search for it in the house of darkness.

MR SPEAKER: Pardon me the Member for Faasaleleaga No.3, are you talking about the Bill?

Tofa Tuileutu Alavaa Voi: A word of advice.

MR SPEAKER: Pardon me, but I will let the Member for Faleata West conclude his speech, I thought there was a point of order. The Member for Faleata West your time is now up, I suggest you reconsider the time for other Members who have yet to take the floor.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker this is the book. This is the book I got yesterday to read. It is titled political representation and women's empowerment in Samoa; I could not find a Samoan copy. I do not support most of the information written here. Although the fact emphasized here is that 5% of women are matai title holders in villages. This is the reason why I am arguing noting that there are several candidates who want to run. Who are we to stop them from getting this opportunity to enjoy?

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker...

MR SPEAKER: Pardon the Member I will give the opportunity to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker I am concerned about one issue. I do not understand why the Member objects the clarification on 'monotaga'. The term monotaga in every village and constituency is one practice the high chiefs despise from those who do not do monotaga. This is especially seen when a big village project is to take place. Not all matais render a monotaga as some matais only contribute to the families. The matais who are seen in the village do monotaga are the ones this amendment is directed to. It is not wrong to render a monotaga; there are villages that are well organized that do monotaga. These are the kind of people who want to do well in developing their villages.

I do not understand whether Members do not want the term monotaga to be clarified so that those who do not do monotaga will be safe. When we are to find out those who are important to the village, in village councils we will find those who do monotaga and serve the village well. If a person is chosen to this honor they have to perform well for the village and constituency.

This is what the Bill amendment is trying to convey. As for the opinion given to have one Bill, yes this is the idea to have one Bill for everyone. There are times when a particular provision is drafted in the Bill, to implement common sense and equality for all. Most of the tabling Bills in the House do not have equal provisions for all, nonetheless the principal Act still remains seeking equality for all including our rights. Most have stated that we should stop the 'right to freedom of religion'. It is written in the Constitution that all Christian beliefs have equal rights. That is why the Government decided to set up the Commission of Inquiries for everyone to seek further understanding of a specific matter although any matter has difficulty regardless, common sense and far sighted wisdom must be utilized to do what is right by taking heed of diversity. Therefore the term service seems to aim at one definition which is not that simple. This matter needs further investigation and analysis in order for this Bill to press through considering the upcoming elections.

MR SPEAKER: I call on the Member for Faleata West to conclude his speech.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you Mr Speaker. I appreciate the Member clarifying the Bill. We all know that this seat is now open to all those who serve.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

But as I asked earlier, what about those who live on freehold land and want to vote in their constituencies but are not allowed? What is permitted and what is not allowed? If they attend the EFKS church in Vaitele, Saina or Toamua, but live inland they should be given the opportunity to vote where they want to vote.

This provision is given in the Village Fono Act; the person who drafted this Act and is the Hon Minister is very smart. It states that people living on freehold lands should be acknowledged by the village. How can they be acknowledged by the village given their contribution when in elections they are not? The freedom is given to these people to go run for elections and those who run as candidates.

Therefore what is happening Mr Speaker, let us not.... I know there should be a service provided. Mr Speaker I did not make a comment against the discussed service beforehand. It has been mentioned for years now also they cannot just go and have fun then run for elections. No. I do not want this. A Member should provide service to the family, village and congregation before they go into elections. The issue that I am trying to point out is the use of the terms service and monotaga on these different seats. Why not apply the term service to both? Service but when other people come they are given the opportunity. The only problem though is protecting your seats by not giving us a chance. What would the outcome be if it were us?

Mr Speaker, I will conclude. I thank the Ministry in charge of registrations for the hard work. The Hon Lady Minister, if there is a chance a Chief Executive Officer must be appointed for the Ministry as there are suitable people around. It is pointless to leave it as it is as the election is nearing because the current employees have no power in their positions to perform higher duties.

Mr Speaker this concludes an opinion on the matter, hence I am aware that all of Samoa is listening in, even my constituency and the Lord Almighty.

MR SPEAKER: The Members time is now through. I call on the Minister of Justice and Courts Administration.

Afioga Hon Fiaame Naomi Mataafa: Mr Speaker a Point of Order. The issue raised by the Member on the Assistant Commissioner of Electoral is not true as power still exists according to the legislation. I recommend that the matter be left to Government; wait until you have authority then you can make decisions like that.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you, Hon Minister.

MR SPEAKER: I believe we have arrived at our usual recess hour....

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Tofa LEALAILEPULE RIMONI AIAFI: No whether I get there or not, that is not necessary because I am satisfied with where I am. Note that this is no examination matter, it is unnecessary. The Hon Prime Minister does the appointment based on the most suitable candidate. Our Party is doing great, we are expressing our opinions.

I heed great thanks since the start and the Democratic system for open opportunities to express our views. The Government is the one in power but we are here as advisors which I am grateful for. The Lord is our witness to all the Bills and laws that are implemented in this House. Bless Samoa. Thank you.

MR SPEAKER: Very well. I recommend the Member that your time will come, although I can see that your time will never come. Proceedings of the Legislative Assembly will be set aside for its usual recess.

Proceedings of the Legislative Assembly were set aside at 10:43 until 11:24am.

MR SPEAKER: I thank all Members this time of the day. I believe we have returned from our morning tea break. I am certain that everyone has found strength to continue deliberations on the tabling Bill. Since this morning up until our recess hour, there is still an opportunity for Members on the instructions given earlier to direct all comments on the Bill. This is not a new Bill as Members have already debated it, but this is just a short amendment being considered.

I recommend with respect that Members not make this a competition; it is your duty to voice the opinions of your constituencies. I am worried of the time, to use the opportunity wisely. I recommend that speeches made in general be put aside as it is making matters more confusing. The Government itself will continuously respond to matters queried by the Members.

This is not a Bill that needs to be explained in detail, monotaga is service. This is a practice that we carry out every day. This is also the reason why you came into Parliament, all of us served our villages, how many years have we been chosen by our constituencies to make decisions for our country. The reason why we are here as some of the Members earlier stated, the way to authority is through service. This is reason for our calling, it is important that your comments and submissions are given. I note that all Members want to speak which is the main reason why we are here; you cannot be here if you have not rendered your service.

The Chair prays that we uphold Standing Orders and etiquettes in the House, there are some who are willing to reveal intentions to violate some of our provisions on mannerisms in the House.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Before recess the Member for Faleata West was concluding his speech, I will now give the opportunity to Salafai. I call on the Member for Faasaleleaga No.3, and then the opportunity will be given to the other side of the House. I call on the Member.

Tofa TUILEUTU ALAVAA VOI: Thank you Mr Speaker for the opportunity. I believe Members have gained strength to carry on proceedings from the tea break this morning.

I just wanted to speak on the term service as stated in the Bill which I support together with its provisions. The terms service and monotaga are similar. The meaning of the term monotaga with respect to the chief system of our country is service. Monotaga in its true practice is half of the service provided. This is evident with respect to Members in village affairs, monotaga is a minor part compared to service provided in rural villages. This is indicated in our duties through our words and commitment and how we perform in our communities.

Seeing this practice nowadays, if a village does not render monotaga in a year, then monotaga is not necessary, especially family members who are required to travel from abroad to attend these local affairs. As for service you sleep and wake up to it. These two terms are different. This definition should be emphasized. In reality, if the village does not have to contribute ten tala to the school then nothing is contributed in the entire year. As for the services provided to the family and the council of chiefs, that is still practiced today, tomorrow and forever. This service is not limited to the church but to the village and family. This is my understanding, monotaga is by word of mouth different from the word tautua or service. It is an act specific to matai, whereas tautua is more of a general term referring to the many possible variations of an act of service. I do not know if there is a standard meaning to it as it is a word the matais constantly talk about. If no monotaga is presented the whole year...then? Why have you not given contribution? Everything we do is work; this leads us to do bigger things. I strongly believe that these two definitions be reconsidered. It is important that we take part in village councils even if we were to sit outside and experience this practice which seeks to benefit the village. One thing for certain is that once monotaga is not rendered in a year.. The term service is to serve your village everyday especially the church. This is my view on this matter with respect. Bless our proceedings.

MR SPEAKER: I thank the Member for the speech. I appease Members; I already know those who have already taken the floor, the Member for Faleata East the opportunity will now be given to the other side of the House. I call on one of the Members for Faasaleleaga No.1, Afioga Hon Gatoloaifaana followed by the Member for Faleata East.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Afioga Hon. GATOLOAIFAANA AMATAGA ALESANA GIDLOW (Faasaleleaga No. 1): First I want to thank the Chair for the opportunity given to voice an opinion on the Bill. I also greet all respectable Members of the House none the least our country.

Mr Speaker before I voice an opinion on the matter I just want to comment on some of the matters mentioned by Members. I recall one of our Standing Orders the effect of matters such as this on those who cannot respond in the House. There was a statement made questioning the ability of the Attorney General, Mr Speaker I suggest that the statement be removed from our records since he cannot answer to accusations made against him in the House. I now take the opportunity to speak on the Bill. Firstly I want to thank the Lady Minister and Ministry for the Bill and for the clarification on the terms service and monotaga. This amendment has awakened the importance of the matai system which our culture is founded by. This is a practice that sets aside Samoa from other countries in the Pacific and the world. This is also why our former leaders who founded the Constitution initiated this practice, for matais to be part of Parliament, to make laws and just decisions for Samoa beginning from the villages and constituencies.

Such is the spirit of thanks and reminder of the importance of our matai system in our culture, why the matais were appointed and the reason for their calling. This does not implicate that wherever you reside you are free from giving a service or monotaga. Hence it is with gratitude for one of the sole reminders by our ancestors in the Constitution is to hold on to our culture, lands and language. The matai system is an important aspect to the Samoan way of life. I thank the Hon Minister for restoring that belief in us to withhold our principles and values. Mr Speaker I was looking at the Bill and I was a bit worried with Part 3(a)(b) given the talks I heard from some Members on the different classifications the terms tautua and monotaga are embedded. By this we must take all this into consideration given far sighted wisdom as we are nearing the end of this Parliamentary term. Perhaps in the near future we will be able to bring verification to Parliament so that all candidates are elected equally. You must render your monotaga towards the village or constituency your matai title was bestowed as your families have deep faith in you, protection and most importantly the essence of your title. I have heard through the clarification given that since we are nearing the election time and the end of this term, this matter will be put aside. This does mean amendments will end here; we still have other opportunities later.

Mr Speaker no matter what decision we come to, I am worried that some who are already prepared have withdrawn their names since they did not meet the three year requirement period. Mr Speaker I do not appreciate the idea of Members constantly stating diligence and appointment from God. We are born and already our Lord has a purpose for us, he is the one that tasks us in what we do. Mr Speaker this concludes my thoughts on the matter, bless our proceedings.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Tofa Aveau Tuala Lepale Niko Palamo: Mr Speaker.

MR SPEAKER: Very well, thank you. I call on the Member for Faleata East followed by the Member for Faasaleleaga No. 4, and then the opportunity will be given to the other side of Chamber to the Member for Palauli le Falefa and so forth.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Thank you Mr Speaker, for the submissions expressed on the Bill, I also extend thanks to the Hon Lady Minister especially the Ministry. Even though the enabling Bill have new amendments, perhaps this is why our views matter.

I humbly greet the respects of Parliament; I will now speak directly on the Bill. If we look at the Bill, it has specified the issues submitted by the Members especially I who have frequently asked about the definition of the word 'service'. If we look at the Bill it states "Community" it seems this term is referred to '*nuu and afioaga*'. Which communities is the Bill referring to? Is it villages in urban areas? We are trying to replace the word community in all the Bills we consider. The Bill states that the only area that communities referred is the urban area or the town area.

Secondly is the term "monotaga". The term monotaga in the Bill is referred to where you do a monotaga in the village your title was conferred. The term "service" only includes your service to the urban villages, it does not include service within...the term monotaga is also service as amended under schedule. It states under it, monotaga or compulsory service. I want to ask, what is the meaning of compulsory service? Why is there no definition of compulsory service stated, so we will now ask what is this kind of service?

The Bill also states that if you want to be a candidate you have to do a monotaga. Does this mean that you have to be part of the village council if you are from the village? If you are to compete for the urban seat you have to serve your community. I want to understand, we are debating the term service yet there is no service done in the village. It is referring to monotaga which is stated in the Bill as compulsory service. This is why I want to understand this provision, what is the meaning of community service as it states, does this mean if we implement the Bill, a candidate has to do a monotaga and service in their constituency if the Bill is passed. If you want to serve, you first have to do a monotaga to your village and provide services elsewhere.

If we look at (b) it states, Mr Speaker quote, "service to the village meaning monotaga given by a candidate." this is monotaga to the village, constituency or service to the village and constituency. The community that the urban area is referred is not the same as the community in territorial constituencies.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

This service is referred to communities such as Faleata, where any matai from any village resides but serves the villages of Vaimoso, Lotopa and Sinamoga. How about the service to the village where the title was conferred? Where is it? There is no mention of this in the Bill. This means that any person with a title residing in the urban area, does not serve or do a monotaga to the village the title was conferred can run for this seat? Does this mean a matai that was expelled from the village residing in the urban area can run for this seat? Why? This is clearly stated in the Bill.

I recommend that this part of the Bill be revised, it should state under the Schedule, service to the village or village and constituency. It should state the two parts of the village service. The first village service (a) monotaga is referred to as serving in territorial villages (b) service refers to those serving the urban seat. Why does the Bill not mention that the Member should do a monotaga or service to the village where their title was conferred and in the urban area, this will make the Bill easier to understand. If a matai residing in Vaimauga or Faleata urban area wants to run, they have to provide service for three years in the village the matai was conferred and to the village of residence such service include the church or being president of the rugby club or leader of the netball team. The Bill provisions must state the protection of the candidate to serve the village the title was conferred for three years. This is the main objective of the Bill, to serve where our matai titles were conferred. A person expelled from Savaii because of poor service buys a land in Vaitele or Vaialele can run for this seat. There is no restriction stated within the Bill to ban this person, they are allowed because they are serving the community. Another issue I want to understand why the term community has been defined as it is. Since most of the Bills that we have deliberated have always replaced the word *nuu* with village. Now it seems this new term community is specifically for *nuu* and *afioga*. I believe this is the reason why this Bill has been criticized.

I pray with respect Hon Madam Minister that this Bill be reviewed. Some have spoken on the meaning of monotaga. But the term monotaga stated in the Bill is compulsory service, this is stated in the document signed, you have to do a monotaga. The monotaga stated includes service that results to compulsory service. Therefore a definition for compulsory service should be stated.

This is an opinion on the matter Mr Speaker on what the Bill should be considering; this is not a simple condition to be existed by constituencies, this is the reason why some of these ideas were rejected in the past. We are deliberating the meaning of terms; it is an issue that should be reconsidered. Even if we try to define what monotaga is, the Bill has already spelt out what it means, other definitions of monotaga mentioned is not important, the important one is in the Bill which is the same for service. This tells us that the only recognized service is the one practiced in the urban seat.

With respect.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

MR SPEAKER: Thank you. I appreciate these short speeches which is straight to the point.

The Member for Faasaleleaga No. 4 followed by the Member for this side of the House Gagaemauga No. 2 and then the Member for Palauli le Falefa.

Afioga PESETA VAIFOU TEVAGA (Faasaleleaga No. 4): Thank you Mr Speaker for the opportunity given to this constituency to voice an opinion on the Bill. This is one Bill in the previous sitting that stated only the term service and not monotaga.

Mr Speaker there are several different definitions to the terms service and monotaga. I personally think that service is what you do in general and monotaga is your matai duty in your village and constituency. Service starts when a child is born into a village and church, a tribute is carried out for the baby in church, including all the children, when six years old this child can run and is instructed to take the pastors offerings. Even though at such a young age, this is one service. Later they become part of the untitled men and once the family decides to make him a matai the village asks for a monotaga from the matai. This is an example of the practices carried out in my village and constituency. The decision is given by the village council that same day. If you do not have a monotaga, the village does not care even if you live there for years they do not acknowledge you, you have no significance to the village but only the family. Who makes the decision for the village? It is done by matais. Who are the matais? They are ones that do monotaga, it does not state matai do service but matai doing monotaga. These are the people that make decisions for the village and keep the respect of *alii* and *faipule* of the village. Even if you are a matai for years and have lived and served somewhere else and give no monotaga to the village, you are not acknowledged by the village. If a constituency is going to hold a meeting only those who did monotaga will be in the meeting.

As some of the Members and Ministers have earlier stated such practice is a provocation found in the village, which is monotaga. The contribution given is not only from the family the matai is from, it is the contribution of the matai alone, that is the monotaga. This is the significance of the monotaga. As for the service now replaced by monotaga, it is a service done in general for the village and family. If it is a fundraiser done in Apia for a village in Savaii or for a rural village that is broadcasted on television, I will still call in with a contribution to assist my village even if I do not reside there anymore. Even if I no longer give a monotaga to the village, that is service. Therefore with the proposed Electoral Bill tabled electing of candidates is restricted, big fishes are not mixed with small fishes.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

This Bill gives the constituencies the authority to elect candidates who are eligible and have given monotaga and served the village. It is also stated within the Bill a period of three years. There are a lot of matais who have been registered for five, six years but have no monotaga, and I want to thank the Hon Minister, Attorney General and the Ministry for the Bill. I am thankful that the term monotaga is now included because this is one term strongly mentioned in my speech. If we were to exclude monotaga in the Bill I do not know what the court will base its decision on. The men and women judges cannot make a decision on such matters when taken to court because service is a generalized term but monotaga is simple. If a candidate is taken before court the judge will seek assistance from the Pulenuu and members of the village council. Every village has a book that records monotaga. This records who did not give in contribution. This will make the work of the judge easier to carry out. This is the reason why I want to thank the Minister for including this amendment in the Bill.

There were Members who stated opinions on the two seats perhaps this is the reason why there is so much noise and debate in the House. I humbly recommend to the Hon Minister that provisions on these two seats be revised, to make equal requirements for these seats and our seats to do monotaga. It is not fair for other seats to do monotaga and not these two. There is the implementation of the phrase the method to power is service. How can they serve if they are not providing service to the village? This Member supports the new amendment since we are short on time for elections; I suggest that in the future this matter should be revised. If there was equality among the seats provision I believe there would be no debate on the matter because the duty of the village leader is not easy. The person who provides service does not have an easy task....

Tofa Lealailepule Rimoni Aiafi: Mr Speaker....

MR SPEAKER: The Member for Faleata West, is there an issue....?

Tofa Lealailepule Rimoni Aiafi: I thank the Member for the wonderful speech, since he has reiterated the phrase the method to power is service. This is relevant to Members for urban seats since they carry out services, does this mean the phrase given to Members from territorial constituencies will be the method to power is monotaga? I thank the Member for the knowledge, thank you.

MR SPEAKER: It is the same thing; this is the method to the empowerment of service. The clarification given by the Member is quite clear, there are two main areas discussed by the Member, your service is not complete if you do not do accomplish it. I call on the Member to continue.

Afioga PESETA VAIFOU TEVAGA: I am not pleased with the interruption made by the Member for Faleata West.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

This is an opinion from my constituency. Our Parliament is trying to implement the matai system which is our culture; no one can just stand up and go to the election. You have to be a matai first then do a monotaga which is the service provided for the constituency, service has a limitation but monotaga is ongoing, this is when the matai become parts of the village council. No matter how many years a matai serves in the village once a mistake is made the village will decide on whether to fine or banish you. Once a matai is fined or banished your monotaga ends and you no longer take part in decisions made for the village or given anything from the village. Unless the council forgives the matai then they are allowed back into the village. As I stated earlier the objective of the Bill tabled emphasizes the Electoral Act. This constituency accepts the changes made to the Bill. Lady Minister, we support the provisions. Although as I stated before since the elections is nearly here, I recommend that we should revise these amendments in the next term so that every seat within the House follow equal provisions.

May the Lord bless the Chair and bless our proceedings.

MR SPEAKER: Thank you. We will now move on to the other Member for Palauli le Falefa, followed by the Member for Falealili then by the Member for Gagaemauga No. 2.

I call on the Member for Palauli le Falefa.

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: Thank you Mr Speaker. Mr Speaker I emphasized this subject, of service in my speech. This is based on the importance of participation in the decisions made in constituencies. I emphasize the term monotaga because it is important that all matai from this Parliament whether territorial or urban be involved in developing villages in taking children to school and so forth.

It seems the amendment is stressing the importance of monetary contribution. In addition to what some of the Members mentioned about monotaga, it unites the matai and village council and once rules are implemented they seek parliamentary practice to exercise it in every village. If the village carries out punishment they impose court practices. If they were to make decisions on developments they will work as a Cabinet. There are three functions of every village. This is why it is important to me that a matai be involved in decision making of the village on developments. I am aware that everything else is important although the most significant issue here is the participation of the matai within village council meetings.

I want to thank the Hon Minister for the amendment. Yesterday I heard a few criticisms on this amendment portraying it as a major disadvantage. I want to voice a few recommendations on provisions stated. The phrase that uses the word 'or' it should be replaced with 'and'. This will illustrate the equality between the two seats.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

There should be a connection between seats on culture and other areas that involve service to communities. The church cannot be separated and excluded from village authority because every pastor makes a covenant with the village. This means that they are under the protection of the village council. No one from in the constituency is allowed to set foot in the house of the pastor or disrespect the beliefs of the church. Another matter Mr Speaker, the matai system is the identity of every Samoan.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker....

MR SPEAKER: I call on the interruption. Is it a point of clarification or order?

Tofa Lealailepule Rimoni Aiafi: It seems the Member is now speaking about church matters. I am now confused with his clarification. I believe there is a difference between monotaga and church matters. The monotaga is a cultural practice; I believe it was present way before Samoa became a Christian state. A question for the Member, if I serve the church and have no monotaga, am I qualified to run in the elections? With respect.

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: The answer is simple. If you want to go to TC then why would you want to compete if you do not have a monotaga? As for the church the service you provide has a different reward. If you do it honestly, you are doing it for a life everlasting but not doing it so you can come into Parliament. This is what the Member has stated. He is called the son of the King. We only have one king, Jesus. But he wants to go into Parliament; if you are going to serve the Lord then I recommend that you fulfill your religious duties.

Tofa Levaopolo Talatonu: Mr Speaker a point of order. The Member has been speaking for a long time now. He has stated that if you want to come into Parliament a monotaga should be done. It seems the Member has forgotten that this Parliament is founded on God. This means that you can still carry out church duties and be part of this Parliament. Our country is founded in God which is the same for our Parliament. These two duties go together.

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: It is great hearing someone who does not go to church and someone who almost sleeps at church. Everything we do offers praises to the Lord whether in Parliament or duties carried outside of Parliament, the Lord is always prased....

Afioga Toeolesulusulu Cedric Pose Salesa Schuster (Aana Alofi No. 3): Mr Speaker.

27 AUGUST 2015

**Electoral Amendment Bill (No.5) 2015
- second reading**

MR SPEAKER: I apologize to the Member, it is your own neighbor that is interrupting your speech.

Afioga Toeolesulusulu Cedric Pose Salesa Schuster: Mr Speaker I want to understand the issue concerning religious duties. It seems this is a matter emphasized in the speech given by the Member. Unfortunately the clarification given for monotaga emphasizes fulfilling of both religious and cultural duties. It states that monotaga is a compulsory service that emphasizes religious duties. I believe this was a query made by the previous Member but now you are stating that it only involves cultural duties. The definition stated in the Bill for this term is compulsory service rendered for customary, traditional or religious activities. Is this right respectable Member? There is a concern if the clarification stated in the Bill is enforced it is now understood by every constituency. Most of the monotaga done in villages are not compulsory. This means that villages should now make monotaga compulsory. Although there are often opportunities where each member receives a monotaga. Nonetheless it is now implementing services be compulsory for the church as well. Is this right?

MR SPEAKER: Pardon the Member; I will give the opportunity to the Member for a clarification. I call on the Member for Faasaleleaga No.4.

Afioga Peseta Vaifou Tevaga: Mr Speaker this term seems to differentiate the opinions of Members in the House. Monotaga is mainly referred to cultural and traditional duties. Although once it states religious duties it will no longer be monotaga but *matafale*. This is the right term because some Members have stated that it is not appropriate to say religious monotaga but matafale.

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker I wish to speak on the matter mentioned by the Member for Palauli le Falefa. What is the basis of your opinion? Is your opinion based on the words spoken by Jesus, "*If you do something good and pursue your reward here on earth there is nothing left in heaven*" right? Is this is right? Does this mean that you have found your reward on earth?

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: Thank you Hon Prime Minister. I also thank the Member for Faasaleleaga No.4 who answered the question but this is not the answer. The Hon Prime Minister is right. Anyone who is eager to receive his reward on earth has nothing above. Only Paul spoke, it is nearly time for your blood to be spilt and I await the crown of righteousness to crown me and all those who love God. There are no crowns for Members above if it is used on earth.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Mr Speaker I already stated the meaning of monotaga, it is the covenant built between the pastor and village, where they offer protection to the pastor. This means that whatever the village does, their work is set before the Lord for a life everlasting. Mr Speaker as I earlier stated if the Hon Minister and Government agrees, remove the word 'or' and replace it with 'and' under religious services. It is important because the churches are the ones maintaining peace within villages. This is also the reason why the village council is important they also maintain peace. There are severe punishments. If there is a crime the village council will be valid. If the offences are not serious the village council will decide lightly. This matter is not understood by Members who do not take part in village meetings. Mr Speaker our villages and constituencies are listening in to this issue.

Tofa Levaopolo Talatonu: Mr Speaker. A point of order and clarification. I recall the time when the Member for Palauli le Falefa said his farewell speech to Parliament. He stated, 'I am thankful that I am resigning because it will now give me the opportunity to attend village council meetings.' This means that he has not attended village meetings for a long time now. Is this the truth?

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: It is not true. The reason why it is not true, the Member for Saleaula spoke of a harbor down at their village but there is nothing. This means that the Member has not been to visit his village. The harbor is located at Fagamalo all the way to Lelepa. See how wrong the location stated? Most of the time is wasted because of your love for your village and constituency. We have another meeting tomorrow. I told the village council I will not be present if the Parliament sitting goes on until Friday. If we do not have a sitting I will be at the council meeting to discuss the developments considering the benefit for our constituency.

Mr Speaker I support the Bill. A question on the matter though, there are matais who did not take an oath within the village. Are these matais eligible if they have not been involved in the ava ceremony of the village? Or whether it is only a matai who did his oath in the urban area? If this matai were to sit in this House, will it be a matai who drank ava within the village? Can the village accept him if he were to go there?

Second question, people from my constituency who are eligible to vote listening in were approached by candidates running for the urban seat. They were informed that they were no longer eligible to vote in Savaii or rural areas since the Act has been amended, everyone is now included under our poll. Secondly Mr Speaker there are public servants....

Afioga Maualaivao Pat Ah Him: Mr Speaker....

MR SPEAKER: Pardon me but since there was a mention of Urban candidates whom are affected. I call on the Member, is there such a condition?

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Afioga Maualaivao Pat Ah Him: A point of clarification. Thank you for the opportunity Mr Speaker. The matter mentioned by the Member is important also most of his questions are easy to answer. I move with respect to discuss the matter concerning committees for urban area candidates. Since the matter is stated in general I do not know...I am one of the Members included under this seat. The term mentioned saying it is deception, this is wrong. The important matter I want to tell the people is human rights. There are two kinds of human rights. You choose a candidate that is eligible which should be considered carefully before you mark the x.

As for the elections you only write one x, you are allowed to register under urban area or still vote for the candidate you were previously registered. This is the provision stated; it does not mean that they are not eligible. They are entitled to choose who they want based on the two rights stated in the Bill. This is a clarification on the matter for the understanding residing in constituencies and urban area. In case some might be fooled by campaigning committees on taking away this right, it is not okay. The objective of the Bill should be implemented right, with respect.

MR SPEAKER: Very well, thank you for the clarification Member. I believe the opinion voiced by the Member for Palauli le Falefa is also important. All Members from Salafai have voters spread throughout Upolu. Moreover the Members from rural constituencies have voters residing in urban area, Apia. The Member for Individual Voters Afioga Maualaivao Pat Ah Him, have clarified the matter, these are the rumors heard. Those living on freehold land are not eligible to vote in urban. The clarification has already stated that there are two rights; you still have the right to vote in your area of residence. I call on the Member the matter is now understood.

Pardon me; I will give the opportunity to the Member for Siumu.

Tofa Hon Tuuu Anasii Leota: Mr Speaker a point of order. The statement given by the previous Member is quite true. These are the rumors heard because it is also affecting my voters living in Apia. The rumor was, you are not eligible to vote in the poll that you are registered. All of Samoa are listening especially the voters who know that this is not right. I am glad the matter has now been clarified so that the Committee implementing these rumors will know about it. This is deception, especially saying that voters cannot vote anymore under the poll they are registered. Nonetheless I am aware voters have understood the clarification, you can still vote under that poll. If it is the poll for Siumu then you stay there, with respect.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

MR SPEAKER: A clarification has been given by the Member for Individual Voters Afioga Maualaivao Pat Ah Him, and yes there was a rumor as stated by the Member for Palauli le Falefa. Perhaps this rumor was made by someone or a campaigning committee. I thank the Member for Individual Voters for clearing this issue; he has also stated that there is no such rumor made by his committee. We will leave it at that, the people have heard and now know there are two rights. I call on the Member for Faleata West.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker I testify on behalf of the Committee for the Member of Individual Voters with respect.

Afioga Maualaivao Pat Ah Him: Mr Speaker can I get another opportunity? I believe it is now clear that it is the Member for Faleata West making these rumors. I pray that you would not go to the shallows but to the deep. Mr Speaker if we are too close to the shallows we will but the point I am trying to make is that you should know where you stand if an issue of concern arises that will affect the rights of people in your Constituency. Mr Speaker, the matter we are discussing is very significant but only if the Constituency involved is small and not more than 30 villages I would go and do the job, but I cannot because it is too difficult. I intend to voice my opinion directly in comprehending the message as I have mentioned earlier. That is my response, with respect.

MR SPEAKER: Pardon the Member, but I will give the opportunity to the Hon Lady Minister.

Afioga Hon Fiamē Naomi Mataafa: Mr Speaker a point of clarification in relation to the matter mentioned by the previous Member. Mr Speaker in relation to the issues raised by Members I want to say that the Bill clearly states the eligibility of voters and on who they choose.

If we were to follow what the committees and rumors say, I want to reiterate what the Member for Faleata West said to the Member of Gagaifomauga No. 1, welcome to politics. This is the nature of people as for the Bill it states the facts on the eligibility of people and on whom they want to vote into the House. I humbly request that we follow these provisions, because we are starting to move away from what is important creating conflict in the House. The Bill tabled is very clear with respect.

MR SPEAKER: I call on the Member to continue with his clarification.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: Mr Speaker I thank the Member for the interruption. Some of the people have heard the clarification made by the Member for Individual Voters or the voice that instructed you. I ask for forgiveness also do not vote for Members in urban area but vote for our territorial constituencies, let us develop Savaii.

Another matter Mr Speaker is the issue concerning public servants running for elections. There is legislation; the issues though it seems those working within the public sector are using Government property which is affecting those working under them. They are using Government vehicles to do their campaigns. I pray that the Cabinet and Government allow a six month resignation period before they are go do campaigns and find other employment, with respect bless our proceedings.

MR SPEAKER: Very well.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker.

MR SPEAKER: I call on the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker all of us are affected under this legislation once candidates are revealed. The only body that continues working for the Government is the Cabinet. They are the ones using Government vehicles although it does not mean that they are using it for election campaigns. I announce that not only are the public servants affected but also all of us here in the House who are using these vehicles.

MR SPEAKER: I call on one of the Members for Falealili, Tofa Tusa Misi Tupuola.

Tofa TUSA MISI TUPUOLA (Falealili): Thank you Mr Speaker for the opportunity given to this constituency. I move with respect to speak upon the Electoral amendment tabled.

Mr Speaker with respect there are words usually said by the country. Samoa is a country already chosen not denied. The meaning of this phrase depicts that each constituency has their own cultural traditions every constituency is different. It has taken us a long time to discuss the terms monotaga and service. Let us not forget that the country is listening in, as I said each village has a different culture from the other. I will not be speaking on the terms monotaga and service.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

The matter has been clearly heard by chiefs and orators of each village perhaps they have a better definition with respect to Parliament, because this is based on the culture and traditions of each village. Samoa is made up of various stories, therefore each village has its own meaning in clarifying this matter.

I want to thank the Lady Minister for the amendment tabled in a state of urgency. I also want to thank the Attorney General who was acknowledged by the Member for Faasaleleaga No.1, Afioga Hon Gatoloaifaana Amataga Alesana Gidlow. The Member was surprised with accusations made on the functions carried out by the Attorney General. Since the Attorney General is a son of this constituency I was saddened with this accusation, nonetheless there was no opportunity to voice a response. I strongly believe Mr Speaker that this statement be removed from Parliamentary records because the Attorney General is not biased. I support the opinion made by the Member for Faasaleleaga No.1 for the mention of the name of Afioga Tuatagaloa a son of this constituency, with respect.

MR SPEAKER: Pardon the Member I will give the opportunity to the interruption from the Opposition.

Afioga Hon Palusalue Faapo II: Mr Speaker I apologize to the respectable Member especially to the Attorney General. I believe the response of the Member of this side on the matter to the Hon Minister was made based on his own understanding. Nonetheless I apologize to the Member this is just the nature of debates and the Member for Vaimauga West Tofa Lefau Harry Schuster did not mean any disrespect. He also wants to respond, and the member of the Vaimauga West, Tofa Lefau, has not falsely accused the Attorney-General in their relationship as solicitors.

MR SPEAKER: The opinion of the Leader of the Opposition is now clearly understood. I believe this matter will now be referred unto the Chair. I have also advised the Hansard on the speech by one of the Members for Vaimauga West Tofa Lefau Harry Schuster before I make a final decision.

I am aware of the opinions shown this morning nonetheless I did not mention the issue in case something might have been misheard. Since the matter has now been mentioned by two Members of the House, the Chair will now overlook the matter and will withhold recordings of the speech given by the Member for Vaimauga West, Tofa Lefau involving the Attorney General. If it affects our Standing Orders then action will be taken. I appease Members on the matter, in case some might reiterate the issue the Chair will decide on the issue. I call on the Member for Falealili.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Tofa TUSA MISI TUPUOLA: I thank the Member for the clarification, I am now content. Mr Speaker this Bill that we are amending is from 1963. This legislation has been in force for 52 years, from then on until today we have made a lot of changes that we need to overlook. Why? Because there are a lot of changes, the country has developed and the knowledge of Samoa has grown, such changes are seen in deliberations undertaken in Parliament this morning. These are the amendments now tabled in the Bill 2015. This constituency has already given its consent and support on the Bill amendments. This concludes the opinion of this constituency; I believe the day has taken its toll with deliberations on amendments. I hope the amendments will assist with candidates wanting to run for elections, hence the development of this country through its Parliament. Bless our proceedings.

MR SPEAKER: Very well thank you respectable Member. I call on the Member for Gagaemauga No.2 followed by the Member for Vaisigano No.2.

Tofa LEVAOPOLO TALATONU: Mr Speaker thank you for the opportunity. I believe most of the issues have been mentioned by previous Members. Therefore I will not reiterate the opinions already stated. The only issue Mr Speaker and respectable Members, since the Bill states compulsory services in villages and constituencies, I believe this provision overrules the Constitution. These are unconstitutional Amendments. There are two areas where this opinion is found.

First, there has been continuous debate on the issue concerning the two urban seats and territorial seats. This means that not everyone is in agreement or has the same perception on this legislation.

Second the provision debated affects our Constitution this is based on compulsory services, the service provided to villages. Mr Speaker I will now read out section 8 of the Constitution.

“8. Freedom from compulsory employment- (1) No person will be required to compel or encourage employment.

(o) Any work or service required by the Samoan culture or service is part of community customs.” It is quite clear.

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker it is like the distance between the East and West, this is also how different the Principal Act is to the Bill as described by the Member. As Members of the House all know every Bill tabled in the House, the first measure taken is to check whether an iota of the Principal Act is affected, so that it correlates to the legislation. If it does not then there is no use implementing it. If it is a legislation that is needed, the Principal Act will be amended on provisions involved.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

The Principal amended clarifies the matter in detail which you objected, this was the provision made to implement urban seats, and the report tabled was agreed upon and passed. However now that we are trying to pass the provision there are Members who are objecting except for the Member for Faleata West. This means the Member for Faleata West is the only person who understands how important this amendment is to the Bill passed. This is the reason why the Member is not speaking about the Constitution because the Member for Faleata West already knows the amendment is in line with the Constitution. Nonetheless the mention of the Constitution portrays that Members do not read or understand the Bill.

Mr Speaker these are the speeches that is prolonging deliberations in the House, the continuous mention of the Constitution being violated, there is no such thing because the Constitution has already been amended.

Afioga Hon Palusalue Faapo II: Mr Speaker a point of Order. The Hon Prime Minister has been taking the floor various times which we object too. The reason why we object, various provisions have been implemented but we do not accept it. This is their strategy. If they implement it one by one...

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker, was it voiced piece by piece?

Afioga Hon Palusalue Faapo II: It was not voiced piece by piece.

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: It was voiced piece by piece. It seems you cannot recall what was voiced piece by piece.

Tofa LEVAOPOLO TALATONU: Mr Speaker... the amendment that changes this Principal...

MR SPEAKER: I apologize to the Member I will give the opportunity for the clarification on the matter.

I call on the Hon Minister of Agriculture and Fisheries.

Afioga Hon Le Mamea Lemalu Su'a Leatuavao Tuiletufuga Ropati Mualia: Mr Speaker I apologize to the Member, I just want to remind Members monotaga undertaken in villages is compulsory, this means it is enforced by villages. If a village calls for monetary donation of \$10 then every matai doing a monotaga will each give in \$10. If donation is not given by a matai they will be fined. The monetary contribution will either be doubled or give more. If not they are asked to pay with a pig. I am not sure about your village, but this is the Samoan culture in my village, it is compulsory to give in monotaga.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

This is the difference with religious contribution where gifts are given to honor the Lord, they are also compulsory. If you do not give any contribution you have no love for the pastor, you are not fined. As for matai practices in the village, if you do not have a monotaga you are fined. It is compulsory. This is a clarification on the matter; I am now old and well aware of the matai system within villages. This is a minor assistance on the matter, thank you.

With respect.

MR SPEAKER: Very well. I will give the opportunity for the response of Government before opportunities are given.

I call on the Hon Minister of Public Enterprises.

Afioga Hon Lautafi Fio Selafi Purcell (Minister of Public Enterprises): Thank you Mr Speaker. I move with respect today, first I appease my constituency, I believe Satupaitea has been mentioned four times in speeches given by Members. I think it was the Hon Prime Minister that first mentioned my constituency. I apologize hence I now know the reason for stating the constituency Satupaitea and Lepa. These are the only two constituencies in the country that have excellent village leadership, monotaga practice is respectable, and there is a difference between monotaga and services. Perhaps this is the reason why the Hon Prime Minister mentioned Satupaitea, in case some people of the village might feel it as disrespect.

I wish to comment on the speech by the Member for Saleaula, stating that the Bill disputes the Constitution. As stated within the Constitution, "Freedom from forced labour." It is quite clear. "(1). No person shall be required to perform forced or compulsory labor. If we look at "(2).

For the purpose of this Article, the term "forced or compulsory labour" shall not include – (d) any work of service which is required by Samoan custom or which forms part of normal civic obligations." This clarifies the issue meaning it is not affected under force labour under the Constitution. Perhaps the Member is speaking of another Samoan meaning compared to the one I clarified. Furthermore this is my understanding on the Bill and Constitution.

With respect.

MR SPEAKER: Pardon the Member for Saleaula; I will give the opportunity to the Member for Faleata West.

Tofa Lealailepule Rimoni Aiafi: Thank you. Mr Speaker I want to assist the Hon Minister of Agriculture and Fisheries on the matter, because this is one constituency violating the Constitution.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

The Member I believe what this side was trying to convey is for everyone to read and understand the Bill. The Member is correct if we talk of compulsory, religious affairs are not compulsory; it is up to the person. It is clearly stated within the Bill that compulsory service means assistance or contribution rendered for customary, traditional or religious activities or similar purposes. This is what the Member should look at together with others so that we will understand the Bill further. It would be understandable if the Bill stated monotaga includes all cultural practices. Nonetheless it also states religious activities. This was the reason why I asked; if you do not do a monotaga but contribute to religious activities will I be eligible to run for elections? I have yet to receive a clear response on the matter, but it seems it is now compulsory within the Bill.

With respect.

MR SPEAKER: The opinion of the Member is now understood. Therefore....

Afioga Hon Le Mamea Lemalu Su'a Leatuavao Tuiletufuga Ropati Mualia: I humbly ask to assist the Member please. Senior Member for the Opposition, if we look at the Bill there is a different definition for monotaga, it states that it is service. Also the only term that is compulsory is monotaga. It clearly states that monotaga is compulsory service. Am I right? It is right. Thank you.

MR SPEAKER: I will give the opportunity to the Minister of Communication and Information Technology.

Afioga Hon Tuisugaletaua Sofara Aveau: Mr Speaker I wish to broaden the speech by the Hon Minister before he was interrupted by the Member for Faleata West, this means that both cultural and religious activities go together. If you look at the Bill, it states cultural or religious. This is the Bill.

Afioga Hon Palusalua Faapo II: Mr Speaker a question for the Member for Faleata West, are you trying to say that religious activities will now be legislated under this Bill? The country is listening in to your clarification, not only is monotaga compulsory but also religious activities. This is what I want to understand.

MR SPEAKER: The question is understood but I will not give an opportunity to answer it. I appease the Member for Faleata West because it seems like our deliberations is now taken to another new level. The culture and traditions of a village are not taught here. We are trying to deliberate the benefits of the Bill. It is a Government legislation the same as all other Bills.

I call on the Member for Saleaula to conclude.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Tofa LEVAOPOLO TALATONU: Thank you. This is the matter that I looked at in the Bill; it states that monotaga is compulsory service. The Constitution section 8 is also quite clear; it is not enforced by the Bill. As for the amendments tabled they are different from what I am trying to explain. I am surprised that there twelve Cabinet Members but not one of you found this mistake. I am surprised. Not only Cabinet Ministers but also the Associate Ministers I do not know what they are doing. There is a major problem seen here. This is why I do not support this amendment because there is a major issue present. Thank you for the opportunity.

MR SPEAKER: I will give you the opportunity since there is a mention of the Cabinet and Associate Ministers.

Afioga Hon Tuisugaletaua Sofara Aveau: Mr Speaker, I just want to inform the Member that he is stating the wrong Bill, the amendment read addresses the Principal Act. The matter that he is raising is quite different.

MR SPEAKER: I appease Members of that side of the House and Associate Ministers, this is the nature of how the Member for Gagaemauga Nu. 2 voice his concerns. Nonetheless he has now concluded with his clarification, the Member for Vaisigano No.2 and later followed by one of the Members for Salega, Afioga Afualo Wood Uti Salele and the Member for Faasaleleaga No.2.

Tofa MOTUOPUAA UIFAGASA AISOLI VAAI (Vaisigano No.2): Thank you Mr Speaker for the opportunity. Since we are short on time I will be brief with my opinion on the Amendments tabled. I strongly believe with respect to the House the reason for much debate is based on definitions given on the terms monotaga and service. If we look at most of the villages monotaga in my village is \$5 a matai, which is given once every three months. Although the service provided by those living in the village is more than a hundred. I personally believe that both terms monotaga and service are the same. The term service is more significant than the monotaga done within the village. Nonetheless I will not speak further on this issue.

An opinion on the Bill, I strongly think that we are walking into the future with this Bill. If we look at it, we are democratic and we are using human rights. I spoke on the Bill the first time it was tabled, we are now democratic and the world is constantly revolving. We should not be looking back on such matters. If you were chosen as a matai by your family tit portrays that they have faith in you, you have served them well and will do so in the village. The matai does not have to be signified with a monotaga or other duties. If you were chosen as the family matai then the duty to serve is put upon you and you must adhere to fulfilling it.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

As the saying goes, Samoa has so many changes today. We are now in a new century where changes are made but the foundation still remains. If you are a matai then that is your calling. The services you provide is observed closely by the high chiefs of the family, once you fail your matai title will be removed. I personally think that these practices such as monotaga and service should be set aside if you are a matai you should work for the development of your family, if you do not fulfill this duty and want to go to elections, the elders will know, 'how can you run when you have not given services? It is the matai of the family that endorses a family Member if they are eligible to run for elections.

This is an opinion on the matter; Samoa is moving forward considering changes of democratic practices, this should be the same for our culture. If our democratic practices are becoming advanced I recommend that the same be done for our culture so that it will go together. The qualification is, if you do not hold a matai title then you cannot run for election. As for the protection of matai that wants to come into Parliament I believe it is up to the family to decide which matai runs for elections.

This is a statement in relation to the matter discussed this morning. The reason for the confusion is the use of the term monotaga for those living on freehold lands in Faleata and Vaimauga; we are trying to evaluate who is eligible and who is not under legislation.

Personally it is my human right to the elections, if you are a matai. The term service we all serve in our constituencies, if a house is christen in Faasaleleaga or Aleipata you take gifts there because your friend resides in that area. This means that you are providing service to that village, this is exactly what I am trying to address this morning.

All due respect, Mr Speaker.

MR SPEAKER: Very well thank you. I call on one of the Members for Salega, Afioga Afualo Wood Uti Salele.

Afioga AFUALO WOOD UTI SALELE (Salega): Thank you Mr Speaker. I will be brief since most of the matters have already been discussed by previous Members. A few areas of concern Hon Minister are the terms, monotaga is a Samoan term, monotaga and service stated under the paragraph (in form of cash, kind or goods) the Samoan term given for kind is '*ituaiga*.' I do not think it is right but it should be '*agalelei*'. This is the reason for providing such services and also monotaga.

Mr Speaker I am aware that the Amendments made in the Bill portrays the recommendations made by Members. The Parliamentary term is concluding and still we see new changes are made which I believe is for the right reasons. This also portrays the significance of legislations made in the House.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Although to ensure that it is implemented, provisions drafted correlates to the Constitution of our country only matais are eligible to run for elections. The legislation has presented the idea the power of authority is service. This is respect hence you are conferred a title when you have served well. This is evident through your monotaga and services. The truth is there is a difference of opinions between Tumua and Pule and the Heavenly Father, meaning it is not written differently as one of the Members stated, on the use of the terms “or” and “and”. Perhaps it is clear that it not compulsory, I am grateful the Hon Minister is an observant of the matter. There is freedom with the use of the term “or”. This means it is not something compulsory. This means it does not matter if your service is provided under monotaga. It does not matter if services are through village or church. The significance of this Bill reminds us of our Constitution. It is the decision of the candidate to serve in whatever way they want, because it is written under the Constitution. Only those who were bestowed a matai title can run for elections and are also eligible to be leaders of the country. Not only for now but for the upcoming years. This is a humble opinion on the matter Mr Speaker, may the Lord bless our proceedings.

MR SPEAKER: Very well thank you, I believe we are now nearly time for recess. The Chair has made his decision in relation to the matter questioned by the Members of Faasaleleaga No.1 and the Member for Falealili. I have read and understood the matter accurately. I appease Members of the House the Attorney General is not affected by the comment made by the Member for Vaimauga West, Tofa Lefau. The comment made addresses the apology from the Member to the Attorney General. I have read the comment made in detail that this is stated within the matter stated. There was no mention of the inability of the Attorney General. I thank the Member for stating this matter. I have heard and have made a decision in relation to the comment made and have found that speech given is alright. The only terms that I wanted to remove are the ones made in relation to the Bill. The one stating that it is a blind Bill. This is not an appropriate term which I have advised it to be removed. As for the matter affecting the Attorney General I apologize to the Members for Falealili and Faasaleleaga No.1. At the conclusion of the speech given by the Member for Vaimauga West he apologized for any mistake made through terms used. Nonetheless I believe we have reached a decision, I call on the Hon Prime Minister for the motion.

“(Words recommended by the Chair to be removed from official Parliamentary proceedings made by the Member for Vaimauga West, Tofa Lefau Harry Schuster.....The Bill is blind).”

27 AUGUST 2015

MOTION TO SUSPEND STANDING ORDERS

Susuga Hon Tuilaepa Fatialofa Lupesoliai Neioti Aiono Sailele Malielegaoi:
Mr Speaker I stand with respect to move a motion, *That Standing Order 31 (1) be suspended to allow sitting time changes for the day from 9:00am – 1:00pm and restart again at 7:00pm until 11pm this evening.*

Seconded by the Minister of Justice, Courts and Administration and the Minister of Women Community and Social Development.

Motion approved and Standing Order 31(1) was suspended.

MR SPEAKER: I believe with respect to the dignity of the House, I am grateful for deliberations and the importance of the matters discussed today. I have noted that most of the Members have already taken the floor to voice opinions, thank you.

Nonetheless there are also those who have yet to speak on the matters deliberated. This is why we have passed the motion moved so that we will be able to prolong debate on the matter. I pray that Members be patient to attend our proceedings this evening at 7pm to 11pm. We will see what will happen this evening with deliberations before we can put matters into progression.

As for now we will take a recess I pray that the duties carried out for the day be a success to the Hon Leader of Government and Cabinet especially Members of the House.

Proceedings of the Legislative Assembly were set aside at 1:00pm until 7:00pm.

Proceedings of the Legislative Assembly resumed at 7pm.

Proceedings progressed with the continuation of debate on the second reading of the Electoral Amendment Bill (No.3) 2015.

MR SPEAKER: I welcome back respectable Members of Parliament this evening, thank you for your patience and determination. I am grateful that we are able to be here this time of day to continue with orders from this morning.

Therefore I thank all Members present this evening. I pray to those who are still making their way to travel safely, there is plenty of time to continue our work into the night. I believe it is important that we try and conclude this matter today in consideration to the Hon Prime Minister and Cabinet especially the following Bills before we can retire for the evening.

27 AUGUST 2015

**Electoral Amendment Bill (No.5) 2015
- second reading**

I want to acknowledge the support of Samoa; I believe most are retiring to their homes for evening prayers especially to thank the Almighty for the duties accomplished today. I humbly ask that prayers be made in consideration for your Parliament and its ongoing work this evening as well.

The Member for SalegaAfioga Afualo Wood Utu Saleleconcluded his speech before we took recess; therefore opinions and recommendations on the Bill have been reached. I call on the Member for Faasaleleaga No.2 for his turn to speak on the Bill this evening.

Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU (Faasaleleaga No.2): Thank you Mr Speaker for the opportunity. I also want to thank respectable Members of the House; I hope you found much strength during recess to continue with our orders this evening. The Chair is quite right on the matter that our Leaders have found strength to carry forward proceedings.

I take this opportunity to speak on the Bill since it is quite an important matter. I also believe it is important that all Members have a say on the Bill given that it is an important issue tabled in the House. I thank the Chair and the Hon Minister and the Ministry for the tabling of another amendment in the House. I believe the changes made by the Hon Minister and office was made in relation to the Members perspective. This is not an easy task although I strongly believe that it is our duty as leaders of the country to approve the second reading as stated in Standing Orders. The significance of the Bill is to voice opinions on what should be done.

Mr Speaker I will just be brief on the matter concerning the Bill, it seems the amendment is made in accordance to definition of terms. This is not an easy measure to define terms. Some of the previous Members have already spoken on these terms but I personally support the meaning of service mentioned in the Bill this is the same for the use in villages. Mr Speaker and respectable Members of the House I just want to remind you all the purpose of the Bill was implemented for candidates running for elections. I will try to simplify the issue as I stated earlier I support the term service used since it includes customary services, church and other. If it is applied to candidates, it will include all forty nine Members under this definition of service. If we consider the term village it is the same, it is where matai titles are signified signifying where each Member was bestowed a title. This also includes all forty nine seats within Parliament.

The term service to village, we should remember this is based on services provided for the village which stated in (a) forty seven Members (b) two Members. It is our duty as Members to voice recommendations to Government and to the Bills tabled. This is why it is suggested within the Bill that forty nine Members provide service to villages. Although it is the statement (b) that has made Members analyse the issue, I understand the notion made by the Hon Minister and Ministry. Nonetheless this does not mean that we will ignore this issue, it is our duty to deliberate the Bill.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

An interpretation for (b) it seems assistance is only given to two Members. As some of the previous Members have argued this is a matter of equality meaning all forty nine Members should be stated under (b). Yes. This is my take on the matter, Mr Speaker and respectable Members of the House, there is a right stated in the Constitution on the freedom to reside anywhere.

If we look at the terms stated in (b) only two out of forty seven Members will be satisfied. This is what is implemented in the right to reside anywhere permanently. If it is stated in the Bill 49, 49, 49 the case would be closed. It does not matter what our belief is, whatever the Hon Prime Minister is stating it will always be the position of the Government.

I am worried because we might benefit from it now but may not in the future. Nonetheless this is my understanding on the matter. I have voiced my support on the terms stated in the Bill, also I have clarified the reasons why there is a difference in opinions of Members. Mr Speaker, with respect.

MR SPEAKER: Thank you, well that was short and sweet, very comprehensive. As we all heard that is the speech given by the Member from the big island of Salafai. I now call on the Member for Aleipata Itupa i Luga, it is now your turn to take the floor this evening.

Tofa FAGAAIVALU KENRICK SAMU (Aleipata Itupa i Luga): Thank you Mr Speaker for the opportunity given to voice an opinion of this constituency on the Amendments tabled.

Mr Speaker as some of the Members have stated earlier, the method to power is service. This constituency believes that we came into Parliament to serve our villages and constituencies. This constituency wants to thank the Hon Minister, the Attorney General especially the office for reviewing the Bill, service stated for monotaga is determined under a three year period. I strongly believe that this is an accurate amendment considering it should have been implemented long ago within the House. Therefore I thank the Hon Minister and Government for this change. I want to elaborate an example, in rural areas we have matais who live in Australia but still contribute to the village through monotaga, although they cannot run for elections unless they live here for three years. It seems those who are eighty and have matai titles have resided in Apia closer to time of elections which is not right, I believe in service. The service provided for the village and church, I thank the Hon Minister for this amendment since it is a blessing to this constituency. Another provision that should be included within the Bill for candidates running for this seat is, to have a permanent place of residence in villages and constituencies. I have noted that these candidates do not have homes in rural areas. Maybe this can be considered later but I want to thank the Chair for the opportunity given also the Hon Minister for the Bill.

27 AUGUST 2015

**Electoral Amendment Bill (No.5) 2015
- second reading**

MR SPEAKER: Pardon the Member I will give the opportunity to the interruption by the Member TofaLealailepule Rimoni Aiafi.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker I have noted that the Member is satisfied with the Bill given that he supports it since it has assisted with his election, perhaps it will also qualify other candidates running with him. This is what I heard from what he was saying with respect.

MR SPEAKER: This is not true the Member did not mention a name of a candidate therefore I call on the Member to conclude.

Tofa FAGAAIVALU KENRICK SAMU: This is not true the Member whom is my neighbor at Vaitele, I just mentioned those who want to run for elections. The important factor that I want to portray is the importance of service, to serve your village well from the time we are young until we are adults and given matai titles. This is also the reason Mr Speaker that I am grateful to the Hon Minister, for stating of these services within the Bill. As some of the Members mentioned earlier, I humbly ask the Member for the urban seat to not take our voters away from us. We will wish you well but I ask that you not try and take our voters.

MR SPEAKER: It seems Members have been criticizing the Member Afioga Maualaivao Ah Him. He has already stated there is no such action taken all his Committee is doing is making people understand the boundaries. I call on the Member.

Afioga Maualaivao Pat Ah Him: Thank you for the opportunity Mr Speaker, these speeches are quite important since it illustrates what is difficult to understand. There is an issue I want to understand said in previous sitting, after I discussed the Bill Members accused me of taking their voters. I had no intention as the one predicted. I am saddened by the fact that I am accused of such act; I have been honest with my work as behavior. Therefore I want to say to all Members that do not have such intention with respect.

MR SPEAKER: Very well thank you. I now give the opportunity to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker the only reason for taking the floor is to commend the Member Afioga Maualaivao for the many years that he has been a Member of the House. Although this is the first I have heard a Member being mentioned continuously within the House.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

I envy the Member Afioga Maualaivao Pat Ah Him; this is more than enough for his campaign to attract voters to vote for him due to his bravery. It seems some of the Members are afraid of him, this may be a reason why they are constantly mentioning his name.

MR SPEAKER: I have noted that the Faleata district Member has come to think that this is Santa Clause.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker I am asking the Member whether he has asked his family to report if they have been given pots and pans.

MR SPEAKER: I call on the Member for Aleipata Itupa i Luga to conclude his speech.

Tofa FAGAAIVALU KENRICK SAMU: I thank you Mr Speaker for the opportunity.

Afioga Maualaivao Pat Ah Him: Mr Speaker I appease the House for the continuous interruption, I move with respect to distinguish the accusations made for the clarification of the country. Earlier I told the Member for Faleata West to move away from shallow water in case he might float. If you move to the deep you will also drown. The issue here with respect to the House, if you feel you cannot do anything, just let it go. I strive for what is right. I say this with respect that there is no such activity happening and I wonder if the Member has resolved a problem for anyone. Mr Speaker with respect.

MR SPEAKER: This is the reason why I recommended Members not to make such accusations, the Member has responded that there is no such activity. I recommend that you voice the important issues to the best ability to serve the constituency. Once we proceed to enact the Bill, everything else will be irrelevant. As for the service you provide to your constituency, there is no boundary to the duties you perform for your people. I appease the Member for Faleata West.

Tofa Lealailepule Rimoni Aiafi: No, he is my brother. When we met since he knows that I am not running for the urban seat, he had shown gratitude. But now I can see that he is being cheeky, thank the Lord I am not running for the urban seat. This is all; I want to recommend that the Member not change his motive. With respect.

MR SPEAKER: The Member told me that you have bailed. This is the clarification by the Member, the urban seat is hot. Is there anything else? I call on the Member to conclude.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Tofa FAGAAIVALU KENRICK SAMU: I thank the Hon Minister especially the Attorney General for the amendments made on the Bill. With respect thank you.

MR SPEAKER: I thank the Member for Aleipata Itupa i Luga for the speech. I call on one of the Members for Vaimauga West, Tofa Lenatai Victor Faafoi Tamapua, Chamber is now available.

Tofa LENATAI VICTOR FAAFOI TAMAPUA (Vaimauga West): Thank you Mr Speaker for the opportunity. I also want to thank the Hon Minister and the Ministry for the Amendments undertaken in the Bill. I take this opportunity to voice a concern in relation to the amendment which also affects my constituency.

Mr Speaker I will just be brief, the only issue I wanted to elaborate on a point mentioned, some Members stated that this amendment is unfair. Therefore I want to ask who it favors. The constituencies of Vaimauga West and Vaimauga East, is under Vaimauga. We are the ones that the Hon Minister has considered in the amendment. This new clause gives permission for a titled individual from in our constituency living on freehold property to run for the east urban seat. Vaimauga this is a blessing for us, if the elections next year ends with four Members representing the constituency in Parliament. Thank you Mr Speaker for the opportunity, may the Lord bless our proceedings. Thank you.

MR SPEAKER: Very well, I thank the Member. This is the time for speeches to earn respect. I note that there is no one who wants to speak further; I will now give the opportunity to...

I apologize to the Member for Individual Voters, I will give you the opportunity to speak last since there has been much debate based on your seat.

I will give the opportunity to the Member for Vaa o Fonoti then to you later concluded by the Leader of Opposition.

Afioga TIALAVEA FEA TIONISIO SEIGAFOLAVA (Vaa o Fonoti): Thank you Mr Speaker for the opportunity, to voice a concern in relation to the Bill amendments.

I believe Mr Speaker that the decisions made on the Bill are done in the short amount of time given considering we are at the end of the Parliamentary term.

I spoke last year on this Electoral Bill that it should be re-drafted. Perhaps this is a change that can be established in the next term but not now. Perhaps these amendments will help resolve some of the issues within the Bill since its implementation in 1963.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Mr Speaker, I have seen the effort put into the Amendments by the Hon Minister, Attorney General and the Commissioner, it has been changed five times now. I will be brief with an opinion on the matter, I support the amendment and perhaps we can overlook the Bill again in the next term. I believe by then there will be no other Members left. Have a blessed evening.

MR SPEAKER: Very well, thank you. I call on one of the Members for Individual Voters.

Afioga MAUALAIVAO PAT AH HIM: Thank you Mr Speaker for the opportunity. At this hour I am a bit worried for continuously taking the floor, I am quite reserved. Out of respect to the opinions of Members my first term into this Parliament is quite fitting considering the implementation of this new urban constituency. I am thankful for the opinions voiced in relation to the Bill.

I also want to thank the Hon Prime Minister for clarifying the Bill, thank you for your words of encouragement especially the Hon Minister who owns the Bill. I believe there is no inequity seen here hence Tuna and Fata are all the same. This seat is not specified to services you give to villages where you are bestowed a matai but it is open to where ever you may reside. As one of the Mmembers for Vaimauga West stated these are appropriate provisions. I believe that this is quite an important Bill, I am grateful as well of the changes imposed, anyone can run for this constituency.

I support the Bill furthermore I will not prolong comments considering the facts. I move with respect to voice an opinion in consideration of the Members who spoke on certain matters. This includes matais, some have questioned the duty of the matai. Whether the bestowing of the matai title was done in a village, I strongly believe that every matai present here was conferred a title the traditional way.

Even the village where I am a matai from, Malie you cannot sit in the council of chiefs if you were not conferred a matai from the village. Yes, this is our culture and faa-Samoa. It is also true that I am residing within the urban area but still I am providing service to my village. This is the opportunity where we are all equals based on Bill provisions, there is the opportunity to serve the village, serve where you reside and also to your church. Also there are those who have served by going from one church to the other. There are times when the Pastor is alarmed when the Member enters his church which is unusual. The truth is the service provided for the church is something done by heart not something that needs to be rewarded.

With respect to my supporters within the urban area, you have heard how important you are and the constituency. There have been a lot of comments and debate on changes, why? They consider the rights of the people important.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

This is the truth and I want to thank the Hon Minister for the Bill especially for the support given. It was supported and passed by this Parliament. The individual has the right as stated in the Bill. I just want to clarify accusations made in relation to forcing people to register for my benefit. I have already spoken this is not true. I apologize to Members that may have been affected by our campaign. The campaign undertaken is to inform people of the importance of their rights especially to register for elections. It is important that people register under where they reside. As we all know some of the people from Savaii are now residing within the urban area. There is now the opportunity to vote where they reside to improve where they live also Government services. Nonetheless they have the right to decide on what to do.

Mr Speaker this is assistance on the matter. I thank the Hon Prime Minister and Government especially the Hon Minister for the Bill. Bless our proceedings thank you.

MR SPEAKER: Very well, thank you.

Afioga Toeolesulusulu Cedric Pose Salesa Schuster: Mr Speaker.

MR SPEAKER: A final decision will be made yet there are Members who still want to take the floor.

I will give the last opportunity to the Member for Aiga i le Tai and the Member for Aana Alofi Nu.3 before an opportunity is given to the Leader of the Opposition. I am giving this chance because the Bill is important.

Susuga IFOPO MATIA FILISI (Aiga i le Tai): Thank you Mr Speaker, I will be brief. Since my fellow Member for Vaa o Fonoti has spoken I believe it is appropriate that Aiga I le Tai have a say as well. I have been listening and supported the opinions considering the Amendment is quite a simple one. It is not difficult for a matai who is devoted to his village, constituency and is constantly present at village sittings. It is very simple and not difficult, the term service is very clear. The provisions proposed by the Bill are easily understood. Although there is a matter that I want to understand further, I second the opinion of the Member for Aana Alofi No.1, Afioga Leaupepe Toleafoa Apulu Faafisi saying that just decisions can be made in rural than in the urban area. This is evident in the council of chiefs and each village council decisions. Most residents from in my constituency have moved and resided within the urban area. This is an issue that is stated in the Bill amendment.

Furthermore I want to clarify that there is still a high number of people within this constituency. I have heard Members saying that some of their voters from Savaii and rural areas cannot vote for them anymore since they are now residing in the rural area.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

I just want to clarify to our people that they are given the opportunity. All voters under Aiga I le Tai, you have the right to decide on who you vote for as stated in the Bill, whether to vote for the urban seat or your constituency Aiga I le Tai.

Mr Speaker I have taken this opportunity with respect to clarify any misinterpretation on those living in rural areas. Nonetheless accusations have not been proven; I apologize to the Committee for Urban seat. With respect, bless our proceedings.

MR SPEAKER: Thank you. I call on the Member for Aana Alofi No.3.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: I thank the Chair for the opportunity. I believe most of the concerns have already been voiced by previous Members. The only matter I want the Hon Minister to elaborate further upon is part (b) on service to the village established under urban candidates. An interpretation even if you reside there nothing states boundaries, you should serve those who will vote for you. An example, you can serve a church or a rugby club in the urban west but is a candidate of the urban east. Nonetheless the services given should be within the constituency. Unfortunately the provision is generally stated any part of the urban constituency. This means you can be a candidate in the East but serve in the West since it is not specified; the person has to serve the urban seat. This is a matter I want to understand more, because this is how I read it, perhaps another amendment should be implemented to specify this provision. This is to serve the urban seat the candidate is running for the same as those who serve in Territorial Constituencies. Thank you.

MR SPEAKER: Thank you for the reminder.

I call on the Leader of the Opposition to conclude before the opportunity is given to the Hon Minister to respond.

Afioga Hon PALUSALUE FAAPO II: Thank you. I move with respect to voice an opinion on such important Bill. It is small but it has a major impact on Members of Parliament, it affects all of us especially for candidates who want to run for a seat in Parliament. Mr Speaker I will be brief on the matter but overall elections is affected with this Bill.

Mr Speaker this is the reason why this side has argued the matter, it does not mean that we object the Bill; we just want a review on issues that will affect our country.

An effect it will have on the country, candidates who do not qualify who did a monotaga for three years. The voice of these people is not heard within the House, but it is our duty to voice the issues faced by these individuals. The truth is there are Members who are glad that there will be candidates who will not be able to run for their constituencies.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Then I ask the question as my Party has stated, where is our democracy? Why is the time period been limited to only three years? Why? It is three years to protect us. This is the concern of this side, we are also aware of the effort made by the Hon Minister and Ministry to improve our elections. Nonetheless this still remains a problem because most candidates will not be able to run base on this three year term implemented. Even though it is not fair to our fellow Members representing urban seats it will still affect those who have not served for three years. Why was this three year period established? I understand those three years...

MR SPEAKER: Pardon me the Leader for the Opposition; I call on the Hon Minsiter.

Afioga Hon Fiame Naomi Mataafa: Mr Speaker, a point of order, we have already passed this matter. I apologise to the Leader of the Opposition a final decision has now been made by Parliament for a three year term elegibitliy for a Member. Nonetheless let us deliberate the amendment now tabled in the House.

MR SPEAKER: This is the reason why I have given Members opportunites...

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker there is a reason why this Bill was implemented, to protect ourselves. I want to remind the Leader of the Opposition about this; there is no one else that can protect us. There is belief that we were all chosen by God. There is the strength to say unto the Lord "protect us in these situations." If you believethis then you have got to remember that the Bill was implemnted to protect anyone else. The reason for instigating the Bill is to lay out guidelines for those who will be future Members, those who will serve constituencies and carry out the Lord work for their people. We are all servants and tools of the Almighty. Mr Speaker this is exactly what is constantly forgotten speeches continously question the protection of whom, but it is us. We have to protect ourselves. Only a person who is not Christian questions such matters. A recommendation to the Member since he is a Deacon, approach the matter with that Christian understanding and not anything else.

Afioga Hon PALUSALUE FAAPO II: Mr Speaker I am speaking from a deacons point of view, everyone is the same. Mr Speaker whether a monotaga is fulfilled or not or service is done or not it is the constituency that will decide on the vote. The constituency or the village does not just vote for someone who did not do a monotaga or service. No, because the village and constituency will vote for the person who provided services and a monotaga. This is the reason why I do not believe in the protection initiated by the Bill because the answer to all this as stated by the Hon Prime Minister...

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: Mr Speaker there is a time when the devil is right. This is evident in the loss of the Member Pule Lameko to the Member who just came into the House. Nonetheless it was accomplished with the power of money.

Afioga Hon PALUSALUE FAAPO II: It is not a devil. If it was the devil I would not return for the next Parliamentary terms.

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: The devil is always moving around and it is impossible...

Afioga Hon PALUSALUE FAAPO II: No I am not the devil. You will tire of trying....

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: The devil will always be around...it is Gods will that binds it to hell but the devil cannot be stopped from going and coming.

Afioga Hon PALUSALUE FAAPO II: No it is not the devil. If it was the devil I would only be here once to Parliament, this is a calling from the Lord as you earlier stated.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker, the Hon Prime Minister stated a Deacon. Mr Speaker I want to clarify that Afioga Palusalue Faapo II passed the exams at Malua, therefore he is a Pastor. With respect.

MR SPEAKER: I call on the Member to conclude before I give the opportunity to the Hon Minister.

Afioga Hon PALUSALUE FAAPO II: Mr Speaker I apologize to some of the candidates and their rights that is now withheld by this Bill. If the Government had forseen the consequences for these people this Bill would not have been tabled until the next Parliamentary term. This is my humble opinion on the matter, with respect.

MR SPEAKER: Very well thank you. I give the opportunity to a response form the Hon Minister based on queries mentioned by Members. I call on the Hon Minister.

Afioga Hon FIAME NAOMI MATAAFA: Thank you Mr Speaker. I also want to thank Members of ther Legislative Assembly on opinions voiced on the amendment. As it is our usual practice on Bills tabled within the House, deliberations are based on overall issues.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Mr Speaker I have noted that most of the concerns are made towards specific clauses of the Bill, perhaps another opportunity will be given once we consider the Bill in detail.

I believe Mr Speaker to summarize this Amendment Bill outlines the decisions we made for the amendment (No.4) a result of a three year period for a candidate to provide services.

Mr Speaker on considering the three year period amendment to provide services, there was a recommendation to define the term service. This is stated within the Bill now tabled, terms have been inserted this includes, village and constituencies, monotaga, service, village, service to village. This will assist in clarifying the Bill further which we previously deliberated in the past sitting.

Mr Speaker I have noted some Members support the Bill and others say that it is excellent in clarifying the term service. Although there are some who object, stating that we should have left it as it was, so that the term service is generally defined.

As a matter of interest in any Bill, we look at the areas that may challenge a portion of the Bill, especially if it comes before the Court, parts of the Bill can assist and facilitate the work of the Court. In addition, the performance of the work of public servants, if it is a matter legislated and exercises the power of public servants from time to time.

Mr Speaker I believe some has mentioned the Constitution. I will not speak further on this issue since the Hon Prime Minister has already clarified the issue. A response on the issue mentioned by Members that the Bill is not in line with our Constitution especially equal rights of the people.

Mr Speaker a clarification was made during the previous sitting on electoral matters that provisions undertaken will be based on the faamatai system. This is the system we have been using ever since the founding of Parliament, the significance of the matai. This was based on a democratic system, the plebesite.

A question was given to the country on how matters concerning elections ought to be carried out.

Mr Speaker if we were to exercise what Members are asking, the rights of the people will not be equal pursuant on constitutional rights. I want to voice with respect Mr Speaker and to all Members of the House that it is not equal. If we are not the same and follow democratic practices as overseas, it would not only be *matas sitting in Chamber. There would have been those 21 years young men and women.* We made an agreement. Our forefathers made this decision for us to implement the faamatai system. This is also my response to the concern that it is not equal. It is not eaul because this is the foundation of elections in the past, only matai. This does not mean that we only accept matai here; we must go back and use our constitutional rights to argue this matter. The truth Mr Speaker if we were to define the term democracy it will mean not the same.

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Secondly Mr Speaker, this difference is evident between the territorial constituencies and urban constituencies which are new constituencies just established in the Electoral Amendment No.3. There is melancholy in the terms *monotaga* for territorial constituencies and service generalized for urban constituencies. Mr Speaker this is quite a simple matter. The urban constituencies only those with matai titles are eligible to run. This is also what we did to our Individual Voters in the previous elections, they has to have a matai, the foundation for electoral practices. As of now we are closing the Individual Voters Poll for the Urban Area and we still need candidates who hold matai titles. However there is a difference. Another requirement highlighted for urban candidates is restricted to those living on freehold land. We can also say that these are public areas.

Mr Speaker this is a simple matter. The term *monotaga* is directed to a matai and environment in the village and in the council of alii and faipule.

We cannot say the power of alii and faipule in public places especially to those who live on freehold land. We cannot use the term *monotaga*. Who does the *monotaga*? Should we establish new villages? No. We are all aware Mr Speaker that most of the people living on freehold lands live within the urban area. There has been a complaint from the constituencies of Vaimauga and Faleata especially Faleata. They stated that they will be greatly affected. There is a major impact on people which resulted to the division of the area which will not affect the power of authority within territorial constituencies.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker...

Afioga Hon FIAME NAOMI MATAAFA: Mr Speaker this does not mean that there is a right and wrong opinion. Although this is what is happening to us now...

MR SPEAKER: I will allow an opportunity later. The Government is giving a response.

Afioga Hon FIAME NAOMI MATAAFA: We ought to make our decisions based on what is happening. The truth is this is a new method. If the Members do not agree to some of these changes perhaps this is the nature of every new change. We also argued of how big it should be or how small. The response was a small one since it is a new constituency, urban but Mmembers argued to expand the boundary where it should be. Therefore the opinion of the House was considered which resulted to the implementation of urban seats. This is a new provision which we are still trying to establish hence it still involves candidates who are matais and serve their constituencies. Nonetheless Mr Speaker *monotaga* is directed specifically to traditional villages and constituencies. We cannot use this term in general. Mr Speaker....

27 AUGUST 2015

Electoral Amendment Bill (No.5) 2015
- second reading

Tofa Lealailepule Rimoni Aiafi: Mr Speaker, I thank the Hon Minister. I just want to speak on the matter concerning matais living in urban areas. I believe our customs and faa-samoa stated by the Hon Minister is to bend the rules. The individual resides in the traditional village but must bend the rules and provide service to the village where they are representing. This should have been the Samoan term used so that all of us will be equal. This is my assistance on the matter with respect.

Tofa Aveau Tuala Lepale Niko Palamo: Mr Speaker....

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

Tofa Aveau Tuala Lepale Niko Palamo: The Hon Minister has stated that monotaga is specified for traditional villages and constituencies. Mr Speaker a matai is from a traditional village and constituency. It is not a matai from within these borders. The Bill states that the matai should provide services. The Hon Minister is right; they cannot serve within these borders because it is not a traditional village. The individual serves the village where the monotaga is given. If they do not provide monotaga to the village but only serve, that matai is not useful. He is not a matai. He is not providing service to the matai. This is what I was trying to explain, this is the nature of being a matai it is their duty to provide service and monotaga for the village and constituency.

MR SPEAKER: The opinion is now noted...I call on the Hon Minister to conclude.

Afioga Hon FIAME NAOMI MATAAFA: Mr Speaker, we can still voice opinions and concerns but I humbly apologize that this should be enough changes and let us prepare for the elections. Let us prepare our boxing gloves and go to elections. This is my response with respect Mr Speaker.

Members of the House showed their appreciation after the response given by the Hon Minister of Justice Courts and Administration on the Electoral Amendment Bill (No.5) 2015.

MR SPEAKER: Let us applause the Hon Minister. I believe we have reached the conclusion of the Bill, the Hon Prime Minister has already responded this is the final amendment for the Bill before we head on to elections. I commend that our Parliament be confident and may no one be weak. I ask that Members go to your constituencies and not go from place to place. This is the reason for much conflict seen today. Do not aggravate.

27 AUGUST 2015

Electoral Amendment Bill (NO.5) 2015
– consideration in detail

As for the purpose and significance the opinions of the House is now understood. We have deliberated with the purpose to ensure that our elections be carried out with respect. What is the use of coming into the House we did not come to play around. Those who were chosen into the Parliament serve with blood and sweat. If candidates running for elections are listening I remind you that it is not an easy task being a Member of Parliament. We do not have long before the next term; I recommend that you now start serving your constituency well. This is the recommendation of the Chair. This does not mean that it will be the last opportunity; we have laid the foundation of the country. This is what the Bill is trying to portray nonetheless this is not a situation I cannot ignore because I was also a Chairman. I am thankful the Minister has considered the recommendation given. We cannot act unethical, also there is no one can just enter Parliament without service. It is the duty of the country to elect those who are eligible to become leaders. The constituencies and villages are the ones that hold the power to elect us. The Lord is witness to those who will be returning back in the Parliamentary term. This gives Members the opportunity to think of what they done. Whether you have been wasting time these five years or did something. What you sow is what you reap. This evening to respectable Members of the House, do not dispute the facts because the outcome will be based on what you have achieved.

Motion approved and the Electoral Amendment Bill (No.5) 2015 was read a second time.

ELECTORAL AMENDMENT BILL (NO.5) 2015
– consideration in detail

MR SPEAKER: Since I have been presented the Certificate of Urgency already signed by Le Ao o le Malo, the Assembly will now consider the Bill in detail.

Pursuant to Standing Order 102, consideration in detail of the Bill starts with Clause 2.

CLAUSE 2: Section 5 amended.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Electoral Amendment Bill (No.5) 2015.

27 AUGUST 2015

**Electoral Amendment Bill (NO.5) 2015
– third reading**

Approved.

The Electoral Amendment Bill (No.5) progressed without amendments.

ELECTORAL AMENDMENT BILL (NO.5) 2015 – third reading

Afioga Hon FIAME NAOMI MATAAFA: I have the Assembly for accepting the Bill without any amendments. I am happy to move a motion, *That the Electoral Amendment Bill (No.5) 2015 be read a third time.*

Seconded by the Deputy Prime Minister, Minister of Public Enterprises and the Minister of Communication and Information Technology.

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

**NATIONAL PROSECUTION OFFICE BILL 2015
– consideration in detail**

MR SPEAKER: Pursuant to Standing Order 106, the Assembly must approve the Committee Report on the Bill before it is considered in detail.

I call on the Chairman of the Justice, Police and Prisons and Land and Titles Committee.

Tofa TUISA TASI PATEA: Mr Speaker I move a motion, *That the Assembly approves the Committees report that recommends the progress of the National Prosecution Office Bill 2015 together with amendments.*

Seconded by the Member for Gagaifomauga Nu.1, one of the Members for Vaimauga West, Tofa Lenatai Victor Faafoi Tamapua, the Member for Gagaifomauga Nu.2 and the Member for Falelatai and Samatau.

MR SPEAKER: I announce that the Legislative Assembly approves the Justice, Police and Prisons and Land and Titles Committee report on the National Prosecution Office Bill 2015.

The Assembly will now progress to consider the National Prosecution Office Bill 2015 in detail.

Pursuant to Standing Orders 102, consideration in detail of the Bill starts with Clause 2.

27 AUGUST 2015

National Prosecution Office Bill 2015
– consideration in detail

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Act binds Government.

Approved.

CLAUSE 4: Establishment and Minister responsible.

Approved.

CLAUSE 5: Independence.

Approved.

CLAUSE 6: Functions.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker.

MR SPEAKER: I call on the Member what Clause?

Tofa LEALAILEPULE RIMONI AIAFI: Clause 6 please.

MR SPEAKER: I call on the Member, it is functions.

Tofa LEALAILEPULE RIMONI AIAFI: I did not expect to interrupt the progress of the Bill since it is now outstanding. But I have a question in relation to the Clause 6, on functions. There are duties that are carried out by police at the moment. The question though, is there a chance of the office working together with police to fulfill these duties. It will greatly assist to build their capacity and their career. With respect.

27 AUGUST 2015

National Prosecution Office Bill 2015
– consideration in detail

Tofa TUISA TASI PATEA: Thank you for the question. Perhaps this request will be included under the duties implemented by the new office as stated under Clause 25 of the Bill. This is clarified in the Bill, this duty is provided under the new provision implemented by this service. Thank you.

Approved.

CLAUSE 7: Duty of Prosecutors.

Approved.

CLAUSE 8: Directions.

Approved.

CLAUSE 9: Functions, powers and independence.

MR SPEAKER: There is an amendment for Clause 9. I call on the Chairman.

Tofa TUISA TASI PATEA: Mr Speaker I move an Amendment on Clause 9 as follows;

“AMENDMENT:

Clause 9 (1) (a):

insert a new sub-paragraph (iv) of which the new sub- paragraph (iv) reads as:

“(iv) if the Director considers it desirable in the interests of justice, request the Attorney General to exercise the Director’s powers, functions and duties.”

Clause 9(1)(c)(iii):

delete: “assisting the Attorney General on” the amended clause reads as:

“(iii) matters relating to extradition and mutual assistance in criminal matters;”

27 AUGUST 2015

National Prosecution Office Bill 2015
– consideration in detail

Amendment approved.

Amendment 9 approved as amended.

CLAUSE 10: Terms.

Approved.

CLAUSE 11: Removal and Suspension.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker...

MR SPEAKER: What clause Tofa Lealailepule?

Tofa LEALAILEPULE RIMONI AIAFI: Clause 10 please, since I questioned this matter during deliberation of the Bill on the terms of electing a Director for six years. This will be the same as the terms given to Auditor General and the Ombudsman. Unfortunately in electing the Auditor General and the Governor of the Central Bank, there are conditions that after two terms they are to resign.

This is the reason why I asked, so that there will be a consistency of terms. This is the same issue questioned by Committee, why is the opportunity still being given to continue the post different from other posts elected by Parliament. With respect.

Tofa TUISA TASI PATEA: Thank you for the question. This is clarified in the provision of terms, the Director is eligible for re-appointment, and there is no set term. This is a clarification thank you.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker I am not satisfied with this response. The question is whether Committee questioned this matter, since it was considered during the time the Bill was evaluated. This is important for the future because there cannot be only one Auditor of Government. Some Auditor Generals will be asking who had three years, six years, twelve years but who will keep on going.

This is the main objective of the question. With respect.

MR SPEAKER: I appease the Member but this matter has already been clarified by the Chairman.

27 AUGUST 2015

**National Prosecution Office Bill 2015
– consideration in detail**

Clause 10 approved.

Clause 10 approved as amended.

CLAUSE 12: Acting Director.

Approved.

CLAUSE 13: Delegation.

Approved.

CLAUSE 14: Consultation with the Attorney General.

Approved.

CLAUSE 15: Values, principles and code of conduct.

Approved.

CLAUSE 16: Responsibilities of Director.

Approved.

CLAUSE 17: Appointments of staff and secondment.

Approved.

27 AUGUST 2015

National Prosecution Office Bill 2015
– consideration in detail

CLAUSE 18: Remuneration.

Approved.

CLAUSE 19: Corporate plan and annual reports.

Approved.

CLAUSE 20: Funds and audit.

Approved.

CLAUSE 21: Protection from personal liability.

Approved.

CLAUSE 22: Manuals and guidelines.

Approved.

CLAUSE 23: Regulations.

Approved.

CLAUSE 24: Consequential amendments.

MR SPEAKER: There is an amendment, I call on the Chairman.

27 AUGUST 2015

National Prosecution Office Bill 2015
– consideration in detail

Tofa TUISA TASI PATEA: Mr Speaker I move an Amendment on Clause 24 as follows:

“AMENDMENT:

Delete “other enactment relating to any”, and to replace “consent and approval” with “functions, duties and powers” – the amended clause reads as:

“(2) Despite subsection (1), any functions, duties and powers of the Attorney General in any other enactment relating to prosecution of or proceedings for an offence is amended and to be substituted as the functions, duties and powers of the Director of Public Prosecutions.”

Amendment approved.

Clause 24 approved as amended.

CLAUSE 25: Transition and savings.

MR SPEAKER: There is an amendment, I call on the Chairman.

Tofa TUISA TASI PATEA: Mr Speaker I move an Amendment on Clause 25 as follows:

“AMENDMENT:

Add a new paragraph (d):

“(d) the current Head of the Prosecution Division of the Attorney General’s Office is taken to be acting as Director of Public Prosecutions pursuant to section 12 of this Act until a substantive appointment is made pursuant to Article 41A of the Constitution.”

Amendment approved.

Clause 25 approved as amended.

27 AUGUST 2015

Infants Amendment Bill 2015
– consideration in detail

SCHEDULE:

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: National Prosecution Office Act 2015.

Approved.

The National Prosecution Office Bill 2015 progressed with Amendments.

INFANTS AMENDMENT BILL 2015
– consideration in detail

MR SPEAKER: Pursuant to Standing Order 106, the Assembly must approve the Committee Report on the Bill before it is considered in detail.

I call on the Chairman.

Tofa TUISA TASI PATEA: Mr Speaker I move a motion, *That the Assembly approves the Report of Committee that recommends the progress of the Infant Amendment Bill 2015 without amendments.*

Seconded by the Member for Falelatai and Samatau, Member for Gagaifomauga No.2, one of the Members for Vaimauga West, Tofa Lenatai Victor Faafoi Tamapua and the Member for Gagaifomauga No.1.

MR SPEAKER: I announce that the Legislative Assembly approves the report of the Justice Committee on the Infants Amendment Bill 2015.

The Assembly will now start with considering the Infant Amendment Bill 2015 in detail.

Pursuant to Standing Order 102, consideration in detail starts with Clause 2.

CLAUSE 2: Section 2 amended.

Approved.

27 AUGUST 2015

Infants Amendment Bill 2015
– consideration in detail

CLAUSE 3: Section 7A amended.

Approved.

CLAUSE 4: Transitional.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Infant Amendment Act 2015. 2015.

Approved.

The Infant Amendment Bill 2015 progressed without amendments.

POLICE SERVICE AMENDMENT BILL 2015
– consideration in detail.

MR SPEAKER: Pursuant to Standing Order 106, the Assembly must approve the Committee Report on the Bill before it is considered in detail.

I call on the Chairman.

Tofa TUISA TASI PATEA: Mr Speaker I move a motion, *That the Legislative Assembly approves the Report of the Committee that recommends the progress of the Police Service Amendment Bill 2015 without amendments.*

Seconded by the Member for Gagaifomauga No.1, one of the Members for Vaimauga West, Tofa Lenatai Victor Faafoi Tamapua, the Member for Gagaifomauga No.2 and the Member for Falelatai and Samatau.

MR SPEAKER: I announce that the Legislative Assembly approves the Justice, Police and Prisons and Land and Titles Committee report on the Police Service Amendment Bill 2015.

Pursuant to Standing Orders 102, consideration in detail starts with Clause 2.

27 AUGUST 2015

**Infants Amendment Bill 2015
– consideration in detail**

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker.

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

Tofa LEALAILEPULE RIMONI AIAFI: A question to the Chairman, did you question if those who have left the service can re-apply who have not yet reached the age of 65yers. Also did the Committee consider the possibility of extending the retirement age of fifty five to sixty, since the gap between 55 and 65 is too long. With respect thank you.

Tofa TUISA TASI PATEA: Thank you. The Bill is quite simple yet the Member is making it difficult. A response to the query, all Members of Committee asked this question and there are provisions within the Bill that allows those between the ages of 55-65 to re-apply. It is the Commissioners duty to overlook whether these candidates are eligible and still have strength and good health. Also if they still have intellectual abilities. This is a response on the question.

Tofa LEALAILEPULE RIMONI AIAFI: See how great it is to get an answer. Thank you Mr Chairman. The reason why I asked was to see if you could shine and to hear the knowledge that you hold. With respect.

Tofa TUISA TASIA PATEA: Does it shine like this? Thank you.

MR SPEAKER: All that glitter is not gold.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Thank you Mr Speaker for the opportunity. A question for the Chairman on the matter clarified, if candidates are successful on re-applying or extending their term, would the remuneration still remain the same. I have noted that some teachers that have retired are re-hired with a lower remuneration. Does this mean that they will retain their old pay, for example a Superintendent or high ranked officer, once they retire they can retain their service, it will be the same pay but service offered are limited.

Tofa TUISA TASI PATEA: This Bill is implemented for those who are under the workforce, who are currently offering services now. This means that nothing will change their income. This is a short answer.

CLAUSE 2: Amends section 46.

Approved.

27 AUGUST 2015

**Foreign Investment Amendment Bill 2015
– consideration in detail**

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Police Service Amendment Act 2015.

Approved.

The Police Service Amendment Bill 2015 progressed without amendments.

**FOREIGN INVESTMENT AMENDMENT BILL 2015
– consideration in detail**

MR SPEAKER: Pursuant to Standing Orders 106, the Assembly must approve the Committee Report on the Bill before it is considered in detail.

I call on the Chairman of the Foreign Affairs, Trade and Revenue Committee.

Tofa SOOALO MENE (Chairman of the Foreign Affairs, Trade and Revenue Committee): Mr Speaker with respect I move a motion *that the Assembly approves the Committee report that recommends the progress on the Foreign Investment Amendment Bill 2015, without amendments.*

Seconded by the Member for Aiga i le Tai, Member for Falelatai and Samatau, one of the Members for Vaimauga West, Tofa Lenatai Victor Faafoi Tamapua and the Member for Gagaifomauga No.1.

MR SPEAKER: I announce that the Legislative Assembly approves the report of the Foreign Affairs, Trade and Revenue Committee on the Foreign Investment Amendment Bill 2015.

Pursuant to Standing Orders 102, consideration in detail of the Bill starts with Clause 2.

CLAUSE 2: Section 2 amended.

Approved.

CLAUSE 3: Section 3 amended.

Approved.

27 AUGUST 2015

**Foreign Investment Amendment Bill 2015
– consideration in detail**

CLAUSE 4: Section 8B inserted.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker...

MR SPEAKER: What Clause respectable Member?

Tofa LEALAILEPULE RIMONI AIAFI: Clause 4.

MR SPEAKER: I call on the Member.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you. Mr Chairman there is an amendment stating the change of license terms which is now every year. A question how many years were there before? If it is to be renewed every year how much is paid for a year, because it is stated here that there will be an extra fee each year. This is why I ask Mr Chairman, how many years was it before to renew licenses? If it has been changed to every year, how much will it be? With respect.

Tofa SOOALO MENE: Thank you, Mr Speaker. At the moment there is no provision stating a limit to the renewal of the license. The only measure taken by the Ministry is for business owners to report what business they are implementing every six months. Unfortunately some have not been able to report back for six months. This is why the Ministry and Government have decided to give them a year to report back what they are doing; we might think they are doing business which I believe is not the truth. Some just get a license to do other types of business. This is the aim of this amendment Mr Speaker. With respect.

Clause 4 approved.

CLAUSE 5: Section 9 amended.

Approved.

CLAUSE 6: Transitional provision.

Approved.

27 AUGUST 2015

**National Prosecution Office Bill 2015
– third reading**

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Foreign Investment Amendment Bill 2015.

Approved.

The Foreign Investment Amendment Bill 2015 progressed without amendments.

**NATIONAL PROSECUTION OFFICE BILL 2015
– third reading**

Susuga Hon TUILAEPFA FATIALOFA AUJLUA LUPESOLIAI NEIOTI AIONO SAILELE MALIELEGAOI: Mr Speaker I move a motion *that the National Prosecution Office Bill 2015 be read a third time.*

Seconded by the Deputy Prime Minister and Minister of Women, Community and Social Development.

Motion approved and the Bill was read for the third time and passed by the Legislative Assembly.

**INFANTS AMENDMENT BILL 2015
– third reading**

MR SPEAKER: I call on the Minister of Justice and Courts Administration.

Afioga Hon FIAME NAOMI MATAAFA: Mr Speaker I move a motion *that the Infants Amendment Bill 2015 be read a third time.*

Seconded by the Minister of Public Enterprises.

Motion approved and the Bill was read for the third time and passed by the Legislative Assembly.

27 AUGUST 2015

POLICE SERVICE AMENDMENT BILL 2015
– third reading

Afioga Hon SALA FATA LISATI PINATI (Minister of Police, Prisons and Fire Emergency): Mr Speaker I move a motion, *That the Police Service Amendment Bill 2015, be read a third time.*

Seconded by the Minister of Works, Transport and Infrastructure, Minister of Education, Sports and Culture and the Minister of Women, Community and Social Development.

Motion approved and the Bill was read for the third time and passed by the Legislative Assembly.

FOREIGN INVESTMENT AMENDMENT BILL 2015
– third reading

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO (Deputy Prime Minister, Minister of Commerce, Industry and Labour): Mr Speaker I move a motion, *That the Foreign Investment Amendment Bill 2015 be read a third time.*

Seconded by the Minister of Justice and Courts Administration, Minister of Public Enterprises, Minister of Communications and Information Technology and the Minister of Women Community and Social Development.

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

MR SPEAKER: Well it is now night time. I want to thank all Members of the House for your patience this evening. Before the Chair concludes proceedings I call on the Hon Prime Minister.

MOTION FOR ADJOURNMENT

Susuga Hon TUILAEPFA FATIALOFA AUELUA LUPESOLIAI NEIOTI AIONO SAILELE MALIELEGAOI: Mr Speaker I move with respect to thank the Chair for his patience in administering proceedings this whole day. It is not easy. I also want to acknowledge the Leader of Opposition and that side especially the major Party, the Cabinet ever since morning deliberations on the Bill which has been long prepared by Government. Even though there were times when matters discussed turned soar, I strongly believe it was based on the importance of the Bill.

27 AUGUST 2015

Motion for Adjournment

Also opinions of Members vary on the matter considering Electoral amendments. This is an unusual year compared to the many amendments made to elections. This portrays the interest of Government, to not set aside important ideas and since we all hope for the same outcome, the hope that elections will not be interrupted. So the decisions made by voters on a candidate is not affected especially to represent the constituency. We too are instruments of God, through which His will is revealed. Even though Members of the House tend to object to these changes it is something that needs to be done. This also reflects the willingness of the House but regardless of the views of the House especially the Opposition, it is not acceptable to Government. This is the reason why we have amended provisions again and again, to reflect our work and acknowledge opinions of Members, the Leader of Opposition and Members of Opposition. There is no endless work, we have reached a sound decision on the amendment and there will be no further amendments we will now prepare for elections.

We have already considered the third reading of five Bills which we have been awaiting amendments especially for the Police Amendment Bill, which will enable those who have the skill to extend services. This brings about the saying of the elders the older the person the more experience they are, especially those who have served this country as a police for a long time. I want to thank the Commissioner and the police force for the service provided, we depend on you for our safety.

Mr Speaker, on behalf of Cabinet I want to thank all Members of the House for your patience, ever since the start of our proceedings from the morning until now. We are fulfilling the duties we were chosen to do.

I want to acknowledge the support of His Highness Le Ao o le Malo, Member of the council of Deputies and the Chief Justice and Judiciary for their support and to all of Samoa. Furthermore whatever opinions voiced we all have one goal, to reach a positive conclusion; there is no positive conclusion if we do not debate the issue as tabled.

I want to thank the Office of the Clerk for servicing the House and Members to ensure that deliberations run smoothly.

Mr Speaker this is a brief vote of thanks to the support of our country and to Members for the debating the Bill from this morning until.

Therefore I want to conclude with a motion. I move a motion, *That proceedings of the Legislative Assembly adjourn until Tuesday 20th October 2015.*

Mr Speaker this is the motion.

Seconded by the Deputy Prime Minister, Minister of Public Enterprises and the Minister of Women, Community and Social Development.

Motion approved.

27 AUGUST 2015

OTHER ANNOUNCEMENTS FROM MR SPEAKER

MR SPEAKER: I believe there is no need to reiterate words already stated by the Hon Prime Minister. The speech given by the Hon Prime Minister is more than enough to thank you all for your patience and hard work on completing orders for today. There is no other word but a sense of gratitude to you all also the support of our country. I thank you for your patience and perseverance. The Chair conveys his apologies on whatever improper behavior portrayed in administering our proceedings today, I believe no one is perfect. If I have said anything inappropriate, I apologize, it is my intention to ensure that matters go as planned; the country who elected us is listening in to our decisions made for the betterment of the country.

The Government is undergoing preparations to host the Commonwealth Games. A request made with respect to Members, ID photos are to be submitted so Identification cards can be made to access these games. If there are Members who will be free to do so, the Legislative Office will be able to take photos for you, but if you are not free I ask that a photo be submitted if you want to be part of these games.

Another announcement from the Chair, I believe this will be the last night for us to meet at the Tuiatua Building. Our next proceeding on the 20th of October will take place at the new building prepared for Parliamentary sittings, to end this term and start the new term. I humbly ask Members on whatever belongings you have, Order Papers and other documents beside you; I recommend that you pack everything into the box provided by the office. This should be done tonight, everyone has witnessed the demolition undertaken at Mulinuu, and therefore the office has a lot of work to organize as well. It is best that each Member pack their personal belongings to take home and bring it to the new venue at Tuanaimato on the 20th of October. The employees do not know where to place documents, whether to carry it here, there, inside or out. A request respectable Members there is now time for you to collect personal effects with the assistance of the office employees and take it to your cars.

This is a humble request with respect, there will be no more Maota Fono at Mulinuu to store belongings, I suggest that you take them with you and bring them back in our next sitting, on the 20th of October. I hope Members abide with this request, thank you.

Before we conclude our proceedings, respectable Members of the House I ask that we put our hearts together to thank the Lord, with a prayer led by the Susuga Faafeagaiga Tapuai before we adjourn.

Proceedings of the Legislative Assembly adjourned at 9:00pm until 9:00am, 20th October 2015.