

TUESDAY, 15TH APRIL 2014

Mr Speaker took the Chair at 9.00am.

Prayers.

MR SPEAKER: It is with great respect that I greet all members of the House this morning. I believe we have gathered here today to see the progress of our orders today, sincere thanks to our Heavenly Father for His love and blessings that has assembled today. Just as well to the Leader of the country, Cabinet, Leader of Opposition and members of that side of the House. I believe we are in the presence of Samoa and its distinguished chiefs and orators, faletua and tausi, heads of government ministries especially public servants who are partaking in parliament proceedings. I wish to acknowledge everyone's presence today, thank you for your patience. Yesterday we conversed on some very critical issues that will be ensued in today's proceedings. I believe we had some intense moments but with God's presence, we are not forsaken. May the devil and evil spirits be cast out of this House so that no problem will arise in today's deliberation for the benefit of the country. I also would like to acknowledge the support of all Samoa, thank you for taking part in our proceedings. It is the sole duty of the individual to serve their country for the better development of villages, constituencies, families especially congregations whose prayers have blessed this Parliament. I believe it is now time for us to carry forth with today's orders, let us work together to fulfill the agenda pursuant to our Order Paper schedule.

MESSAGE FROM LE AO O LE MALO

Mr Speaker read the Message from His Highness, O Le Ao o le Malo.

1. "CERTIFICATE OF URGENCY.

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

1. Electoral Amendment Bill 2014.

GIVEN UNDER my Hand this Tuesday 14th April in the year 2014.

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

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Other Announcement by Mr Speaker

Our programme will take off at 2:00 today until 5:00 and then we retire for some rest which is reason for our sitting adjournment due to our seminar. We will continue tomorrow with new strength and Assembly will decide on the night proceedings, if not then we shall continue on until Wednesday to complete scheduled business.

In regards to our refreshments and nourishments, it is prepared by the staff and additional celebration in honor of the Hon Prime Minister and Mr Speakers birthdays. I urge the members of the House to join our Seminar as the Committee are also preparing allowances for you.

I have high hopes that the Lord will guide us all to a new day tomorrow to continue our work. I thank the support of the nation and acknowledge all of Samoa and its honorific salutations.

Before we adjourn I call upon the member Hon Maualaivao Pat Ah Him to lead us in prayer to bless our food and also our seminar tonight before we officially adjourn.

Proceedings of the Legislative Assembly adjourned at 1:05pm.

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Message from Le Ao o le Malo

2. **MEMORANDUM for:**

Mr Speaker:

Pursuant to Article 59 of the Constitution of the Independent State of Samoa and Parliament Standing Order 95, consent is hereby given to the Legislative Assembly to proceed upon consideration of the following Bill:

1. Electoral Amendment Bill 2014.

GIVEN UNDER my Hand this Tuesday 14th April in the year 2014.

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

Afioga Hon Palusalua Faapo II (Leader of Opposition): Mr Speaker a point of clarification.

MR SPEAKER: I call upon the Leader of Opposition.

Afioga Hon Palusalua Faapo II: Thank you for the opportunity granted this beautiful morning like the prayer you offered to our Heavenly Father as we meet again this morning, I stand with respect in relation to an issue I raised before. A certificate of urgency has been issued on the Electoral Bill. The question is, why? The elections are not until 2016, if we look at the schedule on Bills we must refer it to a Parliamentary Committee to allow the opportunity for constituencies to voice opinions on this Bill, because the division of constituencies is centered on them. What's happened now? This looks like a democratic system?

MR SPEAKER: I am well aware of your concern, Palusalua, I understand.

Afioga Hon Palusalua Faapo II: Is it democratic to issue a certificate of urgency on this matter?

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MR SPEAKER: Palusalue, the Chair will give its decision on the matter. The matter concerning the tabling of Bills within the House is based on Cabinet's discretion. It is also their responsibility to submit these bills inside the House. Government has verification and basis of these bills. Following normal procedure and practice, that is the normal process of bills in a sitting, after thorough assessment and analysis of a bill, they are tabled before Parliament. The Hon Prime Minister and Cabinet are present, so whatever procedure given by the government is abided by the Chairperson.

I call upon the Member for Faleata West.

Tofa Lealailepule Rimoni Aiafi (Faleata West): Mr Speaker, the bill presented will not only change the principles of these constituencies but also future generation. This bill is not easy; adequate time is required for members to develop opinions specially the constituents and voters. I feel that the bill should not progress hastily nor scheduled as urgent matter.

As the leader of this side has stated elections is still faraway, thus the bill is imperative because it should benefit Samoa and its Parliament. We have members that are affected directly by this concern.

MR SPEAKER: Your concern Lealailepule is clearly understood.

Afioga Hon Palusalue Faapo II: Mr Speaker just one more issue with respect.

MR SPEAKER: I call upon Afioga Hon Palusalue Faapo II.

Afioga Hon Palusalue Faapo II: This bill is like a sham. It is instigated and passed the same day. What happen to human rights?

MR SPEAKER: I appease you to sit down Palusalue, I am trying to alleviate this disorderly manner.

Afioga Hon Palusalue Faapo II: Our Parliament seems so different.

MR SPEAKER: Sit down. Is the signature of his Highness, O le Ao o le Malo a sham? Give me your word? Do you think that you are correct....

Afioga Hon Palusalue Faapo II: Mr Speaker...

MR SPEAKER: Sit down.

Afioga Hon Palusalue Faapo II: Mr Speaker...

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MR SPEAKER: Sit down. Who do you think assents these bills for the Legislative Assembly? Do you think it is Tuivalea, do you think O Le Ao o le Malo signs without understanding? Think before you speak in the House, I will not let go of this issue as it is normal practice.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi (Prime Minister): Mr Speaker I stand with utmost respect based on the concerned issued beforehand.

Opportunity is now open for comments as most of these amendments have been revived, revisited and revised by three different Commission of Inquiries spanning back ten years ago. Reports covering all these amendments have been disseminated to all members is not new but has been long overdue. Hence, the report at hand is familiar and we have read through them in past years. The leader of Opposition has accused government for the delay submission of this bill when the bill has been laid before Parliament for some time now. Where is the bill when the Electoral Office is undertaking the registration of voters? The consolidation of the bill has been well documented. Public notices on this bill have also been conducted for public interest.

The raising concerns have just been presented when the bill was submitted long ago for discussion.

Mr Speaker that is the opinion, the tabling reports have been prepared over the years is not fictitious. Your honor, members still gets a second chance to deliberate when we have the first and second reading of this bill.

Hence I appease the leader of Opposition, making unjust and hasty decision is not government's aim.

MR SPEAKER: I call upon the member for Individual Voters.

Susuga Hon Papaliitele Niko Lee Hang (Individual Voters): Before opportunity is given to this side of the Chamber.

MR SPEAKER: The member for Individual Voters.

Susuga Hon Papaliitele Niko Lee Hang: Thank you Mr Speaker for the opportunity. I notice that this bill will be read a first, second and third time before it is passed today, will this affect our Constitution? The seats for Individual Voters are provisioned under the Constitution. If the bill is passed, does it breach government's Constitution? I request a clarification on this matter.

MR SPEAKER: I call upon the member for Vaimauga West, Tofa Lefau Harry Schuster.

Tofa Lefau Harry Schuster (Vaimauga West): Thank you Mr Speaker for the opportunity.

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Mr Speaker I will not defy or speculate the procedures of the bills as government has the discretion to pass it under the certificate of urgency as the House is represented by the Committee as a whole. Mr Speaker, the right of the people to select their leaders is one corner stone of a democratic nation. In view, it is well that the member bears a right to comment on this bill and a different right in their constituency, hence a person has a right to choose where they wish to vote.

Hence is my disappointment with this situation. We are complying with the requirements of the law, can this legislation be used to legislate the rights of an individual voter in a democratic country? Each individual has a right to vote for the constituency of their choice, and I speak for the constituency of Vaimauga West. This is similar to the villages of Apia and Matautu in the urban constituency. These people have not been registered so they have the right to vote where they deem so fit. As with the tabling bill, once it is passed, the person is required to cast their vote regardless of human rights. I personally believe that this is a corner stone of democracy, the right of the individual to vote.

With all due respect Mr Speaker.

Afioga Hon Aeau Peniamina Leavaiseeta (Falealupo): Mr Speaker...

MR SPEAKER: Pardon the member for Falealupo I will give the opportunity to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker I take it that we are deliberating the bill when the first and second reading has not been put. What is your decision your honor?

MR SPEAKER: Such is reason for my decision member for Falealupo and the House.

Afioga Hon Palusalue Faapo II: Mr Speaker, once the Certificate of Urgency is passed, we will progress hence what about the views of the members.

MR SPEAKER: I will now announce my decision.

Afioga Hon Palusalue Faapo II: This is the reason for taking the floor....

MR SPEAKER: I appease the Leader of Opposition this continues to be a constant habit of yours, interjecting our proceedings whenever you wish hence, I recommend that you read Standing Order 89; I wish not to address this Order before the country. That is the member's final warning, take heed of Standing Order 89 and comply in respect to the House. In view of the tabling bill this morning, provisions have already been reviewed and will be implemented.

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Government has the discretion of when a bill is presented and members are tasked to discuss them whether it is urgent or not. Everyone is given an opportunity to have a say on the matter. These recommendations were not drawn this morning...after elections; we will refer this to the Commission of Inquiry for their investigations. If the matter is about the division of constituencies then raise it during consultations. Why did you have to wait until the bill was tabled? Why did your opinions have to wait until the bill was presented before the House?

Therefore the bill is an official document considering the signature of the O Le Ao o le Malo. I doubt any other signature above this one; I now declare this opportunity to press views accordingly with the bill. Let us begin with our Order Paper for today.

I call upon the member for Siumu.

Tofa Hon Tuuu Anasii Leota (Siumu): Mr Speaker I stand with respect to voice a concern, I am saddened with the state of urgency of this bill. In consideration, the bill is not referred to a Committee, after the second reading and consideration; our submissions no longer matter as the bill is enacted. However, I am very disappointed as we were not given the opportunity to voice our comments. With respect.

MR SPEAKER: I call upon the member for Falealupo.

Afioga Hon Aeau Peniamina Leavaiseta: Mr Speaker I wish to elaborate further on the issue before it is too late.

Mr Speaker with all due respect, I understand you... the views of members' is vital in reaching a decision. You have spoken on procedural precedents and we are in doubt, thus our only concern is to have this bill be referred to a Parliamentary Committee for further submissions from the constituents to obtain a complete response for the sake of the country, thank you.

MR SPEAKER: What else do you wish to say leader of Opposition when the matter is now clear?

Afioga Hon Palusalua Faapo II: Mr Speaker I rise with respect to render my apologies specially before his Highness, O le Ao o le Malo. I do not defy the assent of the Le Ao o le Malo but impact of the bill on the constituencies; I move a motion, *That the Bill be progressed as usual and refer it to a Committee before it is referred back to the House.* The elections are still a long way away.

Motion was not seconded.

MR SPEAKER: I know your concern Leader of Opposition. So are we going to do what you want and not respect the signature of the O Le Ao o le Malo? We cannot press against the House's orders.

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Message from Le Ao o le Malo

Tofa Hon Tolofuaivalelei Falemoe Leiataua (Minister of Women, Social and Community Development): Mr Speaker I ask for an opportunity.

Tofa Hon Fonotoe Nuafesili Pierre Laufo (Deputy Prime Minister): Mr Speaker there are matters I wish to discuss for the interest of the country.

MR SPEAKER: Pardon the Hon Minister but I will give the opportunity....

Tofa Hon Fonotoe Nuafesili Pierre Laufo: It is intolerable to use the assented bill with the signature of the O Le Ao o le Malo in vain. His assent is based on the advice of Cabinet who authorizes the urgency of the bill. That is the clarification.

MR SPEAKER: I call upon the Hon Minister of Women, Social and Community Development.

Tofa Hon Tolofuaivalelei Falemoe Leiataua: Mr Speaker and respectable members of the House. I see that the previous speakers have served in Parliament over the years. But it seems that they still have limited understanding of the Standing Orders. He was also a former Speaker which suggests that he is dim-witted. If we look at Parliament orders, once the Certificate of Urgency is assented, the only authority above it is the Le Ao o le Malo. The decision is decided by all 49 members not just one or two people. Therefore Mr Speaker I ask that we resume with our Orders of the day as per schedule. As for members' queries, they are in their seniority status and should be reading their Standing Orders. With respect.

MR SPEAKER: Your concern is duly noted....

Afioga Hon Palusalue Faapo II: A point of Order Mr Speaker...

MR SPEAKER: Pardon the Leader of Opposition....

Afioga Hon Palusalue Faapo II: I rise to correct the comments of the member...

MR SPEAKER: I ask that you bear with me as I will amend these comments myself because if you rise then....

Afioga Hon Palusalue Faapo II: You are making wrong decisions.

MR SPEAKER: Pardon me, Papalii, have mercy on our work as I am trying to maintain order in the House please...

Susuga Hon Papaliitele Niko Lee Hang: Mr Speaker I just want to get an insight on something minor.

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MR SPEAKER: Please be brief.

Susuga Hon Papaliitele Niko Lee Hang: Thank you Mr Speaker. We aired a public notice on the bill last night on television. So the bill should be referred to a Committee for these witnesses to provide their comments. But I wish to understand the meaning of this public notice, please?

MR SPEAKER: Papalii your concern is noted, the notices last night was to publicize the country of the tabling bill in Parliament today. That is clarification of the matter as I too watched it last night. I appease the members of the House....

Tofa Lealailepule Rimoni Aiafi: Mr Speaker...

MR SPEAKER: The Member for Faleata West I have made my decision. Pardon the members' views as government has finalized its decision. The Hon Prime Minister and Deputy Prime Minister have clearly elaborated on the matter and Cabinet has done thorough analysis on the issue.

Tofa Lealailepule Rimoni Aiafi: Yes your honor, Lealailepule does not intend to avoid the progress of the bill. My only is that we should consider the future of Samoa and its constitution. There are different kinds of bills. The bill will assist our government in the future. If correct, Lealailepule will not avoid it. I advice that proper proceedings be conducted within the House as this matter is not easy.

MR SPEAKER: I am aware of your concern member for Faleata West. I believe I have withheld deliberations upon this bill which is clear. Hence do not be offended with the orders of our meeting, as for the matter beforehand, we shall proceed, we have the first reading, second reading, consideration in detail and the third reading. The floor is now open for comments.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker in case members are stressed out on this matter, but if we look back on this bill, this is Parliament Practice and Procedure, after elections, a Commission of Inquiry will be established to consider and improve the procedural processes of the Electoral office. We identified that at the end of every elections, we find that there is always problems. These amendments will be applied in the coming elections and further amendments will be incorporated in future elections.. I recall a decision made by parliament with regards to producing identification cards or IDs to avoid the issue of voters stealing deceased identifications which was a good practice to resolving the false use of identifications at the time.

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Mr Speaker, this practice led to other problems whereby voters had otherwise expected a provision of transport and compensation from the vying candidates. I did not think that it will turn out this way, hence with future elections, further problems will be faced. This will continue until we are confident enough in paradise. The purpose of the bill is to improve elections, not the Chairperson as we are dramatically conscious of the many issues with electoral candidate that is unavoidable.

Mr Speaker it is the duty of government to settle these problems and hope that in due time, all issues pertaining to this matter will be resolved. In case the people have the wrong mindset of the candidates when really, this is a learning and improving process to better our future General Elections.

Afioga Hon Palusalue Faapo II: Mr Speaker I humbly request this very small opportunity. It don't intend to object the speech given by the Hon Prime Minister, nonetheless that is similar aim of this side to improve our elections. The only concern Hon Prime Minister as you mentioned the Commission of Inquiry to obtain chances, when our Parliamentary processes should be referred to a Committee that is my plea. If your comments are right on accountability and transparency then this must be so, on this (*laying his arms the table*). As per normal procedure, refer the bill to the Committee for its review and recommendation, that is the addition.

This is my humble request.

MR SPEAKER: Your opinion is noted, pardon the Member I call upon the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoui: Mr Speaker I wish to state that government is based on democratic principles. What is the meaning of democracy? It is a system where majority rules. There is belief that democracy is also corruption but the problem states that there is no other perfect system other than democracy which our government now adopts. If I was part of your twelve members that does not make up the number for Cabinet, I would be saying the same thing as you. What would you say? I would bear similar responses as you, in a democratic manner. Based on the modern world, despite other things, we have pieces of legislations that protect and guide us through with our work. The democratic system and constitution was set out by our forefathers to guide the principles and decision-making of Parliament.

MR SPEAKER: The matter is now clear. If members raises concerns just remember that these decisions were not made lightly. Pardon the members' views as this not only concerns you but me.

Afioga Hon Palusalue Faapo II: Mr Speaker....

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MR SPEAKER: I beg your pardon Hon Minister especially dignified members and Ministers....pardon the member of Falealupo as the Chairperson has given his decision. I believe the matter has been resolved.

Afioga Hon Aeau Peniamina Leavaiseeta: I beg tolerance as my name was mentioned....

MR SPEAKER: I will now address the matter? Aeau I beg tolerance.

Afioga Hon Aeau Peniamina Leavaiseeta: I believe you should not be the one correcting these mistakes but I, no one has the right to speak plainly (sooga faamaga) within the House considering our code of ethics and conduct. Because the rightful name of this member, I wish not to mention. Hence, think before you speak, do not repeat this manner again.

MR SPEAKER: Aeau, seeing that you are one of the senior members of this House, I beg tolerance that you bear with us.

Tofa Hon Tolofuaivalelei Falemoe Leiataua: Mr Speaker I did not mention any member's names but former Speaker. My comment was quite clear...But as per usual saying, if these are the kind of views given, then it is very uncivilized, lack and weak. I am not afraid to mention this sort of unruly behavior because these are the people that disrespect the dignity of the House when they too are clear of the Standing Orders.

MR SPEAKER: Pardon the Hon Minister of Women, Social and Community Development. Such is my reason behind this motive.

Tofa Hon Tolofuaivalelei Falemoe Leiataua: It would be good to...as it is forbidden to say throw harsh words upon this comment. With respect.

Afioga Hon Palusalue Faapo II: Mr Speaker, why forbid when your comments are ridiculous.

Tofa Hon Tolofuaivalelei Falemoe Leiataua: Take your seat incase a motion is moved to take that...

MR SPEAKER: I appease Leader of Opposition, Palusalue.

Afioga Hon Palusalue Faapo II: Despite your false comments but you are still pressing through? Deceitful promise...

MR SPEAKER: I beg tolerance members of the House, I believe with the way deliberations are being carried out this morning, we must bear forgiveness. I was trying to question the clarification of the Hon Minister before Aeau took the floor.

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Message from Le Ao o le Malo

Pardon this side of the House given our word of exchanges we should not be offended by it. I believe we must be prudent and considerate as I personally apologize. All comments voiced within the Chamber are important because we continue to point fingers, we will end up fighting physically and deliberate on unnecessary matters and leave aside our proceedings.

The only matter of concern is that there seem to be astute comments. I appease the Leader of Opposition for any misunderstanding. If we all look at the issue considered as explained by the Hon Prime Minister himself, you are not the only one affected but the entire members of Parliament, we are all representatives of Samoa. Hence everyone is affected. I strongly believe that it is through your expressive, open-mindedness and informative comments that contributes to the transparent matters of this House. Hence Cabinet's decision has been made and we must comply. As stated by the Deputy Prime Minister this is not based on an individuals decision but Cabinet and the Hon Minister who initiated the Bill which has been submitted to the hands of the O Le Ao ole Malo. Who bears the greatest authority? Samoa as my witness has heard that it has already been signed by the O Le Ao o le Malo? We should not take the matter lightly for he is the Head of this Parliament. He has already given his endorsement of the bill and it seems we are discrediting his consent. Consequently we will now proceed with the first, second and third reading of the bill. I give the opportunity to anyone who wishes to share a view on this bill. The floor is open for deliberations. The Hon Minister will clarify the bill. The certificate of urgency does not mean that we will proceed like a bullet fire; we will go through the first and second reading, consideration in detail before it is passed. If you object, that is up to you.

ELECTORAL AMENDMENT BILL 2014
– first reading

Afioga Hon FIAME NAOMI MATAAFA (Minister of Justice and Courts Administration and Electoral Commission): Thank you Mr Speaker. I believe the deliberating bill by the House has been well ironed out given your decision this morning. There are a number of critical issues raised by the members including the Hon Prime Ministers notices on a democratic system. In Churchill's words, "Democracy is the worst form of government, except for all those other forms that have been applied from time to time.." thus what counts is that we follow.

Mr Speaker before I move a motion I recall a story from the American government. It was after the prayer that two members were on their way to have breakfast at a specific set up of eight members per round table. All tables were perfectly set with a plate of bread and butter. Upon the arrival of the Senate who led the prayer, he had some bread and was dissatisfied with the amount of butter on the table. He requested the lady in charge. "I need more butter" the lady responded, 'sorry you only get one piece of butter each'.

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Electoral Amendment Bill 2014
– first reading

The Senator reminded the lady who he was, and she replied yes, “you are a well known Senator, before you became a Senator, you were known as one of the famous sports figure in the world, but do be mindful, you only get one piece of butter each.” The Senator then said, “Well lady, it is good that you know me, however I do not know you and your words.” The lady then replied, “Your honorable Senator, I am the lady in charge of the butter.”

The interpretation I intend to convey is that people do whatever they wish or say. I have prolonged my clarification due to disorder behaviors this morning. Hence the Commissioner of the office has prepared the bill in accordance to the resolution given by the Inquiry Commission. Furthermore it has been drafted provided the recommendation by Cabinet.

Therefore Mr Speaker it is my privilege to move a motion, *That the Electoral Amendment Bill 2014 be read a first time.*

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

Motion approved and the Electoral Amendment Bill 2014 was read a first time.

NATIONAL HEALTH SERVICES BILL 2013
– consideration in detail

MR SPEAKER: Pursuant to Standing Order 106, the Assembly must consider the report of the Committee on the Bill before its consideration in detail.

I call upon the Chairperson of the Health and Social Services, Internal Affairs, Community and Social Development Committee.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW (Chairperson, Health and Social Services, Internal Affairs, Community and Social Development Committee): Thank you Mr Speaker for the opportunity. I humbly acknowledge all members of the House present this morning especially the country’s support.

Mr Speaker I move a motion, *That the National Health Services Bill 2013 progress together with amendments and corrections.*

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

MR SPEAKER: I now announce that the Assembly approves the report of the Health and Social Services, Internal Affairs, Community and Social Development Committee on the National Health Services Bill 2013.

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**National Health Services Bill 2013
– consideration in detail**

The Assembly will now progress with the consideration in detail of the National Health Services Bill 2013. Pursuant to Standing Orders 102, consideration in detail of the Bill starts with Clause 2.

CLAUSE 2: Interpretation

Approved.

CLAUSE 3: Application and purpose.

Approved.

CLAUSE 4: Continuation of the service.

Approved.

CLAUSE 5: Functions and powers.

Approved.

CLAUSE 6: Board of Directors of the Service.

MR SPEAKER: There is an amendment of the Committee in Clause 6 as stated in the Supplementary Order Paper.

I call upon the Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
Mr Speaker I move an amendment on Clause 6 (a) as:

AMENDMENT:

- I. To insert in clause 6(a) the expression “and is a registered member of the Samoa Medical Association,” after the word “practitioner” to read:-*

“(a) one registered medical practitioner; and is a registered member of the Samoa Medical Association.”

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National Health Services Bill 2013
– consideration in detail

2. To insert the expression “and is a registered member of the Samoa Nurses Association” in clause 6(d) after the word “nurse;” thus (d) reads:

“(d) one registered nurse; and is a registered member of the Samoa Nurses Association.”

3. Clause 6(7):

To omit “subsection (1) (d)” and substitute thereby “subsection (1) (e)” thus the new clause reads:

“(7) A Director whose appointment under subsection (1) (e) has expires must not be re-appointed on that occasion to continue as a director.”

Amendment approved.

Clause 6 Amendment approved.

CLAUSE 7: Terms, vacancies and removal.

Approved.

MR SPEAKER: There is an amendment of the Committee in Clause 7 given in the Supplementary Order Paper.

I call upon the Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
Mr Speaker I move an amendment on Clause 7 (3) (n) as:

AMENDMENT:

To insert the word “from” after the word “departure” in clause 7(3) (n) to read:

“(n) Departure from Samoa permanently.”

Amendment approved.

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**National Health Services Bill 2013
– consideration in detail**

Clause 7 Amendment approved.

CLAUSE 8: Chairperson and meetings of the Board.

Approved.

CLAUSE 9: Minutes and remuneration.

Approved.

CLAUSE 10: Disclosure of conflict of interest.

Approved.

CLAUSE 11: Ministerial directions.

Approved.

CLAUSE 12: General Manager and staff.

Approved.

CLAUSE 13: Management of healthcare services.

Approved.

CLAUSE 14: Delegations.

Approved.

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CLAUSE 15: Personal health information.

Approved.

CLAUSE 16: Funds of the Service.

Approved.

CLAUSE 17: Accounts and audit.

MR SPEAKER: There is an amendment on Clause 17 as stated in the Supplementary Order Paper. I call upon the Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Mr Speaker I move an Amendment on Clause 17 (4) and (5) as follows:

“AMENDMENT:

- “(4) The Service must submit to the Minister, within 4 months after the end of each financial year:
- (a) Its annual report, including a copy of its audited Accounts, for that year; and
 - (b) The Auditors report.
- “(5) The Minister must deliver the reports received by him under subsection (4) to the Legislative Assembly forthwith if it is in sitting, and if not, at the commencement of the next ensuing sitting.”

Amendment approved.

Clause 17 Amendment approved.

CLAUSE 18: Powers of the Auditor.

Approved.

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**National Health Services Bill 2013
– consideration in detail**

CLAUSE 19: Fees and Charges.

MR SPEAKER: There is an amendment on Clause 19 as stated in the Supplementary Order Paper. I call upon the Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
Mr Speaker I move an Amendment on Clause 19 as follows:

“AMENDMENT:

To insert the new sub clause (5) after sub clause (4) as follows:

“(5) Failure to publish the notice under subsection (2) in any other newspaper circulating in Samoa, does not affect the validity of these fees and charges.”

Amendment approved.

Clause 19 Amendment approved.

CLAUSE 20: Evidence by certificate.

Approved.

CLAUSE 21: Validity of acts.

Approved.

CLAUSE 22: Protection from liability.

Approved.

CLAUSE 23: Guidelines.

Approved.

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CLAUSE 24: Amendment of the Schedule.

Approved.

CLAUSE 25: Regulations.

Approved.

CLAUSE 26: Operational arrangements with the Ministry.

Approved.

CLAUSE 27: Repeal and transitional.

Approved.

CLAUSE 28: Consequential amendment.

Approved.

SCHEDULE

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: National Health Services Bill 2013.

MR SPEAKER: There is a correction on Clause 1 and Title as stated in the Supplementary Order Paper.

I call upon the Chairperson.

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National Health Services Bill 2013
– consideration in detail

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
Mr Speaker I move a correction on Clause 1 and Title as follows:

“CORRECTION:

*To omit the number 2013 and substitute thereby the number “2014”
thus the Bill reads:*

“National Health Services Bill 2014.”

Correction approved.

Clause 1 correction approved.

*The National Health Services Bill 2014 progressed with its Amendments
and Corrections.*

ELECTORAL AMENDMENT BILL 2014
– second reading

MR SPEAKER: In accordance to the Certificate of Urgency signed by his Highness, O Le Ao o le Malo, the Legislative Assembly will now read the bill a second time.

I call upon the Hon Minister of Justice and Courts Administration and Electoral Office.

Afioga Hon FIAME NAOMI MATAAFA: Mr Speaker I move a motion,
That the Electoral Amendment Bill 2014 be read for a second time and I wish to elaborate.

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

MR SPEAKER: I call upon the Hon Minister for the clarification on the Bill.

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Afioga Hon FIAME NAOMI MATAAFA: Mr Speaker and respectable Members of Parliament, this Bill seeks to amend the Electoral Act 1963, based on the investigations and recommendation of the Commission of Enquiry that sat after the 2011 general elections.

At the conclusion of its deliberations with the Cabinet, it is recommended that these new amendments be incorporated into the bill as drafted by the office of the Attorney General.

Perhaps I will not mention further, one of the major amendments prescribed under the bill, is establishing an urban constituency roll that will replace the Individual Voters roll. This means there will be no more Individual Voters roll.

Historically, the new amendment for Samoa's General Elections will mean that Samoa will have one main registration roll. From this single main roll, we will add two additional seats for the urban constituency as well as the division of constituencies involving two seats. This means that we will go back to one constituency per representative. Therefore, these are some of the amendments that will be taken into account by members.

The new constituencies of Vaimauga and Faleata in the urban constituency as witnessed in past elections have an increasing number of constituents. This is evident in the high free hold land purchases from these urban areas creating voters for these two constituencies. Based on electoral provisions, there is view that the original constituents of Vaimauga and Faleata, pardon the members of the House, are people from all over Samoa or outsiders or *tagata ese* whom are true residents of the two constituencies. This was hugely deliberated by the Commission of Inquiry from the previous election.

Consultations were conducted to see if appropriate to have two rolls for the general elections or it can be said that there are two kinds of people in Samoa, the Individual voters and the territorial constituency voters. Some of us with good memories may recall that since Samoa's first Parliament, we have had five members for Individual Voters and number has since reduced, not because the Individual voters list is repealed from the general elections, but once a person is bestowed a matai title under the Individual voters, these electors are repealed from the general elections.

Therefore, our voting system is in tune with the electoral provision of matai title. We then progressed with the retained individual voters based on the bestowal of matai title amendment as seen with our incumbent members, Afioga Maualaivao and Afioga Papaliitele. We now have taken another step forward which is producing one main roll for Samoan voters because as Samoans, we must bear similar eligibility as individual voters.

The individual voters roll and freehold residents is one key issue. This means that these voters live under a dual system of traditional village systems and those living on freehold properties. The new amendment on setting boundaries for Vaimauga and Faleata in the urban constituency is due to the increasing number of residents migrating into these parts of the country.

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Perhaps you will understand these new amendments once you go through the bill. Another vital component is the practice of honorary gifts. When is the appropriate time for the candidates to initiate such practices to avoid the instigation of bribery and such offenses? Up to date, honorary gifts are a normal practice between the member and the constituency based on cultural values and traditions. According to the bill, traditional gift (o'o) is only allowed until after the official declaration of the polls in the elections for the period of twelve month to avoid the 'influencing voters'.

Another pressing issue is verification of the constituents' registration. According to previous elections a new practice was conducted by the pulenuu to confirm candidacies services to the family, church and village. There have been various requests to the Commission of Inquiry on the requirement of a legal immunity by individuals to protect them from carrying out their work. Such is this amendment for qualified voters and candidates to obtain a legal document from the village mayors and solicitors.

Under Section 13 of the bill, there is general clarification on the arrangement of the constituencies and the composition of villages specifically those involving dual electors. As specified, there are other legislations that require amendments including the rearrangement of constituencies provided under this section of the bill. One of the members raised this amendment to the Constitution. This is true if we look at the short title of the bill which states, 'This Act commences on the date of assent by the Le Ao o o le Malo, subject to section 1(2), (3) and (4) of the Constitution Amendment Act.' This means that there is another step that needs to be undertaken, otherwise, the whole purpose of this bill is to progress the work of the Electoral Commission.

Mr Speaker, those are some of the concerns provided in essence to the statement submitted earlier on the bill's amendments. With all due respect.

MR SPEAKER: Thank you for the clarification by the Hon Minister of Justice and Courts Administration. I believe that members of the House are now clear with the provided explanation. This is a very important bill which implicates the basis of our culture and decision making for Samoa and its Constitutional amendments The Hon Minister has clearly clarified the new amendments to the bill, thank you. I believe the water is crystal clear, and the tide has now set in.

Therefore, this is the opportunity for members to express their views and concerns.

I call upon one of the members for the Individual Voters, Susuga Hon Papaliitele Niko Lee Hang, as we proceed with our debate.

Susuga Hon PAPALIITELE NIKO LEE HANG: Thank you Mr Speaker for the opportunity as well as the Hon Minister for the clarification of the bill particularly the impact of this bill on this constituency.

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Mr Speaker I wish to speak as an Individual Voter for the sake of those who elected me in this Parliament. I am saddened this morning because I have just received this bill and I haven't had time to go through it nor obtain the views of the constituents. Mr Speaker during consultations with the Commission of Inquiry, I had also met with my constituency to voice concerns over the Individual Voters amendments. As the Hon Prime Minister affirms, all amendments incorporated is for the benefit of the General Elections. No member of the Commission feels the same way as us because as Individual Voters representatives, they wouldn't know what we went through in past elections. I solely support the practice of traditional gifts 'oo' over electoral processes and voters registration which went well. I am also aware of government's long initiative to amending these seats. As we embark on these practices, the concern is the urgency of this bill. I strongly believe that this bill has a huge impact on the Individual Voters constituency.

I wish to advise the government given the normal procedure...although the Le Ao o le Malo's signature has been given, I strongly feel that this bill must be referred to the Committee for further submissions particularly now that I am looking at the voters of the urban seats which comprises of a number of villages. In query, will the districts of Vaimauga West, Vaimauga East, Faleata West and Faleata East be affected by the next election if the residents are registered under free hold? I affirm that this will not be easy, very costly and time must be permitted for the implicated constituents. This is not easy for voters, why does this have to change? There will come a time when the number of voters is reduced until the seat for Individual Voters is no longer eligible under the voting system. Now that the system is in place, there is a saying which goes, *'the serpent is about to be killed, looks but does not escape* – "E nao le gata e fasia ae pulapula pea ona mata." such is the reason Mr Speaker I am saddened because of the urgency of this bill and its impact on the electoral seats.

The Hon Minister has raised our Constitution. Hence is the question, when the bill is passed and amendments to the Constitution will not be approved, does this mean that we will undo the bill? I wish to gain a clarification because if the bill is passed and if the constitution's amendments are rejected, that is the concern. Hence I plea to withdraw the bill and give the constituents an opportunity to voice their concerns....

Afioga Hon Palusalue Faapo II: Mr Speaker, I apologize to the member...I have no query...just a matter of clarification.

MR SPEAKER: I haven't yet given the opportunity Palusalue. Take your seat. I call upon one of the members for Individual Voters to continue with his discussion.

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Susuga Hon PAPALIITELE NIKO LEE HANG: If he disobeys too much, escort him out. If the amendments to the constitution are ready for submission, how is the situation resolved given our concern. Hence I totally disapprove of the bill. With all due respect.

Afioga Hon Palusalua Faapo II: Mr Speaker this is the reason why I wish to take the floor.

MR SPEAKER: Please rise. Unless you have my approval then you can take the stand. I call upon the Leader of Opposition.

Afioga Hon Palusalua Faapo II: Thank you for the opportunity. I only wish to ask the recent speaker as he is not the only one affected but both of them. How would you interpret this when yet, you are still a HRPP members, and your seats will be repealed soon. What is your interpretation member for Individual Voters? That is the only question.

MR SPEAKER: It looks like we have found the villain.

Susuga Hon Papaliitele Niko Lee Hang: Mr Speaker a brief clarification....

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

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker the Leader of Opposition has now concluded with his general comments.

MR SPEAKER: This is just his way of insinuating unwanted issues in the morning. I call upon one of the members for Individual Voters, Papaliitele Niko Lee Hang to address this matter.

Susuga Hon Papaliitele Niko Lee Hang: Thank you Mr Speaker. The answer is brief, *'the serpent is about to be killed, looks but does not escape.'* Otherwise known as *'the member is being chased out whilst he is still taking his seat.'* Thank you.

MR SPEAKER: Very well. Our debate will now resume by another member for Individual Voters, Afioga Maualaivao Pat Ah Him.

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Afioga MAUALAIVAO PAT AH HIM (Individual Voters): Thank you Mr Speaker for the opportunity. I am hopeful that the respect and dignity of the House be upheld, hence I came this morning feeling uplifted and until I read the amendment which we have just received this morning, I am astounded with the debate overheard, I was trying to catch up with this bill...and now I am getting a clear picture of the issue instigated this morning.

Mr Speaker I am thankful that my fellow member and I relate in the matter, pardon his salutations. I submitted a recommendation on this report to the Electoral Commission who undertook the review and received news that the previous Parliament in 2010 had already passed it. I came into Parliament with a title holder, which was the last improvement for this constituency which I find difficult to interpret. By viewing the orators and chiefs of this district, they are origins without salutations or...I wish not speak any further as they were officially known under the constitution. I also gave a maiden speech which of today, we are no longer Chinese, black people or half castes, Samoa is one. My constituency includes all of Samoa from Saua to Analega from Aleipata to Falealupo, Upolu and Savaii. I have also given the honorary salutations of my constituency which involves all of Samoa. As of this morning, I am overly surprised and stunned. As part of this government and political party, I had high expectations that we will consult this issue which otherwise, Cabinet directive has reached, when we backbenchers are taken by surprise. Yes.

Regardless, the basis of this morning I applaud the interpretation by the Hon Minister that Samoa is now one. This defines that under Individual Voters, we had two kinds of people, a full Samoan and a half caste, but I am all for full Samoan. This is good explanation as it takes time...

MR SPEAKER: Pardon the member, I call upon the Hon Minister on a point of clarification.

Afioga Hon Fiame Naomi Mataafa: Mr Speaker, a point of order. I am concerned with the issue raised by the member on the classifications of Samoans as full Samoans and half Samoans. That is not the intention, the clarification provided under the general roll and individual voters roll requirements were clear, hence there was no explanation on the classification of full Samoans and non Samoans. We have different eligibility your honor.

MR SPEAKER: I call upon the member. Pardon the member as I give the opportunity to the Leader of Opposition. What is the issue Palusalue?

Afioga Hon Palusalue Faapo II: Mr Speaker a question to bear understanding. I pity the member and his comment. What is his decision on the political party for human rights protection society, when his right is already violated. The same goes for Individual Voters.

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MR SPEAKER: Tuivalea is not present with the current speaker. Hence I call upon the member to clarify his view. I call upon the member for Individual Voters, Afioga Maualaivao Pat Ah Him.

Afioga MAUALAIVAO PAT AH HIM: Thank you. I appease the Hon Minister. I do not wish to be isolated as sometimes we have problems with our wordings which disrupt the true meaning behind it. But thank you for the clarification Hon Minister. However given the urgency of this bill, I feel that we need some time to go through it. One of the requirements for electoral candidates is seeking a lawyer to officiate his running that is otherwise costly. Seeing that the Leader of Opposition is very persistent, pardon me, please bear with us as we are also striving from our end. The response given by Hon Papalii is similar to mine. It's a pity for a snake to be killed whilst its eyes are still open – "E nao le gata e fasia ae pulapula mata." I shall voice further concerns should the need arise, otherwise, those are the views on this matter.

The Electoral Bill tabled stipulates territorial constituency amendment, which includes voters from Savaii and remote areas, I pity as this is no longer...except within the vicinity of Apia for these urban seats. I take it that there is contradictory view with Vaimauga East, Faleata West and Faleata East. A clarification is required for freehold land ownership and the Individual Voters roll that will be replaced according to the Hon Minister. Is it possible to replace the Individual Voters candidates with the new urban constituency seats? Personally I do not support this bill because I am surprised to see it this morning but unless I feel good then will provide further views. As of this stage, I am overwhelmed with this bill. Have a blessed meeting.

MR SPEAKER: Very well. I now give the opportunity to the member of Falealili, Tofa Tusa Misi Tupuola followed by the member for Alataua West. I call upon the member.

Tofa TUSA MISI TUPUOLA (Falealili): Thank you Mr Speaker for the opportunity. I would like to acknowledge the dignity of the House, the Hon Prime Minister and Cabinet, Leader of Opposition, Deputy and members of the House.

I move to partake and contribute on the bill tabled before Parliament this morning. Firstly I extend appreciation to the Hon Minister on the important bill and the Electoral Bill amendments that will assist and benefit future General Elections.

I was hoping that the matter would've been thoroughly consulted before submission to the House. I was trying to find the Commission's report to gain some understanding of the bill unfortunately I did not find anything that could explain the changes made.

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I only wish I had some understanding of this matter before it reached the House. I have also sought the report of the Commission which otherwise, could not obtain anything particularly the amendments to the Electoral Bill. Nonetheless, as Falealili is listening in, I wish to pose a view even though we haven't had time to discuss nevertheless, I wish to express views on the amendments beforehand which has affected our constituency of Falealili.

Mr Speaker and members of the House, I wish to speak on Section 13 of article (2), the number of villages per electoral constituencies. I speak for my constituency of Falealili. I beg tolerance Hon Minister Tofa Hon Tuiloma Lameko if I had said anything disrespectful. I only intend to provide what I feel is right, hence I believe you are aware of our constituency divisions.

Mr Speaker with all due respect this constituency supports the amendments on constituency divisions which is vital. If we look at the new division, the two traditional villages '*afioaga mavae*' of Piu and Matavai are not provided under the list. I am confused of this allocation. Hence is the concern, the two villages of Piu and Matavai are part of Falealili. I pity the overlooked villages from the list and am unaware of its reasons.

With all due respect Mr Speaker, the overall view of the constituents wishes not to divide the constituency of Aiga-Sa-Fenuuivao and Alo o Fanene given the composition of these villages which comprises of ten villages. Aiga Sa-Fenuuivao consists of four. With the additional voters from Aiga-Sa-Fenuuivao and its sub-villages of Salesatele to Sapoe, we have 1804 voters, plus the total 3,571 voters from Alo o Fanene consisting of 10 villages. Where is the integrity of this division? There is no integrity as this could affect the respectable ruling of this constituencies and the authority of village high chiefs '*matai and faipule*' which involves only three words to its honorary salutations. "*Alaalagafa ma la oulua Nofo ma Falealili.*"

In viewing the current status, if Falealili is divided equally by a total of 14 villages, then the integrity of this bill is justified with 2,690 voters for Falefitu, and 2,685 voters for the other Falefitu hence this is God's integrity. The message for this week as we proceed throughout this holy week, "*The fear of the Lord is the beginning of good governance*". There is no such existence of this phrase in this district, there is no fear of the Lord. This is reflected in the missing villages for Falealili in the list. This constituency comprises of the most villages which is not specified in the bill. I feel sorry for my beloved constituency that has been greatly affected by this bill, nevertheless, be patient Falealili. Whatever government decides, the division of Sapunaoa to Saleilua, Utulaelae to Siuniu, is the basis of the bill.

I am not concerned about myself as I am unsure if will make it back to Parliament in the next elections, but I feel for the generation of the constituents who must be well versed of their origins and true identity as future members of Parliament.

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Our views have been well taken on other sections of the bill. The constituency supports the bill and its amendments, otherwise I still object the constituencies' restructuring and divisions particularly the missing villages of Piu and Matavai.

Those are the brief comments before Parliament specifically for the consideration of the Hon Minister to better our general elections which can otherwise affect the village ruling, principles and code of conduct of Falealili given these European systems.

Bless the support of Falealili. Do forgive me if I had offended you in any way, with respect.

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

MR SPEAKER: Well done respectable member, I call upon the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: I wish to ask the recent member and his view on traditional villages 'nui mavae' rearrangement and the equal distribution of voters. I take it that this is contradictory in my view as the member treasures the importance of equal distribution of voters.

MR SPEAKER: We have now reached our normal recess, I will grant another opportunity to the member to clarify his views on the two matters raised by the Leader of the country.

For the information of speaking members, and the implicated members, that is the basis of this bill for the government's sole consideration before it is passed.

Nonetheless, it is recess time, I move that proceedings of the Legislative Assembly be set aside for recess this morning.

Proceedings of the Legislative Assembly were set aside for its usual morning recess at 10:45am until 11:20am.

MR SPEAKER: I congratulate all members for your patience comes this part of the day with belief that you have regained strength from our recent break. Before recess, the member for Falealili was concluding his remarks in response to the question pressed by the Hon Prime Minister.

I call upon the member.

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Tofa TUSA MISI TUPUOLA: Thank you Mr Speaker, sincere thanks for the refreshment provided this morning.

I wish to elaborate further pursuant to the bill tabled before Parliament this morning.

Mr Speaker I thank the Hon Prime Minister for the interjection pursuant to the matter put forward by the constituency of Falealili. That is correct as you mention Hon Prime Minister. As known your honor, the Tusi Faalupega or Samoan Traditional Salutation Book has the honorary salutation of ‘Saga’. Saga is part of Falealili which comprises of 7 sub villages which connects from Saleilua to Malaemalu. There is a song that is familiar to Parliament which goes, ‘Falefitu e, Falealili ma Aleipata.’ This song is normally sung by the older generation.

Such is our appreciation your honor, despite the Commission’s decision but still our voice should’ve been heard regardless, the constituency supports the Electoral Amendment Bill 2014 upon the exception of one request to reconsider the equal distribution of villages for Falealili constituency, 7 for Falealili West and 7 for Falealili East. The significance status of the constituency must be maintained. Have a blessed meeting, thank you.

MR SPEAKER: Well done on your comment member for Falealili, Afioga Tusa Misi Tupuola.

I call upon the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker I completely understand the views of the member. The only part I wish to raise relates to the composer who wrote this song as known by Atua. The song is correct, “Falefitu, Falealili and Aleipata.” It is unidentifiable that there are missing districts in that song, namely Lotofaga and Lepa. That is all the reason why I rose because surely, it was a Falealili who misinterpreted the song.

MR SPEAKER: Very well, I believe the Hon Prime Ministers notion is now understood. I call upon the member for Alataua West.

Afioga LAFATELE PATRICK LEIATAUALESA (Alataua West): Mr Speaker I move with utmost respect to contribute to the bill beforehand.

Mr Speaker I support some parts of the bill and disapprove of some parts. This concerns the pulenuus who took advantage of this practice in past elections. Such is the review of solicitors’ replacement. I sensed something fishy with the leader of Opposition and his influence over the village mayor to authorize a second candidate to run against me. Hence I commend the amendments in place, because if the village mayor is dissatisfied with the running candidate, he can always voice his displeasure and provide false information on the candidacy electoral form.

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As for the notion of gift giving, based on the new requirement, this can only proceed after the elections. As for this constituency, once the elections are over and your time is up....

MR SPEAKER: Pardon the speaking member; I give the opportunity to the interruption of the Hon Minister of Women, Community & Social Development.

Tofa Hon Tolofuaivalelei Falemoe Leiataua: Thank you Mr Speaker. I stand with respect to comment on the issue raised by the member. A point of order on the issue concerning the swearing in oaths before a solicitor to verify one's true village, constituency or transfer, no. Since the start, the village mayors were tasked for this duty. But for upgrading purposes and improved services delivery specifically for the new voters and transfer of voters from one constituency to another given their chiefly ties and permanent residence, such is the essence to adopt this system and order an affidavit to encourage pulenuu not to make false claims to the Electoral office. I do not support the comment against village mayors or pulenuu, they are the selected government representatives. They are also known as government's prominent bodes under the Law and Justice Sector. Because without the authority and power of the matai and faipule as well as the pulenuu who knows the personal details of the voters in the village and so forth, there is no security – which must be solid in the support of governmental sectors involving police, justice, village community councils during the elections. The member should not speak in such manner because it can affect the official status of the Cabinet in providing their services; otherwise, I solely support these new amendments.

With all due respect.

MR SPEAKER: Thank you to the Hon Minister for his clarification of matters pertaining to the protection of village mayors in the country. Such is the opportunity granted for the member to express their disappointment with the leader of Opposition. That is the true essence. Otherwise, he is concerned with the Leader of Opposition. Nonetheless, I appease the member in case this affects other village mayors who are not accounted for.

Afioga LAFATELE PATRICK LEIATAUALES: Thank you. Mr Speaker the issued statement was very clear, we did not press anything against the pulenuu but an example about the pulenuu of this village which involves the leader of Opposition, that was the statement. I am not vague as I too have experience of our customs and traditions.

MR SPEAKER: Are you done....

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Afioga LAFATELE PATRICK LEIATAUALES: Mr Speaker that's the main aim of our intention. As for traditional gift or o'o, some constituents would present theirs at the end of every Parliamentary term. This is clear to everyone when members return the constituency's status 'tofi' with the use of the correct language given that the bill now prohibits various practices including bribery.

The plea to the Hon Minister and the Commission who considered this section, please reconsider as Samoa is a country of divisional status. I am lenient on the matter because once this Parliamentary term is over we will return to our constituencies and we will extend our appreciation for their support. I personally cannot sit back and do nothing as I always have to return the favor to the village.

As for other amendments to the bill, they are well taken. I will not elaborate on the reorganizing the constituencies with two seats as they are the ones affected by this bill since past elections. But if government finds this change as improvement then why not take it? As reiterated by the leader earlier, change is necessary at its own timing. If such changes improve the voting system for the country especially the two seated constituencies then so be it. But if it affects the constituents then Lafai does not support it. Have a blessed meeting.

MR SPEAKER: Thank you for the clarification. I wish to remind everyone of the Standing Orders provisions. If the Chairperson grants the opportunity to a member who wishes to interject, the speaking member must take his/her seat peacefully, similarly when I am speaking, everyone must maintain peace and order during our proceedings. The floor is now available for comments otherwise I will be put the question.

I call upon the only lady member for Salafai, the member for Faasaleleaga No. 1, Afioga Hon Gatoloaifaana Amataga Alesana Gidlow.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Thank you Mr Speaker for the opportunity. I also wish to acknowledge the Hon Minister for introducing this important bill. There are times when we find it hard to incorporate new changes hence I wish to express an opinion on the matter as we are also affected by this bill.

During consultations with the Commission of Inquiry, opinions were submitted in accordance to the amendments made on the bill. The main purpose is for us to maintain peace and harmony for the constituents and Samoa as a whole. Such is our submission to the Commission to relook into this matter as my district comprises of two sub-villages, Iva and Salelologa such that both sub-villages assists one another when faced with difficulty, or collective responsibility.

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Such is the intention for us as leaders and representatives....not only in government but we must strive to maintain peace, order and harmony within our constituencies. That is the plea your honor so that the constituents will respect each other the Samoan way.

Another section of the bill stipulates lawyer's verification of the electoral candidacies vying in the election. My concern is bulky payment received by lawyers from some candidates that is a burdensome. But if this practice is an improved measure in the electoral process that is fine, nevertheless, we advice to resume with the use of village majors who are serving the villages despite the issues and challenges faced in the past, that is the usual norm, nobody is perfect.

Mr Speaker those are a few matters I wanted to voice out in case you might think we are not affected by these amendments, hence it is well taken that the Commission was given adequate time to evaluate this subject matter. We delicate all responsibilities to those tasked to do the work. Thank you for the opportunity.

MR SPEAKER: Thank you to the Hon Minister for the clear clarification. I call upon the Hon Minister of Revenue who is one of the members for Falealili, Tofa Hon Tuiloma Lameko.

Tofa Hon TUILOMA LAMEKO (Falealili): Mr Speaker and respectable members of the Legislative Assembly. I stand with respect to have a say on the report. I believe the drafting of the Bill was not an easy task hence sincere appreciation to the Hon Minister and respective members involved in the consolidating this bill and the implemented provisions provided. .

I wish to elaborate more on the constituency of Falealili, I agree with the amendments made to the division of these large constituencies which was not an easy task. There is a way to dividing these constituencies in relation to the Samoan tradition. Such as mentioned by the member on the sub-village of Piu as verified in reports, Piu is a sub-village of Sapunaoa. Considering this situation there is strive to....I have been involved with previous consultation on other related legislations and based on intellectual understanding of the division of the constituency from the beginning, the aim of former constituents is respecting our cultural traditions for easier district divisions. For instance, some constituencies consists of one village per representative, similarly with Falealili and its salutations of Safenuuivao ma Alo o Fanene, hence it is based on cultural traditions. Lest the House's division affects the salutations of our constituencies, that is how I view it, given the large number of constituents in one district versus the small number in some. In short, thank you to the lady Minister, I solely support the report on this bill.

With respect.

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MR SPEAKER: Thank you for the clarification dignified member. I will give the opportunity to this side of the House I call upon the member for Aleipata Itupa i Luga followed by the Member for Sagaga le Usoga.

Tofa FAGAAIVALU KENRICK SAMU (Aleipata Itupa i Luga): Thank you Mr Speaker for the opportunity granted upon the Constituency of Aleipata Itupa i Luga. I will not go into detail as this constituency is not affected by the amendments of the Electoral Bill. I wish to extend thanks to the Hon Minister for the amendments on candidacy verification delegated to the solicitors. Sincere thanks to the Commission as I too was going through some difficulties during elections.

Secondly this bill also provides a provision for residents living abroad to satisfy the three years residential requirement to the village before they are eligible to run for the elections. I wish to ask the Hon Minister, for instance, if a person or matai from Lalomanu resides in Apia for more than twenty or thirty years, can they run in the elections? In the bill, service ‘monotaga’ is significant specifically for the matai and those residing in the constituency. That is the question given that this requirement is not clear, have a blessed meeting.

MR SPEAKER: Thank you. I call upon the member for Sagaga le Usoga.

Afioga MUAGUTUTAGATA FAAMAUSILI AIUMATAGI PETER AH HIM (Sagaga le Usoga): Thank you Mr Speaker for the opportunity. I wish to pose a brief comment on the tabled Electoral Bill.

Mr Speaker I will not speak on the dual representatives per constituency in case this affects the relationship amongst other constituencies. The only concern is.... if we look at these divisional constituencies, Sagaga le Usoga has a large number on its roll. I am confused with the constituencies’ two seats allocation, when Sagaga le Usoga should’ve been allocated two seats as well. Mr Speaker I support Section 8 of the bill which states, ‘Public servants must resign when running as electoral candidates.’ Mr Speaker this is one issue in the past which gave rise to other problems given the specified provision that public servants in government and private sector must resign. I thank the Hon Minister for incorporating the proviso on ‘the use of government assets is prohibited during elections. That is the comment in assistance to this section of the bill. Have a blessed meeting.

MR SPEAKER: Thank you for your patience member for Faleata East did you want to take the floor....?

Tofa AVEAU TUALA LEPALE NIKO PALAMO (Faleata East): Yes, Mr Speaker if there is time.

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MR SPEAKER: I call upon the member to be followed by the member for Satupaitea.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Thank you Mr Speaker, Hon Prime Minister and Cabinet, the dignified House, Heads of Government Ministries.

I wish to elaborate on the tabled bill that has greatly impacted our constituency. Considering the newly established constituencies including the urban seat which comprises of the villages of Alafua, Lepea, Lotopa, Moamoa, Pesega, Seesee, Sinamoga, Tuaefu, Tuanaimato, Tulaele-tai, Tulaele-Uta, Vaigaga. Vaitele and Vaiusu all these villages fall under the district of Faleata West and Faleata East. As stated by the Hon Minister, the reason for preparing this bill is to determine the extent of alii and faipule ruling over the new residents migrating into the district. I have a different perspective of the matter, the number of new residents is no different from the permanent residents. Most of Alafua, Sinamoga, Lotopa and Pesega lands are freehold and are occupied by permanent residents according to the electoral roll.

In view, I thought the member for Faleata should've been representing Faleata, given the new requirement that you must reside on freehold land. This part of the bill should've been clearly clarified.

According to the bill, does this mean that freehold residents of Faleata will not be registered under Faleata West roll? This is because a number of my relatives reside on Vaimoso freehold land. What happens to these people? Is there a provision which stipulates a voter's right to chose? This is the first part, perhaps....

Secondly there are a number of concerns for the constituencies of Faleata West and Faleata East. If this new candidate is running for the Urban West seat, they should be involved with the matters of the district. For example, most of the villages under the constituency of Faleata West are under the Alii and Faipule ruling including freehold residents. Living on freehold land does not give you the liberty to do whatever you like.

Under this roll, majority of these electoral constituencies involves voters who are voting from this urban constituency. According to the bill, if the candidate is allocated to Faleata West and Faleata East why not allow a title holder to run for this new seat. This is because if a meeting is called for Faleata West and Faleata East, which of the two constituencies will the member chose to go? If the village of Vaimoso holds a meeting with a number of honorary salutations for one side, I am definite that there will be disputes over this part of the bill. If the constituents meet, they should focus on reorganizing their constituencies. Pertaining to the matters of village council authority for Faleata West and Faleata East, these sections must be re-considered.

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Given that if the member for the urban seat runs and does not hold a matai title for Faleata, this is another issue as residents who have swelled up the Individual voters roll are from all over Samoa. Thus, the new candidate is the specific representative for Faleata East and Faleata West. Thus the input of these constituencies is vitally important.

Secondly, the declaration on residential and village service requirements for the candidate by a barrister and solicitor. I recommend the replacement of a barrister with a pastor as their signature is not free of charge. The work of the barristers is done on a businesslike manner which is exactly the need to select two or three pastors to execute this task for the Commission's reconsideration.

Furthermore, a person must be qualified to be registered as a voter for a constituency. As I said if – for example, now that Faleata East, Faleata West and Vaimauga is divided into three, first, you must hold a matai title, second, you must reside on freehold land. If a person residing on freehold land in Faleata East wishes to vote for the territorial constituency where his/her matai title exists, then part of this bill will not be executed?

There are sections of the bill which requires clarification under the first and second parts of the English translation pertaining to Faleata under introduction “(b) dealing with the problems of electors (without kinship connections) residing within the Faleata and Vaimauga territorial constituencies who have swelled the rolls of those constituencies;” Also for “(c) territorial constituencies to cover any person (whether or not Matai title holder) residing on Vaimauga or Faleata territorial constituencies;”. These two sections of the bill should be clarified and discussed given the urgency of the bill.

I wish to thank...for analyzing this bill, the constituency presented a petition to Parliament on this issue. By viewing sections of this bill, the section on Individual Voters is still applied. Correct me if I am wrong but the Individual Voters Roll will be used as the Urban seat roll. As stipulated in the bill, “Persons whose name is validly registered in the individual voter roll before the commencement of the Electoral Amendment Act 2014 are treated as registered under the urban constituency in which the person resides this provision applies only to the 2016 General Elections.” Does this part apply to new registers? Will the old registration for Faleata West be used to re-register voters for the Urban West, what about voters in the urban border of Faleata and Vaimauga? Will this list still bear relevance? These lists implicates different purpose, the first list was drawn with your maiden name. The new amendment specifies that you must reside within before, you were registered as a freehold resident under your maiden name. That poses the question that a new roll must be incorporated within this section.

Those are some of the queries, but do reconsider other sections of the bill which specifies the constituencies divisions or rearrangement. As mentioned by previous members, some districts have one village per representative.

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This is one area which contains the majority. In view of the roll for Faleata West and Faleata East, Vaimauga West and Vaimauga East this consists of roughly 6,000 to 7,000 voters. If everyone is registered, we can attain 10,000 voters. If we look at the current census of Samoa's population about 60% of the people live within this area. Why didn't the Commission and Cabinet allocate this roll directly to Faleata and Vaimauga. Similar process is applied to other constituencies where they are numbered 1, 2 and 3. Given the new amendment, the rising number of voters seemed insignificant other than reorganizing constituencies and setting out boundaries. Such is the request, why set this is up again...if we want uniformity for all legislations and bills in the country, why mention constituency and urban representatives and the urban west constituency again. There is no such district in the country. However change is necessary if Faleata representative remains as member for Faleata, member for Faleata West and member for Faleata East, similarly to Vaimauga constituencies which should go hand in hand with the new amendments. I believe this should not change the intention of this bill when a member rises and the Chairperson says, *I call upon the member for Urban West*, right? Hence it would be better to say, *I call upon the member for Faleata constituency*.

Those are my views if time permits....pertaining to the Faleata residents. If that is the process, the representatives will officially be known to the district as permanent residents.

Mr Speaker and the Hon Minister for this bill I trust that my comments be adhered to before the bill is passed. If the concerns mentioned will be acknowledged I strongly believe that we will support this bill. With all due respect.

MR SPEAKER: Thank you the member for Faleata East for your participation. The clarification you gave is well heard and considered based on the issues that greatly affect your constituency.

I now call upon the member for Falelatai and Samatau to be followed by the member for Faleata West.

Afioga TAEFU LEMI (Falelatai & Samatau): Thank you Mr Speaker I wish to voice a few matters. Some are satisfied with the requirement of solicitors but I don't support additional costs levied on electors vying in the elections. These solicitors comes with fees, when previously, this began with the village matais and their nominations before the Commissioner which is an undertaking that can be executed by the Commissioner instead of solicitors considering the pricey court cases after the elections, such is the basis. A concern I wish to emphasize is the oath taken by the candidates to serve the villages, church and now an oath before a solicitor who resides in Apia.

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We are used to the standard of living and its processes. Because when the candidacy registrations are closed, it is shocking for the constituents to hear the change in the representative and matters discussed in Apia which should have been noted by the matai in the rural village.

If the candidate is running from Apia, is there a section of the bill which stipulates that the village can assess the integrity of the candidate? What service did they provide for the village and church is there a provision in the bill to allow such action? The only benefit viewed is the service of solicitors; to minimize the transfer of voters, transfer of parties and the transfer of constituencies which comes with a fee. Such is the concern.

As for honorary gifts or o’o, this has been a norm for members in the past. I guess the new change of giving a o’o after the declaration of polls is now better otherwise, a person is good at keeping promises which could possibly gain them one vote.

Mr Speaker I take it that some are concerned with the division of some constituencies hence I am unaware if the request to allocate two seats for Samatau and Falelatai is recorded. I know it as this bill involves constituencies with two seats which is good to record again, do reconsider this district which comprises of Falelatai, Samai, Falevai, Matanofu, Levi, Nefunefu, Matautu, Puna, Pata, Siufaga which bears a larger population compared to other districts. Mr Speaker those are some concerns considering this bill.

MR SPEAKER: I thank the member for Falelatai and Samatau for his comments. I now call upon...Pardon me member for Faleata West as I called on the member for Satupaitea earlier. Therefore I will give the opportunity to the member for Satupaitea.

Afioga LAUTAFI FIO SELAFI PURCELL (Satupaitea): Thank you Mr Speaker, with respect I was given the opportunity first before the member for Faleata West. He was granted the opportunity before.

I wish to greet the House, Samoa and my beloved constituency of Satupaitea. I believe that this is one important bill that we have all been waiting for since the previous year as we near the next General Elections. The last time I considered this bill was when I provided a submission to the [Commission but is now before the House as urgent matter which saddens me](#). Regardless, I wish to extend appreciation to the Hon Minister and the Commission for considering my submission that is provided in the report. I also wish to place strong emphasis on traditional gifts (o’o) and the resignation of public servants. Firstly, the requirement of three months to give a traditional gift before the elections was not satisfied. This can be viewed as fraud. With the new system in place I believe the members are now protected. A member is allowed to give his/her o’o but such practice should be withheld when we near the elections otherwise this is perceived as corrupt practice.

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Those are the two concerns that is creating the problem, hence a good candidate is known for his/her good intentions despite losing in the election but still continues to give his/her o’o for the constituency, similarly for the winning candidate. I feel that any candidate who appreciates his/her constituency as me has to practice traditional gift or o’o when....

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

MR SPEAKER: Pardon me as the opportunity is given to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Just a question to the member, will you actually prepare a o’o if you lose?

Afioga Hon Leaupepe Toleafoa Apulu Faafisi (Aana Alofi No. 1): To save the member’s time...

MR SPEAKER: Pardon the member for Satupaitea, I give the opportunity to the member for Aana Alofi No. 1.

Afioga Hon Leaupepe Toleafoa Apulu Faafisi: Based on the unpleasant comments by the member on corrupt practices when this practice can be done by anyone....such is my question, will he give one if he loses...he must confirm, can this be justifiable. With all due respect thank you.

MR SPEAKER: I call upon the member to continue with his explanation.

Afioga LAUTAFI FIO SELAFI PURCELL: I want to thank the member for the interruption as they are not new members. The response to your interjection....

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

MR SPEAKER: Pardon me.....I call upon the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: In reality your honor, Samoa is filled with corrupt information disseminated on the internet and facebook based on the electoral processes and systems viewed by some as a joke when honorary gifts is part of our traditional practices. This is not the first time this recommendation is submitted to the Inquiry Commission; to minimize corrupt practices.

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I am not sure how chivalrous the people were in the past but when elections concluded no one was brought before court. Those who lost accepted those who won. As for the court cases that have increased nowadays in relation to honorary gifts it denotes that we are led by corrupt leaders. The main purpose of the bill is to ensure that these practices are manageable. This is the significance of recommendations put forward from previous elections to put them into good use and avoid corrupt practice to portray Samoa's true image.

Mr Speaker the bill incorporates section on immunity from corrupt practices for the country and succeeding candidates which is also practiced in the outside world. Such is the basis of this bill for breaching such practices under court violations signifying a false image of Parliamentarians.

MR SPEAKER: Thank you for the elaboration Hon Prime Minister. I call upon the member to resume explanation.

Afioga LAUTAFI FIO SELAFI PURCELL: I thank the Hon Prime Minister for the clear explanation on this matter. The sole purpose I wish to express is related to honorary gifts or o'o as raised with the Commission.

We cannot disregard the o'o practice because it is part of the Samoan way 'Fa'asamoa' which is falsely defined by others as fraud thus affecting our customs and traditions. But I solely support the presentation of honorary gifts or o'o by members. The reply to the question given by the Hon Prime Minister is yes even if I lose, I will still present a o'o. But if I win, then that is a question mark. No, whether I lose or win, I will still donate a o'o and that is a member's true integrity.

The section on immunity for public servants is supported as some are accusing them of utilizing government assets to assist them with their political campaigns. This is not based on anger but immunity to protect public servants from running in the election.

The situation with declaration criteria and registration criteria does not really affect the voters in the rural area except when traveling from Apia to Savaii but hasn't provided service 'monotaga'. The question I wish to ask the Hon Minister and the Electoral Commissioner is based on residents residing abroad if they could satisfy the three years service requirement or 'tautua' in Samoa. I feel that this is time consuming for the Commissioner i.e. sorting out a person's traveling documents and total number of traveling days. Such process is unclear if it is verified by the Electoral Commissioner or the solicitors given that some reside overseas.

Those are a few additions to this amendment given the irresponsibility of our village mayors. Hence if the village mayors support a particular political party that is what they stand by. And without their independency they too are responsible for signing this declaration for the residential and village service requirement forms. Given the different village councils' authority, if the village mayor is irresponsible, the Alii and Faipule will take over.

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As for the solicitor's signature even though it is a declaration under oath, but we are discussing the election, nonetheless if amendment is appropriate then go ahead

With the constituencies two seats division, I guess the main purpose behind it is to provide peace and harmony amongst the constituents during the elections which should not affect the authority of village councils. I can understand the feeling of these constituencies particularly when it concerns the urban seats of Vaimauga and Faleata districts.

Mr Speaker I wish to question Clause 25 of the Samoan translation if there is correction to section 25(f) which concerns Individual Voters. The urban seat section for the English translation seems to affect everyone. In case I don't have it right, the English translation seems to define two matai title holders for everyone. This is not specified in the English translation otherwise it could be due to different translations but this clause is very important. But if the English translation is correct, then this can affect the people with two title holders as only one title is used. Such is the question to those who select title holders as some 'matais' were given the oratory title 'tulafale' during his/her youth years and is bestowed a second prestigious title as he/she gets matured. Such is the case when preference is given to the first title given the first registration hence I request your assistance in this matter Hon Minister and Electoral Commissioner.

That is the assistance from Satupaitea constituency but thank you for your patience today. Sincere appreciation to all members for their comments. As stated earlier, this is not an easy bill. Bless our proceedings.

MR SPEAKER: I applaud the member for Satupaitea. I call upon the member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you Mr Speaker for the opportunity. I thought that I should be speaking after Faleata East as we share the same view. These members have agreed to carry out their o'o if they lose. For me, if I win I will present a o'o for my constituency but if I lose I will arrange a o'o at home. That way it is easier to chase away those who did not vote for me.

Yesterday, we celebrated your birthdays with the leader of the country and we wished you well whilst today marks the sinking of the Titanic ship. The bill tabled before us today is similar to the day this ship had sunk which I am trying to figure out a connection between the two. This morning marks a milestone for this Parliamentary term. Most of you were looking forward to this bill as most of these amendments were long prepared by government. Such is this undertaken to determine the justification of this bill. All requirements under this bill cannot be met but good change is necessary for the benefit of the general public, Parliament and Samoa as a whole. Such is its state of urgency. But a lot of work must be taken into account considering the members' views.

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I thank the Hon Minister and the Ministry. The important thing is that the bill is tabled. As seen, we advise to submit all amendments if time permits as I believe that we still have time.

Another common issue after General Elections is members filing election petitions against other members. This is time consuming and costly. Such involves the lot that consulted the Commission of Inquiry on avenues to reducing this practice. The new amendment is more effective and helpful, that was the plea as this practice is used worldwide. An allocated funding is distributed amongst candidates to prepare themselves for the elections which commences from the day you become a member until it expires. And if you meet your voters in town, you must give them some fare if they ask. That is the norm but why take action when you are only giving \$10tala? What if you give \$1000 or \$2000 or \$500 every day if you are invited to attend a government event in your constituency? You do not attend with that kind of amount of \$100 or \$200. The only reason why you cannot sign a cheque is because your pen has run out of ink. Hence is the request, allocate enough finance to prepare the running candidates for the elections.

Secondly, the new bill states for compulsory registration. We submitted that if registration is compulsory, why not for voting? These two concepts relate. Why register when some stayed home during elections? The only reason for registration is due to the new requirements. And if they don't vote how can we determine the election results? But we will see how this turns out after the elections. Another recommendation is reorganizing constituencies with two seats to individual seats to avoid block voting. Those are the recommendation to the Commission of Inquiry.

The section on power provided by the solicitors signature is appreciated Hon Minister. The pulenuu's power was used to confirm candidacy of persons wanting to stand for election as Members of Parliament in the past. Although, but opportunity should still be open for solicitors, pastor or village mayor. The Hon Minister for Women, Community and Social Development has avowed a spare chance for the pulenuu as they look after the village and not all of them bear similar problems. They are government representatives. What about the pastors? Pastors preach, God is good, use them alongside the solicitors in case the solicitors entreats.

The addition of members for some constituencies all comes down to one reason, which is increasing number of population within some constituencies to justify the allocation of two seats.

That is witnessed in Faleata and Vaimauga, the rising number of settlers. Such is the amendment for another seat. Majority of those residing on freehold lands now purchase lands from Fagalii and Vaitele and they do not specify where they will reside. These districts are of significant value and divisional status. Vaitele has over 10,000 people in total. This is close to 5,000 voters and recent elections did not meet this target. This specifies that majority of these voters are voting for their traditional villages.

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The increasing number of votes does not result from residents in this specific district. No the winning candidate results from the voters' choice. Back then when only the matais were allowed to vote, the village of Vaitele had a total of 18 matais. Today includes Tolofua plus a newly yet to be bestowed title upon the Hon Prime Minister whom are in laws of this village pardon the Hon Prime Minister, sums up twenty matai holders for Vaitele.

MR SPEAKER: Pardon the member for Faleata West, I grant the opportunity to the interruption of the member of Samoa. I call upon the member for Individual Voters, Afioga Maualaivao Pat Ah Him.

Afioga Maualaivao Pat Ah Him: Mr Speaker by hearing the members for Faleata West and Faleata East they are lucky to have earned these two seats under the Individual Voters constituency. In essence, there is commotion on this amendment when in truth, the Individual Voter division is not destroyed but complete according to the decision by the Commission. Such is the urgency of the bill. The spirit of being a representative for those residing on freehold land instead of settling and providing service for a village within the vicinity of the town area still involves village authority. With all due respect. Thank you.

MR SPEAKER: Very well.

Tofa Aveau Tuala Lepale Niko Palamo: A point of clarification Mr Speaker.

MR SPEAKER: Your opportunity was granted given the concern of the member but is now seen that your two seats is advocated by the members for Faleata East and Faleata West otherwise, the urban seats is now set out in the bill. We have our voters registration which must be clearly defined particularly the Urban Seats roll hence rendering services must be satisfied and attend monthly meetings in the districts. This should not press us through with what Faleata and Vaimauga desires. As the views of Faleata and Vaimauga are implicated in this matter, that is our country's township.

I call upon the member for Faleata East.

Tofa Aveau Tuala Lepale Niko Palamo: Mr Speaker, a matter of clarification as my name is mentioned as you near the end of your speech. By considering the villages under these new districts, then figure out the division of boundaries which involves Faleata. This is not a temporary district that anybody can change. All the villages listed here makes up Faleata district which is a combination of Faleata West and Faleata East. With all due respect.

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MR SPEAKER: Pardon the member for Faleata West, as the district of Vaimauga East was mentioned I call upon the member.

Afioga Hon Tuisugaletaua Sofara Aveau (Minister of Communications and Information Technology): In respect to the constituency of Vaimauga East we are not complaining. Lest records is taken wrongly for the sake of our listeners, Vaimauga East has no comment as of yet but hopefully soon.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you for the interruption by the member of the entire Samoa. I was not really paying much attention to the comment of the Individual Voters member Afioga Maualaivao Pat Ah Him. I was overwhelmed this morning when he took the floor, this goes together with my weakening heart and mind which has blurred my sight on this bill. Regardless, you are still given opportunity.

Mr Speaker, what I intended to say was that despite the division of districts and voters....

MR SPEAKER: Pardon the member speaking I will give the opportunity to the interruption of one of the members for Individual Voters.

Afioga Maualaivao Pat Ah Him: Thank you. Although you were shocked this morning, pardon the member for Faleata West, no it is not a weakening of the mind, I am still keyed up. Thank you.

MR SPEAKER: I call upon the member to resume with his clarification.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you. But make sure you have a strong mind to fight and don't give up. Hence whatever we do and if the voters appreciate you, they will vote for you. This bill does not concern me because whatever decisions we make, they should be based on justice and protection of Samoa and its people. The Hon Minister had stated in the beginning pardon the members, that these people are known as outsiders 'tagata ese' settling in the districts. Hon Minister I believe that this is an inappropriate statement.

MR SPEAKER: The Chair was waiting to hear the entire motion, nonetheless I call upon the Hon Minister.

Afioga Hon Fiaame Naomi Mataafa: A point of order Mr Speaker. It is best to correct some of these comments. This submission is based on the increasing number of voters in the districts. In addition, the village chiefs affirmed that these outsiders 'tagata ese' (pardon the members) made a decision in their presence. So this was not my statement but submissions made to developing this bill. With all due respect.

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MR SPEAKER: Do you understand the clarification provided member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you Mr Speaker, the Hon Minister has stated witnesses. Where are these chiefs and members at the moment? I am well aware of the village they came from, how about these two members? Did they acknowledge the concerns that we submitted? Is it in the rubbish? We too presented submissions, why is that one claim supported and where is the rest of the claims? I met with senior citizens of this constituency who gave submissions that I am presenting before the House.

Hence during the times of the first member for Vaitele No. 1 district, they had a total of 18 chiefs. This is not about divisions or voters but the standing representative. We are not concerned about authority or rights of the constituencies. This is reflected in the number of representatives per constituency in this Parliament. If there is additional member as stated by the member for Faleata East and Vaimauga, they should bear the same benefit, isn't that integrity? The voters are not insane, the too find it significant to be protected under a village rule. When visiting the Nuu residents, they always speak with respect, why? Because they know the village members of Siusega and Faleata. But if I come to Vaimauga, no one will mind me because I am not a matai of Vaimauga. That is the situation. If we take the traditional status of the districts and its divisions, that is how the bill should be laid out.

Mr Speaker there are significant sections under by the bill, however, there are also insignificant parts that should be reconsidered. We do not take lightly the representatives for the Individual Voters. With good recommendations and justifications based on good evidence lies a good Electoral Act that we support. Because with official acknowledgement of these representatives is very crucial. Vaimauga and Faleata are both located on freehold lands next to customary land. Freehold land is situated within customary land. Vaitele also has freehold land. How then is this divided? All lands from Falelauniu is not classified nor combined. That is the current status.

I request the Hon Prime Minister and the Hon Minister to reconsider the members' comments and submissions for improvement. Undertake a review to better our voting system. I beg the listeners that if there is any word or statement that sounds offensive to your hearing, I beg tolerance given our endeavor pursuant to this significant bill. Have a blessed meeting.

MR SPEAKER: Very well. I believe we have come to our normal recess hour, also there are matters that we must attend to which is the Seminar series that ends today. We also must consider our health and strength so that we are able to resume our work for today. I want to thank all members of the House for your patience since morning. I believe we must progress with other bills including this particular bill, thank you for your patience and views for today. I believe that with the raising comments the bill will be more beneficial for our Elections.

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Tomorrow will be the last sitting day pursuant to our order paper and I will reconsider in accordance with our current tasks. I have consulted with the Hon Prime Minister for a motion to be moved so that we will complete our business by tomorrow. Therefore I thank you all for your patience and perseverance. I wish to remind everyone about our seminar this afternoon which will take one hour, and lunch is prepared to say our farewells with our dignitary members from Australia given their assistance with our Parliamentary Strengthening Programme. We will start again at 9.00am tomorrow morning.

Thank you Samoa for the support rendered at this part of the day as your Parliament is arriving at the conclusion of its sitting today. We thank you for your prayers and encouragement today.

Thank you also to the Heads of government Ministries and Public Enterprises, paramount chiefs and orators, women and civil media society. Your work is vital in broadcasting and promoting Parliamentary work, well done, let us hope to reconvene for tomorrow's sitting. Before we conclude today I humbly call upon the member for Gagaemauga No. 2, Fetalaiga Saleaula to say your first prayer this year.

Proceedings of the Legislative Assembly were adjourned at 1.00pm.

WEDNESDAY, 16TH APRIL 2014

Mr Speaker took the Chair at 9:00am

Prayer.

MR SPEAKER: I acknowledge the respective members of Parliament and praise God for his everlasting guidance upon us today not forsaking our duties as Parliamentarians.

I believe we have set out our orders for today's business and without further ado let us reconvene. I trust things will go according to plan. I call upon the Hon Prime Minister.

MOTION BY THE GOVERNMENT

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI (Prime Minister): A thank you prayer was delivered by the honorable Speaker. Praise God the Almighty for his guidance upon the Speaker of the House especially the dignified members of Parliament in their bound duties to Parliament. I stand with the utmost respect your honor as one of the manifestos for Samoa when consulting upon crucial matters they sometimes rest. Upon returning, they are renewed in strength and spirit from the Holy Spirit.

The tabling Electoral Amendment Bill is very critical in preparations for the upcoming General Elections. The Government feels that it is best for the Ministry and the Hon Minister to prepare ahead of time before the elections. There are still hiccups and delay in the service they provide.

Mr Speaker, there have been numerous criticisms in relation to the long overdue bill. However the Bill has long been consulted by the Cabinet before referring back to Parliament. Cabinet has executed its duties and considers recommendations from Parliament in response to the urgency of this bill. That is why we fully support the normal procedure of referring the Bill back to the Select Committee. The Le Ao o le Malo has also granted his approval given this circumstance. Once we hear the Hon Minister and her statements we will note that there are a few amendments as deliberated in previous sittings. Furthermore there are several recommendations from the Commission of Enquiry. Most Commission of Enquiries apply similar practice of one vote per member and district here and around the world. However when it comes to us that is not the case because of our custom resulting to the many issues that we now aim to fix.

Mr Speaker the reason why we are gradually progressing in details with these recommendations is because we are seeking the advice of Cabinet through its members taking up extensive time. Hence we urge the Leader of the Opposition not to pressure us further as rushing leads to making mistakes. I urge the Committee to implement their job properly as our May sitting is near.