

TUESDAY, 16th DECEMBER 2014

The Legislative Assembly met at 9.00am pursuant to the Proceeding Sitting Program 2014.

Mr Speaker took the Chair at 9:00am.

Prayers.

MR SPEAKER: It is with utmost respect that I welcome all Members of the House this fine morning. I acknowledge the presence of the Leader of Government and Cabinet, the Leader of Opposition and all Members here today. I believe we have taken a long adjournment due to duties carried out; I commend you all for the hard work and patience. We have reached another new day to progress with our proceedings.

I also welcome the presence of some of the Heads of various Government Ministries and Corporations. We are also in the presence of some women of the country. We humbly greet the respectable *Faletua* and *Tausi, saaoa* and *tamaitai*. This is a continuous programme implemented to understand the functions of Parliament. Also it is to introduce women of the country to the processes of a democratic government.

We are also in the presence of one of Australia's Lady Member and also the Australia High Commissioner, thank you for taking part in our Womens Parliamentary Programme today.

MESSAGE FROM O LE AO O LE MALO

Mr Speaker announced the Message from O Le Ao O Le Malo.

1. "MEMORANDUM To:

Mr Speaker:

Pursuant to Section 59 of the Constitution of the Independent State of Samoa and in accordance with the Standing Order 95 of Parliament, consent is hereby given to the Legislative Assembly to consider the following Bills:

1. Supplementary Appropriation Bill (No.1) 2014/2015
2. Citizenship Investment Bill 2014
3. Ports Authority Amendment Bill 2014
4. Public Bodies (Performance and Accountability) Amendment Bill 2014.

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Certificate of Urgency

GIVEN UNDER my Hand this Tuesday 15th December in the year 2014

(Signed): Tui Atua Tupua Tamasese Efi
HEAD OF STATE."

2. CERTIFICATE OF URGENCY

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

1. Public Bodies (Performance and Accountability) Amendment Bill 2014.

GIVEN UNDER my Hand this Tuesday 15th December in the year 2014.

(Signed): Tui Atua Tupua Tamasese Efi
HEAD OF STATE."

PRESENTATION OF PAPERS

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

1. S.R. 2014/5, General Price Order (No.4) 2014.
2. P.P. 2014/2015 No. 145, Government Responses on P.P. 2013/2014 No. 18, Justice committee Report on P.P. 2012/2013 No. 43, Annual Report of the Samoa Law Reform Commission July 2010-June 2011.
3. P.P. 2014/2015 No.146, Government Responses on P.P. 2013/2014 No. 132, Justice committee Report on P.P. 2013/2014 No. 49, P.P. 2013/2014 No. 50 & P.P. 2013/2014 No. 51, Annual Reports of the Fire and Emergency Services Authority for years 2009/2010, 2010/2011 & 2011/2012.
4. P.P. 2014/2015 No. 147, Land Transport Authority Annual Report July 2010- June 2011.
5. P.P. 2014/2015 No. 148, Land Transport Authority Annual Report July 2011- June 2012.
6. P.P. 2014/2015 No. 149, Land Transport Authority Annual Report July 2012 - June 2013.

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7. P.P. 2014/2015 No. 150, Government Responses on P.P. 2013/2014 No. 133, Report of the Health and Social Services committee on P.P. 2013/2014 No. 42, National Health Service Annual Report for 2009- 2010.
8. P.P. 2014/2015 No. 151, Polynesian Airlines Annual Report 2014.
9. P.P. 2014/2015 No. 152, Report of the Controller and Auditor General to the Legislative Assembly July 2011- June 2012, Report on the Operations of the Samoa Audit Office.
10. P.P. 2014/2015 No. 153, Audit Office Report on Irregularities 2011-2012.
11. P.P. 2014/2015 No. 154, Samoa Senior Citizens Benefit Fund Annual Report 2013-2014.
12. P.P. 2014/2015 No. 155, Ministry of Natural Resources Annual Report for 2011-2012.
13. P.P. 2014/2015 No. 156, Robert Louis Stevenson Museum/Preservation Foundation Financial Information for 2013.
14. P.P. 2014/2015 No. 158, Samoa Post Corporate Plan 2015-2017.
15. P.P. 2014/2015 No. 159, Samoa Post Annual Report 2011-2012.
16. P.P. 2014/2015 No. 160, Government Responses on P.P. 2013/2014 No.19, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P. 2012/2013 No. 3, Annual Report of the Samoa Tourism Authority for the year ending 30 June 2011.
17. P.P. 2014/2015 No. 161, Annual Report of the Ministry of Works, Transport and Infrastructure for July 2008-June 2009.
18. P.P. 2014/2015 No. 162, Annual Report of the Ministry of Works, Transport and Infrastructure for July 2009- June 2010.
19. P.P. 2014/2015 No. 163, Annual Report of the Ministry of Works, Transport and Infrastructure for July 2010-June 2011.
20. P.P. 2014/2015 No. 164, Annual Report of the Ministry of Works, Transport and Infrastructure for July 2011-June 2012.
21. P.P. 2014/2015 No. 176, Samoa Post Statement of Corporate Objectives 2015-2017.
22. P.P. 2014/2015 No. 177, Samoa National Provident Fund Annual Report for the Year 2014.
23. P.P. 2014/2015 No. 178, Parliamentary Pension Scheme Annual Report for 2014.
24. P.P. 2014/2015 No. 179, Ministry of Works, Transport and Infrastructure Annual Report for July 2012-June 2013.

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PRESENTATION OF SELECT COMMITTEE REPORTS

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

1. P.P. 2014/2015 No. 165, Primary Production Committee Report on the Fair Trading Amendment Bill 2013.
2. P.P. 2014/2015 No. 167, Foreign Affairs, Trade and Revenue Committee Report on the Maritime Zones Amendment Bill 2014.
3. P.P. 2014/2015 No. 168, Primary Production Committee Report on the Personal Property Amendment Bill 2014.
4. P.P. 2014/2015 No. 170, Primary Production Committee Report on P.P.2013/2014 No. 82, Ministry of Agriculture and Fisheries Annual Report for the Year 2011/2012.
5. P.P. 2014/2015 No. 172, Government Administration Committee Report on P.P.2014/2015 No. 51, Office of the Attorney General Annual Report for the Financial year 2012/2013.
6. P.P. 2014/2015 No. 173, Officers of Parliament Committee Report on P.P.2014/2015 No. 4, Parliamentary Pension Scheme Annual Report for 2013.

MR SPEAKER: It is now time for the Ministerial Statement of the Hon Prime Minister. I call on the Hon Prime Minister.

MINISTERIAL STATEMENT BY THE PRIME MINISTER, SUSUGA HON TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI (Prime Minister): Mr Speaker before I move a motion I want to give praise to the Lord for his guidance. All throughout this year up until now he has shown his love for us especially to the people of Samoa.

I move with respect to say a few words of greeting to that side of the House looking like armed forces and our guests. I also predict that they are all vigilant. They look as if they are trying to break the barrier to fight to be here. Perhaps this is what the Israelites felt like when they saw Canaan. They just stood and looked wanting to go there but the truth is there is a lot of obligation and responsibility.

Mr Speaker these are a few words to maintain peace with our House this morning, therefore I take the opportunity to welcome the participants of the Womens Parliamentary Program 2014. I also greet the representatives of the Pacific Women Parliamentary Partnership, to respectable Lady Members of the Australian Parliament and the Parliament of Tasmania.

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**Ministerial Statement by the Prime Minister, Susuga Hon Tuilaepa
Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi**

Our Parliament greatly supports the participation of women in all areas of the country whether it be Chief Executives of Ministries and organizations also Parliamentarians who will make decisions for this country. I will not clarify further the previous Constitution Amendment that we passed in Parliament, for no less than 10% women representation in Parliament. This means that this number can be increased in the future. This is evident when we look at some Heads of Government Ministries especially other posts designated as Assistant Chief Executives.

There were some opinions raised saying that women should not be treated differently from men to be able to become Members of Parliament.

I was asked over the past years on whether it would be possible to carry out an election? I responded that the Constitution set up by our forefathers clearly portrays that no prejudice should be implemented on either men or women. This means that in future if this percent increases to 100% then the women will be the ones that will govern Parliament. Unfortunately over the past years the number of women participants has declined. This is why our Parliament has implemented this amendment that differs from any other country in world, emphasizing our women. We are different because women are voted the same as men. As stated within the Act the females are elected into Parliament the same as male Members, not like other countries who elect them by background or in a constituency where only women are represented. The issue that occurs when they enter Parliament is that most of them are unhappy because they are corrupt and were not elected accordingly through merit. This is why Samoa is using a different process whereby the 10% of women in Parliament must be adhered to after elections.

There is no need to elaborate on the duties of a Samoan woman within families and villages because we all know. The duties of *Tolufale* are portrayed through the perseverance of women in the past, through myths and legends up until now. It is your competitive nature to conquer that leads to our tranquility. Do not forget the path the Lord has chosen you to lead; hence you might want the power but lose your significance.

The roles and responsibilities of a woman have already been laid out within families, villages and church congregations. A simple example is a man is not *lalelei* but only a woman is *lalelei*. The essence and beauty of a woman is seen in how she portrays herself. Do not take this opportunity to be in power to forget the responsibility God chose you to do. I am in need of 500,000 men who are tall and lean to go and play in rugby. There is only 180,000, I am not sure if it has been twenty years now but the population of Samoa is still 180,000. Although Fijis population is nearly up to a million.

They say that the word 'Eve' is 'life.' The Lord created us with preferences in which we are to abide and follow. Therefore you are the institution of all things good and all things beautiful that give life to a family through sound advice. Nevertheless you are the ones that will render the progress of Parliamentary programs through your cooperation and endurance.

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**Supplementary Appropriation Bill (No.1) 2014/2015
- first reading**

This Parliamentary Program implemented for women portrays the work of Parliament especially given the opportunity to participate in matters deliberated in the House. I hope that the program will be a success.

I want to bless some of the women who will be running in the 2016 Elections who are present here today.

Since this meeting is the last proceedings before the Christmas holidays, on behalf of this Parliament to wish you all a Merry Christmas and a Prosperous New Year. Soifua.

Parliament showed gratitude with applause after the Prime Ministers Ministerial Statement for the Women's Parliamentary Program.

MR SPEAKER: Thank you Hon Prime Minister for the Ministerial Statement tabled within the House.

**SUPPLEMENTARY APPROPRIATION BILL (NO.1) 2014/2015
- first reading**

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I move a motion, *That the Supplementary Appropriation Bill (No.1) 2014/2015 be read for the first time.*

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

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

SUPPLEMENTARY APPROPRIATION BILL – Tabled

The Minister of Finance, Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi tabled the Supplementary Appropriation Bill (No.1) 2014/2015 before the Assembly.

**SUPPLEMENTARY APPROPRIATION BILL (NO.1) 2014/2015
- motion for second reading**

MR SPEAKER: I call on the Hon Prime Minister.

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I move a motion, *That the Supplementary Appropriation Bill (No.1) 2014/2015 be read a second time.*

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

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Supplementary Budget Address (No.1) 2014/2015

MR SPEAKER: I call on the Hon Prime Minister for the First Supplementary Budget Address 2014/2015.

SUPPLEMENTARY BUDGET ADDRESS (NO.1) 2014/2015

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker and Honorable Members of Parliament, on behalf of the Government, I would like to table the First Supplementary Budget for the financial year 2014/2015 for consideration of the House.

Mr Speaker I just want to remind Members that these are the ongoing programmes of the Budget that was tabled in June for this financial year that has been completed.

Mr Speaker following Cyclone Evans that devastated the economy in December 2012, GDP has continued to show positive signs of recovery with real GDP growing by 1.9% in the Financial Year 2013/2014. Construction and Agriculture and Fisheries sectors are the key drivers of this positive growth reflecting the impacts of the post cyclone reconstruction and rehabilitation efforts. Real GDP is expected to grow at around 2% - 3% over the next two financial years and this growth is anticipated to be driven by developments in the tourism sector, infrastructure projects such as roads, airport upgrade, Parliament building and the preparations for the Commonwealth Youth Games in 2015.

This is why Mr Speaker our government should be vigilant in implementing developments that will benefit our young people. The problem seen today is that most school leavers have no work; hence it is the government's duty to resolve this problem.

The preparation of this First Supplementary budget took into account the need to maintain fiscal sustainability. In this regard I am pleased to announce that this supplementary budget will not affect the projected level of the budget deficit I announced in the 2014/2015 Main Budget Estimate and will be maintained at 4.1% of GDP.

SUPPLEMENTARY BUDGET

I would now like to provide an overview of the First Supplementary Estimates for the current fiscal year 2014/2015.

Summary of Additional Revenues:

The financing of the additional government commitments will be made possible through the following sources of additional revenues amounting to \$8.31 million:

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Supplementary Budget Address (No.1) 2014/2015

- Collection of outstanding Import Duty and VAGST from Government Ministries as well as miscellaneous fees for Accounting Services and Financial Reporting amounting to \$3.87 million;
- Central Bank Reserves of \$4.15 million;
- Additional Revenues collected under the Office of the Regulator of \$286,000;

Furthermore the balance of \$2.58 million that remained following the successful United Nations Small Island Developing States Meeting held in September.

Summary of Additional Expenditures:

The additional expenditures requested under this supplementary budget totals \$10.79 million (including VAGST). These priority expenditures are considered critical to ensuring the sustainable and efficient delivery of services to the people of Samoa. These priorities include:

Ministry of Finance:

\$110,859,000 is being allocated for counterpart costs related to the Faleolo Airport Terminal Upgrade and \$500,000 demolition fee to initiate works for the proposed New Parliament House;

\$476, 806 is earmarked for Ministerial support for the Minister of Finance's office and the two Associate Ministers which was omitted during in the Main Estimates;

Readjustment charges to Electric Power Corporation for electricity at the Tui Atua Tupua Tamasese Efi building of \$876,829;

Provision of \$1.2 million towards World Bank subscriptions for additional shareholding;

\$3.4 million for the payment of import duty and VAGST for the Government of Samoa as well as \$100,000 under the Statutory Expenditures for payment of fees and charges;

As some are aware there are assistance from overseas there are no more free lunches nowadays. Mr Speaker it looks like the House is dead. Let us hear a round of applause.

Ministry of Agriculture:

The development of the access road to the newly established Head quarters for the Livestock Division at Vaea totaling \$230, 925. This is a great achievement for the Ministry for the new offices. Therefore I want to thank the Minister and the Ministry for this development.

Ministry of Foreign Affairs:

The amount of \$500,000 was allocated towards 40 additional scholarships for undergraduate studies for Science teachers. As Members of Parliament might be aware the problem faced with schools is the lack of Science teachers.

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This development is dependent on the availability of people taking science subjects who will return to develop our country through engineering, teaching and other fields. I want to thank the Minister of Education for identifying this issue and implementing a solution to the problem.

\$276,960 to fund the reclassification of overseas missions allowances. An additional \$54,900 is earmarked to fund the lease and operating costs for the Samoa Office in Brussels. I have just returned from the opening of the office which was funded by the National Provident Fund. This means that we have saved money from spending overseas which we will be paid for by overseas government through the National Provident Fund. This does not affect our foreign exchange.

Ministry of Natural Resources and Environment:

Payments for contractual services for the construction of retainer walls or seawalls / rock walls to ensure Climate Resilience amounting to \$871,764 and \$500,000 to fund the end of contract benefits for personnel.

Ministry of Prisons:

An additional \$358,922 to facilitate operational expenditures for the new Ministry.

National Kidney Foundation:

Operational expenditures to support services provided by the National Kidney Foundation totaling \$70,000. It has been witnessed today that more of our people are now being affected with kidney disease. This is all based on our eating habits. We might not know maybe in the next Parliamentary term there will be Members going there for dialysis.

Ministry of Revenue:

Additional expenditures of \$387,000 for the continuing institutional strengthening of the Ministry.

Samoa Bureau of Statistics:

\$84,596 to support the completion of the Demographic Health Survey.

Ministry of Police:

Additional Operational expenditures for the newly established Dog Management Unit totaling \$136,000 as well as \$500,000 to pay for the lease of Samoa Trust Estate Corporation land.

Mr Speaker this is a very important program since our country has become part of the middle income level category based on our tourism development. This is an important development that has contributed much to our economy although the problem seen today is, dogs chasing our tourists. I thank the New Zealand and Australian government for the assistance given to implement this program so that our dogs will be banned from terrorizing our tourists.

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Supplementary Budget Address (No.1) 2014/2015

This incident reminds me of a story a Missionary told me who was in Papua New Guinea. He said that the problems created by our dogs here are done by pigs over in Papua.

The pigs are aware of the smell of locals and outsiders which I believe is exactly what our dogs do. This is why this program is important most of the dogs that were roaming around the town area have been locked up at the Unit.

Ministry of Justice and Courts Administration:

\$95,000 allocated to the Civil Trust and readjustment charges for electricity of \$300,000.

Scientific Research Organization of Samoa:

Provision of \$34,000 for Annual Director's fees. This development Mr Speaker will be beneficial for the future. As we have witnessed since the establishment of the organization they have been able to provide avocado oil for cooking.

They have also produced flour from breadfruit and beer using breadfruit. They have also started the process to make butter from oil. This is the oil made from our coconuts.

Mr Speaker I am confident that in the future we will be able to buy these products produced by the Scientific Research Organization from stores in the country.

Land Transport Authority:

Provision of \$34,000 was allocated to fund the Project Component Manager.

Office of the Ombudsman:

Provision of a salary for the Communications Education officer of \$30,000. There is a provision where the Police carry out investigations, but who will investigate them? The authority is now being given to the Ombudsman office to carry out investigations related to Police.

Mr Speaker and Honorable Members the additional expenditures considered under this first supplementary budget are priority expenditures that are critical for delivering effective government service as well as meeting government's commitment to its development agenda.

There were closely scrutinized to ensure fiscal sustainability and macroeconomic stability are maintained.

Mr Speaker and honorable Members on behalf of government I wish you Mr Speaker and Members and every citizen of Samoa a 'Merry Christmas and Prosperous New Year 2015.'

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MOTION FOR ADJOURNMENT

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I conclude this Supplementary Appropriation to move a motion, *That Proceedings of the Legislative Assembly be adjourned until Tuesday 20th January 2015 pursuant to the Parliamentary proceedings schedule. Our Appropriation will be referred to the Committee in charge for consideration.*

This is the motion Mr Speaker, Bless our House.

Parliament showed gratitude with applause after the Supplementary Appropriation Bill (No.1) 2014/2015 address.

MR SPEAKER: Before the question is put for the motion made by the Hon Prime Minister pursuant to Standing Order 132 debate thereon shall be adjourned for not less than fourteen days.

The draft Estimates of Expenditure then stand referred to the Finance & Expenditure Committee for consideration and a report thereon.

As for Standing Order 138, the Appropriation Bill shall take precedence of all other business.

I believe we have concluded with our proceedings today and the clarification address given by the Hon Prime Minister in relation to the Supplementary Budget address is understood. This corresponds with our Standing Orders 132 and 138. In light of its significance I refer it to the Chairperson of the Finance and Expenditure Committee and Members to be submitted back to the House on the 20th January 2015.

I thank all Members this morning, I also believe that the clarification delivered by the Hon Prime Minister has been heard clearly by Tutuila. I am confident that the Chairperson and Deputy Chairperson together with Members of the Committee have heard the clarification. Once we conclude our Proceedings the Committee will begin its consideration on the Bill for it to be report back to Assembly.

I believe the Womens Programme schedule has been finalized therefore your Parliament will now adjourn so that we can participate in the program after morning tea. I pray that the Lords guidance be with us. Also to ensure that the Womens Program be successful.

On behalf of this Parliament I want to wish everyone a Merry Christmas and a Happy New Year. Also I recommend that Members be careful over the holidays keep away from trouble.

I hope that we will all be present back in the House on Tuesday 20th January 2015.

Seconded by Deputy Prime Minister, Minister of Commerce Industry and Labor.

Motion approved.

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Motion for Adjournment

MR SPEAKER: I call on the Deputy Speaker to conclude our day with a prayer.

Proceedings of the Legislative Assembly were adjourned at 10:02am until 9:00am Tuesday 20th January 2015.