

TUESDAY, 17TH MARCH 2015

The Legislative Assembly met at 9.00am pursuant to the Parliamentary Sitting Program 2015.

Mr Speaker took the Chair at 9.00am.

Prayer.

**MESSAGE FROM THE MEMBER OF THE COUNCIL
OF DEPUTIES**

Mr Speaker announced the Message from the Member of the Council of Deputies

“MEMORANDUM for:

Mr Speaker:

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

1. Teachers Bill 2015.
2. Water Schemes Bill 2015.
3. Geneva Conventions Bill 2015.
4. Road Traffic Amendment Bill 2015.
5. Acts Interpretation Bill 2015.

GIVEN UNDER my own Hand, this date 13th of March 2015.

(Signed): **Tuimalealiifano Vaaletoa Sualauvi II**
COUNCIL OF DEPUTIES.”

OTHER ANNOUNCEMENTS BY MR SPEAKER

MR SPEAKER: In the name of our Lord and Savior Jesus Christ, I greet the gathering this morning.

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Other Announcements by Mr Speaker

I acknowledge the Hon Prime Minister and his Cabinet and all the distinguished Members of Parliament in their respected stations. Welcome back to another Sitting. I acknowledge your patience, efforts and hard work. We have adjourned our work due to our other duties, but today we give thanks to our Lord for guiding us this morning so that we may continue our work.

Therefore, I acknowledge your patience for our Sitting this month. We are all aware of the briefings yesterday and the importance of our work this month. The media also issued a summary statement in the televised news concerning the contents of our work this month. Therefore I humbly pray for the Members of Parliament to come forth, our work for this month will now progress. I believe briefings have served its purpose in clarifying the contents of the Bills. It is also to ensure that suggestions and ideas on the Bill can be addressed. The Government intention and also the intention of the awareness programs aim at providing the Members with solid alternatives and suggestions for the legislative process. It is in the hopes of providing Members with sufficient background so that you as Members are able to voice your concerns in constructing our legislative framework to the best of our abilities.

We are gathered here today with respected teachers of the Primary Schools and also the students participating in the Primary School Outreach Program. The program is to ensure that our primary school level students are aware of the work that we do and for them to be exposed to the intentions and hope of the leaders of the nation in Parliament. The main purpose of this program is to ensure our children of the future have knowledge of our work as we will not remain in this Parliament forever. One day when these children step up to the task of leading our country they will have had knowledge of the Proceedings and most especially being well educated. I greet the children of the nation and teachers here with us today.

I also acknowledge the Heads of Government Departments with us today.

PRESENTATION OF PAPERS

The Clerk read out the Order Paper laid out on the Table pursuant to Standing Order 48.

1. S.R. 2015/6, Public Finance Management (Government Vehicles) Regulations 2015.
2. P.P.2014/2015 No.207, Government Responses on P.P.2014/2015 No.138, Report of the Finance and Expenditure Committee on P.P.2014/2015 No.10, Unit Trust of Samoa Annual Report for the Financial Year Ending 30 June 2013.
3. P.P.2014/2015 No.208, Samoa Ports Authority Annual Report for the Year 2013.

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Presentation of Papers

4. P.P.2014/2015 No.209, Government Responses on P.P. 2014/2015 No.143, Report of the Education, Science, Communications and Information Technology Committee on P.P.2014/2015 No.80, National University of Samoa Annual Report for Year ending 1 July 2011-30 June 2012.
5. P.P.2014/2015 No.210, Ministry of Prime Minister and Cabinet Annual Report July 2011-June 2012.
6. P.P.2014/2015 No.211, Ministry of Prime Minister and Cabinet annual Report July 2012-June 2013.

PRESENTATION OF SELECT COMMITTEE REPORTS

The Clerk read out Select Committee Reports laid out on the Table pursuant to Standing Order 51 (5).

1. P.P. 2014/2015 No.212, Report of the Primary Production Committee on the Public Holidays Amendment Bill 2013.
2. P.P.2014/2015 No.213, Report of the Primary Production Committee on the Metrology Bill 2014.
3. P.P.2014/2015 No.214, Report of the Health and Social Services Committee on the Health Promotion Foundation Bill 2013.
4. P.P.2014/2015 No. 215, Report of the Finance and Expenditure Committee on P.P.2014/2015 No.151, Polynesian Airlines Company Annual Report for the Financial Year 2012/2013.
5. P.P. 2014/2015 No.216, Report of the Primary Production Committee on P.P. 2014/2015 No. 120, Annual Report of the Ministry of Agriculture and Fisheries for the Financial Year 2012/2013.
6. P.P.2014/2015 No.217, Report of the Government Administrations Committee on P.P. 2014/2015 No. 124, Annual Report of the Public Service Commission for the Financial Year 2010/2011.
7. P.P.2014/2015 No.218, Report of the Finance and Expenditure Committee on P.P.2014/2015 No. 78, Annual Report of the Samoa International Finance Authority for the Year 2013.
8. P.P.2014/2015 No.219, Report of the Justice Committee Report on P.P. 2014/2015 No.119, Samoa Law Reform Commission Report on the Law Practitioners Act 1976, Report 05/11.

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PORTS AUTHORITY AMENDMENT BILL 2014
- second reading

MR SPEAKER: For the information of the Parliament, the Bill was first read on the 26 January 2015 Sitting.

I grant opportunity to the Hon Minister of Works, Transport and Infrastructure.

Afioga Hon MANUALESAGALALA MATI TUIGAMALA ENOKATI POSALA (Minister of Works, Transport and Infrastructure): Mr Speaker I move a motion, *That the Ports Authority Amendment Bill 2014 be read a second time, and I wish to explain its contents.*

Seconded by the Minister of Commerce, Industry and Labour, Minister of Communications and Information Technology, Minister of Health, Minister of Education, Sports and Culture, and the Minister of Police, Prisons and Fire and Emergency Services.

MR SPEAKER: I call on the Hon Minister to clarify.

Afioga Hon MANUALESAGALALA MATI TUIGAMALA ENOKATI POSALA: Mr Speaker and the distinguished Members of the Chamber, the Chair has delivered thanks to our Lord for safe guarding us and our nation. We have seen on the television the news of the affected Islands of the Pacific from the cyclone yet we are safe and we thank the Lord for his protection on our nation.

I acknowledge the support of the Three Pillars of Government and especially all the Ecclesiasts, the various Departments of the Government who are the hand and feet of development and most especially the support of Samoa.

The Bill on the table amends the Ports Authority Act 1998 which is the Principal Act. The objective is to grant authority over the Mulifanua and Salelologa Wharf from the Samoa Shipping Corporation together with other provisions of the Principal Act. It is so that the Amendments will provide for the relaying of authority over the Mulifanua and Salelologa wharf.

The vision of the Government is to have one Management overseeing the ferry trips from Mulifanua to Salelologa. The objective is to minimize the occurring problems from the two wharfs because there are 24 ferry trips from one wharf to another per day. It is the hope that having one Management will minimize the past recurring problems when ships dock and the sailor throws the heaving line ashore. There are many problems when the heaving line is thrown ashore to the wharf employee which causes damages to the propeller of the ship and also the engine of the ship. There have been plenty of times when letters were exchanged in trying to uncover who is at fault. Furthermore, the Government hopes to propose changes to better monitor the operations. The saying, "many hands make the load lighter" can also be wrong when the saying, "many hands will burn the food."

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Therefore, the important thing is to have one Management so that monitoring of the ships and ports can be efficient and problems reduced.

I believe the wharfs are very important especially for the travelling public from Salafai to Upolu. I believe travelling from one port to another has been improved due to the upgraded services. It will mean that the Shipping Corporation will quickly address issues so that assets and ships can be well maintained which can be easily resolved if there is only one Management. The Management for our international ports still remains. The changes are mainly on the wharf of Salelologa and Mulifanua to better the travelling of the public. Thank you Mr Speaker.

MR SPEAKER: I thank the Hon Minister for the explanatory statements. I trust the Chamber has noted the statements. I wish to thank the Hon Minister and your Bill which observed is one of the important ones tabled. I trust the nation has observed the valuable changes and good work carried out by the Office in improving the services especially noted by those of us from Savaii. The good thing is that now there is a Bill in support of these changes. I believe there is no Member that will want to speak on the Bill. I will be surprised if there is a Savaii who would speak against the Bill. Nevertheless I grant opportunity to the House.

I call on the Susuga Papalii to comment in support on behalf of us from Savaii.

I call on the Member for Faasaleleaga No.2.

Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU (Faasaleleaga No.2): Thank you Mr Speaker for the opportunity and I greet the distinguished Members of the House. I too am in support of giving thanks to our Lord for continuously guiding us safely back to the Parliament House of Samoa.

I believe I will go straight to expressing my views on the Bill. The Chair is right as representatives of the island of Savaii, we have observed and noted the improvements. It is why we express our gratitude to the Hon Minister and Management for the changes and especially to the wharf at Mulifanua. In our observance, everything is now in good condition and the changes are good to allow the upgrades of the wharfs at Salelologa and Mulifanua. Well, I guess this will be a good time for the Hon Minister to review the state of the wharf at Salelologa. I know the fencing at the wharf of Mulifanua is very good and the roads are good as well for those travelling to Savaii. Perhaps the Hon Minister may consider the state of passenger direction because our Savaii citizens have been changing where to go from time to time. The boarding and departing sides of the wharf are constantly changing. Perhaps now the Hon Minister may consider carefully addressing the aforementioned issues. It is important to enforce a stable process like that of the wharf at Mulifanua. Perhaps these changes can be included in the amendments proposed. Thank you Mr Speaker.

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MR SPEAKER: I acknowledge the support of the Member. I grant opportunity to the Member before the Hon Minister is given opportunity to respond. I recognize the Hon Leaupepe Member for Aana Alofi No.1.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI (Aana Alofi No.1): Thank you Mr Speaker for the opportunity. Mr Speaker the representative of the island of Savaii has spoken and I believe I will be the only representative for Upolu. I stand to voice my gratitude to the Hon Minister and Government for this very important Bill and the changes proposed for one Management because the service is the same. I believe this Bill will serve as an example to other departments of the Government that have different Managements but have the same service and serve the same purpose. It will save a lot of time from messages being relayed back and forth but neglecting the real issue which needs to be addressed. It is here that the service will quickly be upgraded not only for shipping but also for the wharf. I was concerned when the provision of the Bill only provided for the heaving line thrown ashore. But I considered again that the Bill is important in terms of the issues that have needed to be addressed. I hope the issues faced with differences in Management will be an example to the changes in Management. I therefore convey my gratitude to the Hon Minister and Authority for the initiative to improve the service for our people. Thank you.

MR SPEAKER: Thank you. I call on the Hon Minister responsible for the Bill.

Afioga Hon Manualesagalala Mati Tuigamala Enokati Posala: The matter raised by the Member I did seem to miss out in my explanation. The work to improve the conditions of the wharf at Mulifanua has indeed progressed with the survey followed by their program. I believe it will be ready by the next month. The program is for the Salelologa wharf. The other matter which the Member voiced was in relation to concerns on the assets and loans; it is quite clear in the Bill that the regulations will address assets, loans and constraints. The Regulations specify the state of the loans and especially the assets that have been turned over to the Corporation. These Bill strictly provides for these so that no such occurrences occur as raised by the Member and I thank you for the reminder.

MR SPEAKER: Thank you. I grant opportunity to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi (Prime Minister): Mr Speaker you may observe that I am coughing because as I am multi-talented I was singing in our choir at Falevao and this is the consequence.

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I stand incase Tofa Levaopolo stands and talks about the line which is associated with the rope used by the cowboy to catch the bull. However, in terms of the heaving line, the sailor cannot throw the heaving line over without any one to catch it. Therefore if there are two separate Managements and the problem will be that when the ferry docks there will be no one to catch the heaving line because the wharf workers have gone home at four thirty. Consequently the line will not be caught but will drop down to the boat and get caught in the propeller and damage the ferry. The ferry's propeller has been damaged before and if this continues then it will need to be addressed. Not only does the ferry dock and there are no workers but there are also no buses to take people home. Mr Speaker I have explained the matter as I fear that the Tofa Levaopolo will want to stand to comment and I urge you please do not bother. I have answered the matter. I believe I will not stand up anymore and save my voice. Bless this Sitting. And I apologize.

MR SPEAKER: Thank you. Yes, Tofa Levaopolo.

Tofa LEVAOPOLO TALATONU (Gagaemauga No.2): Mr Speaker I thank you for the opportunity. I feel very sorry for the Leader of Government and I pray the Lord will return your voice to what it once was.

I wish to relay my thanks to the Ministry and especially the Hon Minister for the Bill. I also acknowledge the efforts and the hard work that have gradually improved. On behalf of us from Savaii I thank you for the service provided. Mr Speaker my concern is that the Shipping Corporation will now be holding the Regulatory Power yet they too have business interests in the process. Therefore I ask if there is a Regulation that prohibits private sector from bringing in their ships for commercial purposes. If we all remember this has happened before. So if there is, it will then affect the private sector in this part of the Amendment Bill since the Shipping Corporation will both be the player and referee. The issue is similar to that of the Airport Authority and the airlines. I am concerned it may bring more problems.

The other matter to be reviewed is the confusion of Management. The Shipping will manage the Mulifanua Wharf and the international port in Salelologa but not the one in Matautu. I am concerned over the technical audits of the International Maritime Organization. Who exactly deals with ... we need to clarify so that we comply with international laws.

Mr Speaker those are my concerns which needs clarification. Thank you.

MR SPEAKER: Thank you. I will grant two to three Members so that the response of the Hon Minister is easier. I call on the Member for Aiga i le Tai followed by Afioga Hon Gatoloaifaana.

Susuga IFOPO MATIA FILISI (Aiga i le Tai): Thank you Mr Speaker for the opportunity. The islands of Upolu and Savaii have had representatives and this Member represents the island in the middle; Manono.

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I first acknowledge the work by the Hon Minister and the Management for improving the safety of the traveling public. It is why I stand to remind the Hon Minister to remember the wharf at Manono as well. It is important as there are Government projects at Manono which we travel to and also because of the citizens traveling there. Thank you.

MR SPEAKER: Thank you honorable Member. I call upon the Member for Faasaleleaga No. 1, Afioga Gatoloaifaana Amataga Alesana Gidlow.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW (Faasaleleaga No.1): Thank you Mr Speaker for the opportunity. I first acknowledge the Hon Minister for this very important Bill upgrading the service for our island of Salafai. Therefore since the objective is service I wish to offer my advice on ways to further improve the service. I have observed the crowded state of the wharf with the public travelling to Savaii. I recommend considering a way to prioritize giving first opportunity to the women and babies and then to the senior citizens. I fear that the youth of our nation barely have respect for the mothers and their babies and that of the elderly.

Thank you for this very important Bill tabled this morning. Thank you Mr Speaker for the opportunity granted.

MR SPEAKER: Hon Minister opportunity will continue for the questions and views on the Bill so that your response is easier.

I call on the Member for Faleata East followed by the Member for Faleata West.

Tofa AVEAU TUALA LEPALE NIKO PALAMO (Faleata East): Thank you Mr Speaker for the opportunity. I also acknowledge the Hon Minister for the Bill and wish to state the support of this Member for the Bill which should have been in effect a long time. Mr Speaker there are two things I would like to comment on.

First of all, the SPA is adding an extra price on the fares of travelers. Therefore will it be taken away once this Amendment Bill is approved? In my opinion this extra fee on the passengers to Savaii should be removed as it is imposed on the ships that were under the authority of SPA.

Secondly, the Bill provides for the transferring of management and also that of loans towards the Shipping whilst the wharf at Matautu remains. Therefore I ask whether there are machinery or any other loans that will now also transfer to the Shipping Corporation or will it remain with the SPA?

Thank you Mr Speaker.

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

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Tofa LEALAILEPULE RIMONI AIAFI (Faleata West): Thank you Mr Speaker for the opportunity. I acknowledge the Hon Minister for the Bill. However there are a few matters that need clarification. First of all, the new changes differ from usual practices of the Ports Authority not only in Samoa but also other nations. The Ports Authority differs from the Shipping Companies which is the normal practice. I believe this change is appropriate as I believe it will work as I have observed many changes effectively executed.

I thank the Samoa Port Authority for their service over the years as they will now only monitor the International Port. They will concentrate and put their focus on this wharf as there is much needed to be done on this wharf and leave the local ports to those who owns the customers. The sailors and those working on the boats know the needs of the traveling public. On the other hand, my concern is similar to the one raised by one of the Members of our Party, the vision of the Government for Privatization. It is important because there was a time when a private company wished to compete in the ferry services between Savaii and Upolu. Bear in mind also that there was a Company owned by Sons of Samoa that traveled between these Islands as the Salelologa wharf has been declared an International Port. So it needs to be clarified how the operations will be maintained as one management monitors international ports when the Salelologa wharf has been cleared as an International Port. One Member has also asked the possibility of a boat that wishes to dock ashore and how that is to be arranged. The Amendment Bill provides for the Regulations for SPA but I believe it should be considered with amendments of the Samoa Shipping Act because it is not in their mandate to operate ports. I believe they should work together to ensure effective execution of the transferring process of the ports.

MR SPEAKER: I beg pardon of the Member, but I recognize the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker the Samoa Shipping is a Company and so it is under the Companies Act. There is no reason why it should be affected.

Tofa LEALAILEPULE RIMONI AIAFI: If they are under the Companies Act that means that is where their---under their own Bill that I read they do not have the power but if it can be arranged then that is good.

The concern over the loans Hon Minister that have been transferred; I would like to be clarified exactly on the amount of loans and how many there are. If the loans are particularly for the Mulifanua and Salelologa port and are being transferred how exactly are these loans carried out? Also, why would the Shipping Company be paying for these loans when they are all Government Companies and should continue without if it is appropriate?

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Arrangements have been made as they have discussed with the MWTI who are doing their regulatory role. Mr Speaker it is noted in the SPA Annual Report tabled to the Parliament that the Shipping Corporation and Companies pay for the SPA overtime. Therefore Hon Minister I recommend considering reviewing the possibility of private companies offering their service to the ferry transportation of the public between Upolu and Savaii. Perhaps the Government and the Hon Minister may consider reviewing the Bill for these aspects. Thank you.

MR SPEAKER: Thank you. I grant the opportunity to the Member for Aana Alofi No.3 followed by the Member for Salega, Afioga Afualo Wood Uti.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER (Aana Alofi No.3): Thank you Mr Speaker for this opportunity. I acknowledge the Hon Minister and Cabinet for the Bill. There are parts which other Members have mentioned need to be clarified. As a Member I wish to understand the terms of the loans and all the assets. How many assets and their payments because Mr Speaker in the Ports Authority Annual Report the previous year these ports racked in quite an income compared to the Satitua wharf. I wish to ask why the Port Authority is being transferred when they have many assets at the wharf.

Secondly Mr Speaker, the matter over the International Port at Salelologa has been voiced and the SPA has the skill to properly monitor the regulations and the policies in relation to International Ports. I believe the operations of the Shipping in the past years has been to the improving of ships, deepening the sea and expanding the wharf at Matautu and other ports under the SPA. I also believe that an expert on the maintaining of the Port at Salelologa is also needed.

It is also why Mr Speaker that I am curious to know if there are experts in the Shipping Corporation to skillfully manage the wharf.

Lastly Mr Speaker, I wish to acknowledge that SPA is involved in the Parliamentary Committees and have been presenting Annual Reports to the Parliament. The Shipping Corporation however, has not reported any Annual Report to the Parliament in over 10 years. Therefore I recommend that the Shipping Corporation report to the Parliament so that we may understand the operations carried out for development.

Thank you.

MR SPEAKER: Thank you. I call on the Member Afioga Afualo, one of the Members for Salega.

Afioga AFUALO WOOD UTI SALELE (Salega): Thank you Mr Speaker for the opportunity. I give thanks to the Lord for this day we are blessed with for our Sitting.

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I acknowledge the Hon Minister for the Bill which is on point with the travels of the country and most especially for those of us in Savaii.

I wish to acknowledge the merge which reminds me of one famous scientists words that go, "We may be short but we can stand on each others shoulders and look afar." It is why I say thank you for this Bill. As most of the Members are concerned over the loans, my concern is in relation to the possibility of an increase in ferry fare. I trust the Government will have the discretion to decide what is fair and appropriate because the intention of the Bill is for decreasing conflicts between the different Managements and to better the service provided.

Then I come to the Maritime School as I hear the Shipping has a school. I suspect the Hon Minister of Education is vigilant of the matter in case there may be conflicts as the school is specific to sailors. If the preparation for such a school is for the improvement of the service then I would gladly support it. If however the opening of this school is to carry out the same academic processes that the University provides, then one would ask what the intention behind it is. That is all Mr Speaker and I am grateful again for this Bill.

MR SPEAKER: Very well, I recognize the Leader of Opposition.

Afioga Hon PALUSALUE FAAPO II (Leader of Opposition): Mr Speaker, I stand with all due respect for this opportunity. I shall be very brief and because the Amendment is very important. The reasons for the Amendments have been laid out and so my question is; is SPA being bankrupt not the real reason? Is that not the real reason? In order to prevent the problem with the Samoa Port Authority? Why is the Satitua wharf not included in the transfer as a lot of money was spent on it? These are the kinds of questions that come to mind when considering the reasons for the Amendment Bill.

MR SPEAKER: I beg pardon of the Leader of Opposition but I recognize the Hon Minister of Works, Transport and Infrastructure.

Afioga Hon Manualesagalala Mati Tuigamala Enokati Posala: Mr Speaker to clarify the statements that SPA is bankrupt; that is not true. Operations of SPA are well and although the Government assisted that is the normal practice to help in the loans but other than that, everything is running smoothly. The reason for the review and the Amendment is to ensure the safe traveling of the citizens from Upolu to Savaii and vice versa. Our service to the people is the priority which is the reason behind the Bill.

MR SPEAKER: Thank you.

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Afioga Hon PALUSALUE FAAPO II: Mr Speaker, the truth is that Samoa Ports Authority is unable to upgrade the wharf at Mulifanua and Salelologa. It is the real reason why the Ports Authority will merge the Samoa Shipping Corporation and I pity the Hon Minister who seems sick....

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker, the main objective is to improve shipping services as witnessed by those of the island of Savaii. Whether it is for the improvement of the SPA or other issues, they must all be addressed because they cannot be left unaddressed. Therefore the main purpose is to improve the shipping services which have come to fruition.

MR SPEAKER: Thank you. I advise the Leader of Opposition that I have voiced before the need to be cautious of our statements voiced because the Bill does not refer to the wharf as mentioned.

The objective of the Bill is to improve the shipping services as witnessed by accounts of the Members and of course myself, who mostly sleeps at the wharf during these inter island travels. It is why I recommend the Leader of Opposition, in case other Corporations of the Government are affected by statements voiced by the Leader of Opposition. We shall leave the SPA regulations to consider when it is brought to the Chamber.

I call on the Leader of Opposition.

Afioga Hon PALUSALUE FAAPO II: Mr Speaker, I have concerns because at the moment the service provided by the Samoa Shipping Corporation is good. However I fear that introducing these changes may disrupt the state of the Samoa Shipping due to the inefficiency of the Ports Authority. I may be wrong but with the loans, the ferry fares to Savaii will be increased to cover the debts. Mr Speaker I fear that the merge may pull the Shipping Corporation down because it is expensive....

MR SPEAKER: Leader of Opposition your concern is noted. Opportunity shall be granted first to the Hon Minister to state the condition of the loans first. We are assuming when perhaps it is only \$20.

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

MR SPEAKER: I grant opportunity to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: I congratulate the Hon Minister for his completion of these things. When the Leader of Opposition was Minister, he could not do any of these things.

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Afioga Hon PALUSALUE FAAPO II: Mr Speaker Point of Order. I left SPA and the balance in the account was \$17million, it was not as bankrupt as it is today. The wharf at Satitua has caused financial damages to the program. It is why I am trying to reiterate that the Shipping are doing well at the moment.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker it is exactly why the Leader of Opposition is persistent on the matter. It is because he did not do it, he could not do anything.

MR SPEAKER: I give this opportunity to the Hon Minister.

Afioga Hon Manualesagalala Mati Tuigamala Enokati Posala: In 2013, the Samoa Ports Authority conducted a scoping study and the recommendations were to release the Salelologa and Mulifanua wharf. It was the suggestion from specialists based on their own findings. Last year we traveled to Melbourne Australia and then down to Geelong which has a similar wharf layout like the Mulifanua and Salelologa wharf. The Geelong layout which the Mulifanua and Salelologa imitates has one company leasing land and ports and is also handling the transportation. It means we are in need of familiarizing ourselves because the overseas countries are adapting. It is only for the International Ports that come under Ports Authority because they would be expected to meet the International Laws and Regulations of the IMO. The Ministry of Works is there to regulate and ensure that the law is abided by. It means that recommendations and constant monitoring will be conducted to ensure that it reaches its full potential. Furthermore, it seems that the majority of the concerns voiced were directed at the debts. At the moment there is a Committee appointed to monitor and review the Regulations and the state of the assets and debts because the assets for one wharf will not be included in another wharfs. So it is best to understand that part.

It has been eight years since the last change for ferry fares even though the petrol prices have increased tremendously. The Savaii citizens are listening in and it is important to note that consideration of fare increase will be considered thoroughly by the Cabinet. The matter will be considered carefully because the aim is to ensure that the transport between the two islands is prioritized. The income generated from the fares of passengers and vehicles collected by the Ports Authority to the SSC was not much. Therefore it means that there should be no concern over the increase of ferry fares. The change is not uncommon in overseas countries as experts have confirmed the best solution after their studies concluded the release of these ports to the SSC. It is the way SOEs work and develop; by releasing it from management to another in order to develop the country.

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I believe that sums up the concerns raised, but as for the loans, the Regulation will provide for the smooth transition carried out by the Committee appointed. Thank you.

MR SPEAKER: I call on the Leader of Opposition.

Afioga Hon PALUSALUE FAAPO II: Mr Speaker I will not be long. I only wish to reiterate that the upgrading of the ports is not inexpensive. Where does the money that pays for the upgrade come from? It comes from the passenger ferry fares of those traveling to and from Savaii to Upolu. I raised these concerns as I fear that it may cause financial damages to the Samoa Shipping like it did SPA. The cost of upgrading the ports is expensive. It is why I wonder that perhaps the Shipping may suffer after this transfer especially in terms of funding and the ferry fares for the people.

Afioga Hon Manualesagalala Mati Tuigamala Enokati Posala: Mr Speaker I would like to ask the Leader of Opposition...

MR SPEAKER: I beg pardon of the Leader of Opposition, but I give opportunity to the Hon Minister.

Afioga Hon Manualesagalala Mati Tuigamala Enokati Posala: Do you not wish for these ports to be upgraded to improve the service provided to the travelling passengers? Do you not agree with the proposed developments that the Government is moving to do? Share your views.

MR SPEAKER: Please stand.

Afioga Hon Palusalue Faapo II: The question has been asked and I wish to answer.

MR SPEAKER: You may answer.

Afioga Hon Palusalue Faapo II: My answer is that it should have been done a long time ago, yes, because if it had been consistently improved then the cost would not be so expensive for the SPA and especially now for the Shipping Corporation.

Afioga Hon Manualesagalala Mati Tuigamala Enokati Posala: Well you were here before yet you did not do anything.

Afioga Hon Palusalue Faapo II: Everything was good and the facilities were all new. Thank you and bless this Meeting.

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MR SPEAKER: I grant opportunity to the Hon Minister if there is something more to be added, or should the question be put forth?

Afioga Hon Manualesagalala Mati Tuigamala Enokati Posala: Nothing further Mr Speaker, I have responded to all the concerns raised.

MR SPEAKER: I recognize the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker I stand to offer congratulations to the Hon Minister for the good work due to the wrong decisions made by Afioga Hon Palusalue.

MR SPEAKER: I acknowledge the work of the Hon Minister and I voice thanks on behalf of the island of Savaii.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker....

MR SPEAKER: Please sit down Member for Faleata West. I acknowledge the provisions in the Bill and I trust the Members from Upolu also acknowledge the improvements at the ports. On behalf of the island of Savaii I acknowledge the consideration of our island of Savaii and also for the urgency of completing the work. However the important aspect is that we push the Bill through to procedures so that this Bill can be approved.

What is it you want now Member?

Afioga Toeolesulusulu Cedric Pose Salesa Schuster: Mr Speaker thank you for the opportunity. The Hon Minister has yet to respond to the queries on the matter of total amount of loans being transferred and the assets....

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker the Bill will be reviewed and then the response will be available.

MR SPEAKER: The Hon Minister clearly stated that the total cost of loans and assets are being reviewed in the regulative issues. I recognize the Member for Faleata West.

Tofa Lealailepule Rimoni Aiafi: Thank you. I have no further questions, however the Hon Minister stated the Regulation and remember the Hon Prime Minister stated these are provided in the Companies Act which means that it will not be included in the Bill. Nevertheless I suppose it will soon be addressed when it is referred to Committee.

17 MARCH 2015

Ports Authority Amendment Bill 2014
- second reading

MR SPEAKER: Do not worry Member, I believe the consideration of the Bill will grant the responses requested. I recognize the Member for Gagaemauga No. 2.

Tofa Levaopolo Talatou: Well no, I had thought the Hon Minister would soon respond since it was the Leader of Opposition that he replied to. Mr Speaker we have voiced so many questions but yet the Hon Minister states that they are in the Regulations. Perhaps it would have been great if the Regulations were also presented so that our questions would be answered.

MR SPEAKER: Rome was not built in a day. The Principal Act will be brought forth soon once the Bill has been approved. Once that is complete then the work will begin.

Motion approved and the Ports Authority Amendment Bill 2014 was read a second time.

MR SPEAKER: Pursuant to Standing Order, the Ports Authority Amendment Bill 2014 will be referred to the Works, Transport and Environment Committee for review and then report back to the Assembly on a Sitting following.

NATIONAL PROVIDENT FUND AMENDMENT BILL 2014
- second reading

MR SPEAKER: For the information of the Parliament this Bill was first read on the 26 January 2015 Sitting. I call on the Hon Prime Minister also the Hon Minister of Finance.

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I stand to move a motion, *That the National Provident Fund Amendment Bill 2014 be read a second time, and I would like to comment on it.*

Seconded by the Minister of Communication and Information Technology and the Minister of Revenue.

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI NEIOTI SAILELE MALIELEGAOI: Mr Speaker tabled at the moment is the National Provident Fund Amendment Bill to increase the percentage rate of contribution of members within two years. The intention of the Amendment is to ensure the increase of contribution for members in the funding of their retirement pension. The Bill will be renamed to the National Provident Fund Act 2015 if it is approved and will be effective on a set date.

Mr Speaker that is the brief statement regarding the Bill.

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National Provident Fund Amendment Bill 2014
– second reading

MR SPEAKER: The statement or the clarification by the Hon Minister of Finance on the Bill has been delivered. I trust there is nothing more to be said on the matter.

I call on the Member for Aana Alofi No.3.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Thank you Mr Speaker for the opportunity. I am concerned and wish to be clarified on the matter Mr Speaker because it was not long ago that the NPF tabled an Amendment Bill. It is my concern that if the contribution is now to be increased by 10% it means that the NPF will also increase. However the amendment states that not only will the contribution be increased but also the amount people can loan is to be decreased. It is my belief that if the contribution is increased then so should the amount allowed for people to loan. At the moment 50% is allowed for people to loan from their contributions and not have an increase in contribution but a decrease in amount allowed for borrowing.

MR SPEAKER: I call on the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker borrowing is not mentioned in the Bill. The only aspect being highlighted is the increase of 1% or .01 per cent that is all. Of .01 per cent per contributor the .01 cent goes to the NPF. If it is not increased there will be no interest for the NPF, which is all that is being provided for in the amendment. If you appreciate the increase by 10% of contributions then you should also understand this.

MR SPEAKER: Well I believe it is best to suspend the consideration of the Bill in Chamber. It is noted the receding state of health for the Leader of Government and his voice. I apologize for the Hon Prime Minister but the discretion to prioritize your health and suspend all Bills related to the Minister of Finance and Hon Prime Minister will be in effect. The Chair asks the Clerk of the Assembly to note the discretion in regards to the matter. I believe the Bill is very important and views and ideas of the Members must be heard. Therefore in order to prevent the health of the Hon Prime Minister from further deterioration, it is best to suspend consideration of the Bill for now and let the Leader of Government recover.

I call on the Member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker I believe the Bill is complete as there are only two amendments. I stand to acknowledge the Hon Prime Minister for the Bill.

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National Provident Fund Amendment Bill 2014
– second reading

The Bill is good and I suppose the only people that would reject the Bill would be the business owners because they...if the employees are satisfied, because we are workers and this is what we need. The increase in contribution as backup percent needed when retired. This Member supports the Bill. Thank you.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: I stood up to explain that the Bill is very simple because only 1 percent is to be increased so that the NPF percent be included. This Chamber is benefitting from this increase because of the 5% increase to 10%. The contributors also need to increase their percent so that the profits would increase. The Bill is finished.

MR SPEAKER: I will now put the question.

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

MR SPEAKER: Yes.

Afioga Hon Palusalue Faapo II: Due to the discretion to suspend the Bills by the Hon Prime Minister, I dare ask what is the use of the Deputy Prime Minister? The Order Paper states there are a lot of Bills by the Hon Prime Minister. I believe the Deputy Prime Minister should be assisting the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker my voice is still good. If I was mute, then I would be advising the Deputy Prime Minister to stand.

MR SPEAKER: I recognize the Deputy Prime Minister.

Tofa Hon Fonotoe Nuafesili Pierre Laufo (Deputy Prime Minister): Mr Speaker I continue to lay my support for the Hon Prime Minister on matters like this. I reminded the Hon Prime Minister that the Leader of Opposition was once the Minister for SPA. See we are working together in our work. It is noted in our Order Papers that the Bill are that of the Hon Prime Minister and we cannot suddenly rearrange the names because it will affect the records of the Sitting. Afioga Hon Palusalue I have been preparing for this for four years so I do not take my place lightly. This Party always works and collaborates together.

MR SPEAKER: Thank you Deputy Prime Minister.

Afioga Hon Palusalue Faapo II: Mr Speaker I feel I must correct the statement of ...and I will not criticize because he is new to the Chamber.

17 MARCH 2015

National Provident Fund Amendment Bill 2014
– second reading

Even though you are acknowledged by the Hon Prime Minister but in terms of work and what you call discretion, yes. But for you to speak that only when your name is stated here, then I am very sad for you.

Tofa Hon Fonotoe Nuafesili Pierre Laufo: See Mr Speaker how wrong he responds. What I am talking about is the Standing Orders of the House. See how long you have been in the Chamber and yet you do not understand the Standing Orders that the Hon Minister who owns the Bill must explain to the House the contents of the Bill. It is very simple.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker please relay the question the matter is finished.

Motion was approved and the National Provident Fund Amendment Bill 2015 was read a second time.

MR SPEAKER: Pursuant to Standing Orders, the Bill will be referred to the Revenue and Expenditure Committee for review and will report back to the Assembly on a Sitting day following.

STATISTICS BILL 2014 – consideration in detail

MR SPEAKER: Pursuant to Standing Order 106, the Assembly should approve first the Committee Report on the Bill before proceeding to consideration in detail of the Bill.

I call on the Chairperson of the Government Administration Committee.

Tofa Hon TUUU ANASII LEOTA (Chairman of Government Administration Committee): Thank you Mr Speaker, I stand to move a motion, *That the Legislative Assembly consider the Committee Report recommending, to consider the Statistics Bill 2014 with Amendments and Corrections.*

Seconded by one of the members for Aana Alofi No.1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi.

MR SPEAKER: I announce that the Legislative Assembly has approved the Government Administration Committee Report on the Statistics Bill 2014.

The Assembly will now Consider in Detail the Statistics Bill 2014.

Pursuant to Standing Order 102, Consideration of the Bill will commence from Clause 2.

17 MARCH 2015

Statistics Bill 2014 – consideration in detail

CLAUSE 2: Purpose of the Act.

Approved.

CLAUSE 3: Act binds Government.

Approved.

CLAUSE 4: Interpretation.

Approved.

CLAUSE 5: Establishment of the Bureau.

Approved.

CLAUSE 6: General functions and accountabilities.

Approved.

CLAUSE 7: Specific functions.

Approved.

CLAUSE 8: Powers of Bureau.

Approved.

CLASUE 9: Application of Public Service Act 2004

Approved.

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Statistics Bill 2014 – consideration in detail

CLAUSE 10: Statistics Advisory Board

MR SPEAKER: The Committee has Amendments on Clause 10 as printed in the Supplementary Order Paper.

I grant opportunity to the Chairperson.

Tofa Hon TUUU ANASII LEOTA: Mr Speaker I move to Amend Clause 10 as follows:

“AMENDMENT:

- i) **Clause 10(1)(a)-** *To omit the word “Minister” and substitute thereby the words “Head of State on the advice of Cabinet” thus clause 10(1)(a) reads:-*

(1) **The Board is established consisting of the following members:**

- (a) **A Chairperson appointed by the Head of State on the advice of Cabinet for a term of three (3) years and is eligible for reappointment.”**

- ii) **Clause 10(2) –** *To omit the word “Minister” and substitute thereby the words “Head of State on the advice of Cabinet” thus (2) reads:-*

(2) **Members referred to in subsection (1)© are appointed by the Head of State on the advice of Cabinet for a term of two (2) years and are also eligible for reappointment”.**

- iii) **Clause 10(5)(b)-** *To omit the word “Minister” and substitute thereby the words “Head of State on the advice of Cabinet” and omit the word “Minister” and substitute thereby the word “Cabinet” thus (5)(b) reads:*

“(b) is removed from Office by the Head of State on the advice of Cabinet, for the misconduct of incapacity proved to Cabinet’s reasonable satisfaction; or”

With respect.

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Statistics Bill 2014 – consideration in detail

Tofa LEVAOPOLO TALATONU: I wish to query clause 10(iii) that states “Members of Parliament are not eligible”. However, I think that a Member should be eligible but only a Member from the Opposition to ensure accurate calculations of the economy.

MR SPEAKER: The concern of the Member is noted. I grant opportunity to the Member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI: I also want to ask about the Clause 10 Mr Speaker.

First, the decision of the Chairperson which has resulted in the changes referred by the Committee and it is observed that the Bill will serve as a standard in appointing of Chairperson. If the recommendation and discretion of the Committee is to be approved, it would mean that this bill will stand out from other Bills.

The other thing Mr Speaker, I see the Board like it is an Advisory Board. Remember that a standardized Government Body of Ministry is not an SOE because it is an Enterprise and they have their own Regulations. The Board I notice only meets once a year when needed and advises the Minister or CEO on operations and is not a Board like other Boards of SOEs and Private Sectors of Government. It seems that it is no different from the Commission for the Land Board.

The other matter is the appointment of term of the Board that states three years for the Chairperson and two years for the members. It is my belief Mr Speaker that the terms should both be 3 years for both the Chairperson and Members. As I have noticed this Committee differs from the others because other Committees go by normal procedures. Furthermore, Mr Speaker I question the changes presented by the Chairperson and the Committee in respect of the normal practices.

Thank you.

MR SPEAKER: Thank you. I call on the honorable Chairperson.

Tofa Hon TUUU ANASII LEOTA: Thank you for the good recommendation voiced by the honorable Member and also the Opposition. There are reasons why these recommendations were presented and I apologize that a Member is still a Member, regardless of being an Opposition Member or not. The Committee has agreed and recommended with advice from the Government of the day...well all these things are for the development in moving forward. I apologize, but it is the way it is.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker, I hope the honorable Chairperson is taking the matter seriously. It was yesterday that we discussed the interpreting of the Bill with the Attorney General.

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Statistics Bill 2014 – consideration in detail

What I am concerned about Mr Speaker is that we are to approve the Bill as per recommendation of the Committee it means that it will be inconsistent with the other Bills already approved by the Government. Thank you.

MR SPEAKER: The concern of the Member is noted. I call on the Member for Gagaemauga No.2.

Tofa LEVAOPOLO TALATONU: Thank you Mr Speaker. honorable Chairperson there is some importance in the question that I asked. It seems that the Chairperson has not quite grasped what I asked. Perhaps the Deputy Chairperson has noted what I was trying to voice if the Chairperson is incapable.

MR SPEAKER: I beg pardon of the Member for Gagaemauga No.2 because we have approved the Amendment. I believe the Chairperson has also apologized and Gods days will not end here. I trust the Chairperson and the Member for Aana Alofi No.1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi are noting down your concerns.

Amendment approved.

Clause 10 was approved as Amended.

CLAUSE 11: Functions of Board.

Approved.

CLAUSE 12: Meetings and Committees.

MR SPEAKER: The Committee has an Amendment for Clause 23 as printed in the Supplementary Order Paper.

I call on the Chairperson.

Tofa Hon TUUU ANASII LEOTA: Mr Speaker I stand to move to Amend the Clause 12(6) as follows:

“AMENDMENT:

To insert the words “with a terms of reference” after the word “appoint” and before the word “any”, thus (6) reads:

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Statistics Bill 2014 – consideration in detail

“(6) The Board may appoint with a terms of reference, any committee to provide advice to the Board on matters relevant under this Act as follows:”

Thank you.

Amendment approved.

Clause 12 approved as Amended.

CLAUSE 13: Government Statistician, functions and powers.

Approved.

CLAUSE 14: Assistant Chief Executive Officer and other officers.

MR SPEAKER: The Committee has an Amendment as printed in the Supplementary Order Paper. I call on the honorable Chairperson.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker....

MR SPEAKER: What Clause honorable Member for Faleata West?

Tofa LEALAILEPULE RIMONI AIAFI: It is Clause 14 Mr Speaker but I will wait until the amendment has been voiced.

MR SPEAKER: Opportunity will be granted to the Member once the Amendment has been voiced. I call on the honorable Chairperson.

Tofa Hon TUUU ANASII LEOTA: Mr Speaker I move to Amend Clause 14 as follows:

“AMENDMENT:

To omit Clause 14 completely and renumber the clauses of the Act accordingly.

Thank you.

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Statistics Bill 2014 – consideration in detail

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

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker, if I am hearing the honorable Chairperson correctly that the Clause 14 should be omitted completely then I would like to know why. It would mean that it would conflict with PSC Regulations but I believe this part of the Bill is good. If the Bill provides powers of the CEO or Statistician to select employees starting from the CEO level to the staff then that should be the way it is. I trust this Bill was not constructed in a day as it was circulated, referred to Cabinet and then to Attorney General for drafting and also all the others assisting in the constructing of the Bill. Therefore Mr Speaker I voice my support for the current Clause 14. The only matter that concerned me was that it might conflict with the Public Service Commission regulations as they are responsible for the appointment of ACEO. If however, the Bill clearly states that the Ministry appoints the ACEO and staff then I lay my support for the bill.

Thank you.

MR SPEAKER: Thank you. I recognize the Afioga Toeolesulusulu.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Mr Speaker I too have the same concerns. I would like the Committee to clarify the reasons why Clause 14 is to be omitted. It is because I believe the Clause 14 is very important but it is now to be omitted.

MR SPEAKER: I call on the honorable Chairperson.

Tofa Hon TUUU ANASII LEOTA: I acknowledge the Members who voiced the concerns. The Member for Faleata West answered his own question in his long speech voiced. It is known that Rome was not built in a day. The amendment occurred after the Committee was satisfied with discussions with the Attorney General and CEO appointed under this Bill. Thank you.

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

Tofa LEALAILEPULE RIMONI AIAFI: The Ministry has the authority to appoint staff that falls under the ACEO. If the ACEO is to be removed, then there should still be other staff because the PSC would not be appointing all staff members of the Ministry. The Statistician and Ministry have a right...and if there is an Advisory Board then that means they are the ones that carry out the appointment of staff. It is what we wish to understand but if the Attorney General has advised on the removal then we want to understand the reason why. Thank you.

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Statistics Bill 2014 – consideration in detail

MR SPEAKER: The concern of the Member has been noted....
I recognize the Deputy Prime Minister.

Tofa Hon FONOTOE NUA FESILI PIERRE LAUOFO: Mr Speaker I presume the Member has already been granted two opportunities. However the removal of Clause 14 will result in the process which the PSC is utilizing at the moment which all the other Ministries are using. The answer is very brief.

Tofa LEALAILEPULE ROMONI AIAFI: Mr Speaker....

MR SPEAKER: I remind the Member of our Standing Orders, two opportunities have been granted already, the honorable Chairperson has responded as well.

Tofa LEALAILEPULE ROMONI AIAFI: Thank you, but the Deputy Prime Minister is referring to something else. It is what you get for not reading the Bill....

MR SPEAKER: I believe the matter is not to be debated and the honorable Chairperson has addressed the reason. I acknowledge the honorable Members but I believe the Committee and Chairperson did not hastily come to the decision for the amendment. The Attorney General has given advice on the Bill and the matter or reason shall not be queried further.

Amendment approved.

Clause 14 Approved as Amended.

CLAUSE 15: Independence.

MR SPEAKER: I recognize the honorable Member for Aana Alofi No.3.

A fioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Thank you Mr Speaker. I wish to ask the honorable Chairperson on the power given to a Government Statistician provided by the recommendation of the Committee review. Is it appropriate and wise to give full power to one person when there is an Advisory Board? Would there be conditions with Advisory Board or perhaps a provision that provides for advice from other Ministries.

MR SPEAKER: I grant opportunity to the honorable Chairperson.

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Statistics Bill 2014 – consideration in detail

Tofa Hon TUUU ANASII LEOTA: Mr Speaker, I acknowledge the Member for the question. The Committee has been quite satisfied with the matter and we have also analyzed the matter. We also feared giving full authority to one individual but in the end the discretion of the Committee resulted on the amendment as is. Thank you.

MR SPEAKER: I call on the Deputy Prime Minister.

Tofa Hon FONOTOE NUA FESILI PIERRE LAUOFO: Mr Speaker, Clause 15 is very clear, “The Government Statistician must comply with other clauses of the Bill.” The Member asked what the Advisory Board does. It means that the Statistician is to comply and make comment without question, which also means that there is not that much freedom of power.

Clause 15 Amended.

CLAUSE 16: Right to comment on Statistics.

Approved.

CLAUSE 17: Annual Reports.

Approved.

CLAUSE 18: General Principles.

Approved.

CLAUSE 19: Information to be used for statistical purposes.

Approved.

CLAUSE 20: Confidentiality paramount.

Approved.

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Statistics Bill 2014 – consideration in detail

CLAUSE 21: Limited disclosure of certain details permitted.

Approved.

CLAUSE 22: Confidential information cannot be obtained or disclosed.

Approved.

CLAUSE 23: Oath or affirmation by officer relating to confidentiality.

Approved.

CLAUSE 24: Oath or affirmation by other persons.

Approved.

CLAUSE 25: Statistics functions of other State entities.

MR SPEAKER: There is an Amendment by the Committee on Clause 25 as printed in the Supplementary Order Paper.

I call on the honorable Chairperson.

Tofa Hon TUUU ANASII LEOTA: Mr Speaker I move to Amend Clause 25(3) as follows:

“AMENDMENT:

CLAUSE 25(3)

To insert the words “for advice” after the word “Board”, thus (3) reads:

“(3) If the Minister and the Minister responsible for a State entity do not agree, then the Minister must refer the matter to the Board for advice.”

MR SPEAKER: I grant opportunity to Tofa Levaopolo.

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Statistics Bill 2014 – consideration in detail

Tofa LEVAOPOLO TALATONU: Mr Speaker can the honorable Chairperson enlighten us on the reason for this change. The policy is that the Minister has the final discretion on any matter with of course the recommendation from the Committee. However it seems that if the Minister cannot properly consult on the matter then it is referred back to the Board for a final decision. Chairperson the clause is confusing please clarify.

MR SPEAKER: I recognize the Deputy Prime Minister.

Tofa Hon FONOTOE NUA FESILI PIERRE LAUOFO: Mr Speaker, if there is a matter in which the Ministers disagree on, the Amendment provides that the matter is to be referred to the Board for a recommendation and recommendation is relayed back to the Minister. It is the Government policy. The Minister depends on the advice of the Board and Government employees and CEOs of Government Ministries for their advice and the Minister will base his or her discretion. Mr Speaker it is a sound plan.

MR SPEAKER: I grant opportunity to the honorable Chairperson.

Tofa Hon TUUU ANASII LEOTA: No I just wanted to assist on the subject that it is normal practices. It is clear here that the Minister refers to the Board for their advice. Thank you.

Tofa LEVAOPOLO TALATONU: Mr Speaker I am not sure whether there have been slight changes to the policies of the Ministries. It is because the actual process is that the Board recommends the Minister. However it seems that we are going backwards with the Minister and then refer back. It is what I was trying to highlight.

MR SPEAKER: I beg pardon of the honorable Member but the Deputy Prime Minister has responded. I trust the honorable Chairperson has stated that the changes are not new. The matter is referred to the Board for further recommendations and then relayed back to the Minister. I recognize the honorable Chairperson.

Tofa Hon TUUU ANASII LEOTA: No I wanted to clarify it is when there is a conflict. If a conflict arises the matter is referred to the Board for a recommendation. Thank you.

Amendment approved.

Clause 25 approved as Amended.

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Statistics Bill 2014 – consideration in detail

MR SPEAKER: Well, we have come to the hour of our recess. Therefore we will take a break for our morning tea and will resume after.

I declare that the Proceedings of the Legislative Assembly will be set aside for normal morning recess.

Proceedings of the Legislative Assembly was set aside for its normal recess at 10.45am and resumed at 11.37am.

MR SPEAKER: I wish to acknowledge the Assembly at this hour of the day. We have regained strength through refreshments for the continuation of our duty. I trust we have been rejuvenated enough to continue our work for the day.

We took our recess when the Bill was being considered and we about to discuss Clause 26.

CLAUSE 26: Statistician to take census of population, housing and agriculture.

MR SPEAKER: Yes, I call on the honorable Member Tofa Lealailepule.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you Mr Speaker for the opportunity. I acknowledge the rejuvenation for regaining strength so that we may continue our work. I stand Mr Speaker to address Clause 26 as I observe that it is five years for census of population and ten years for census of agriculture. I am concerned that it may create conflict between the census and the Ministry of Agriculture. Furthermore I believe it will be better if the census would be on the same time frame so that when the work is carried out, the census is efficient because not all people have plantations. What I mean to say Mr Speaker is that most of the agriculture do not last up to ten years, perhaps there are those who last to two, three or five years. If I do a taro plantation of 1000 taro roots it will only last a year. However if it is just farmers, then why has the Committee placed five years for population and ten for agriculture? Perhaps the Committee should consider carrying out this census on the same year? Furthermore whether the Committee queried the Ministry of Agriculture if they are not carrying out this function as it is their responsibility and then relay the data to the Census. Thank you.

MR SPEAKER: Thank you. I give opportunity to the honorable Chairperson.

Tofa Hon TUUU ANASII LEOTA: Thank you Mr Speaker. This is why I like this Member, he is very attentive. The concern of the Member is right but the concerns have already been reviewed by the Committee. Mr Speaker the Committee has considered and reviewed the Bill and it is complete to me.

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Statistics Bill 2014 – consideration in detail

However I am very disappointed by the constant queries by the Members on the Bill. If there is still a Member that does not understand, then let us talk outside. Thank you.

MR SPEAKER: What Clause Tofa Levaopolo?

Tofa LEVAOPOLO TALATONU: Mr Speaker it is same clause. It is part of the Bill that perhaps can be more efficiently executed and saves us money if it is considered properly.

The matter which the Chairperson has said for us to speak outside is not right. I must apologize to the Chairperson that the law of this nation is not to be discussed under a tree but in Parliament.

MR SPEAKER: Yes honorable Member.

Tofa LEALAILEPULE RIMONI AIAIFI: What I mentioned before was whether the Committee inquired about the matter because it is my belief that the Ministry of Agriculture carries out this function. It does not mean that they should be too dependent but should also be able to carry out their independent census and have connection with the Ministry of Agriculture. It is my belief that that the records of the Ministry of Agriculture would be more accurate. Honorable Chairperson the reason why I question is because this is one person that has established a Party. It is here that you listen to whether he should be leader. Thank you.

MR SPEAKER: To save our time, I am granting opportunity to the Member of Faleata East.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Mr Speaker the matter which the Members raise is very important especially in the professional relationship between the Ministry of Agriculture and Statistics. The last meeting was hectic due to the different records presented by the Statistics and that of the Ministry of Agriculture. It is important because there are certain measures which the Ministry of Agriculture uses to count and carry out their jobs. It is why we are reiterating the importance of the two Ministries to work together so that the work can be efficient and accurate. To illustrate more Mr Speaker, if the census count the number of cattle farms in Samoa and to the Ministry of Agriculture they do not include domestic farms while the Statistics office include it, then that would mean a difference in records. There should be criterias set out so that the task is efficiently executed and properly presented to the Assembly.

Thank you.

MR SPEAKER: I call on the Hon Minister.

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Afioga Hon LAUTAFI FIO SELAFI PURCELL (Minister for Public Enterprise): Thank you Mr Speaker for the opportunity. I also acknowledge the Member for the concerns. The honorable Chairperson has clearly stated that they have clearly reviewed all these areas. However I will assist in the matter as the Bureau is under my portfolio. The difference between the Ministries has been addressed and the Ministries are now working together. Furthermore, the Ministries will also be working together to arrange an appropriate number to ensure stability for the census. The Ministry is currently working on a questionnaire for the population. A form will be used for the Agriculture census. The Ministries are now working together and they have been collaborating in the past years despite the problems of varying years. There are also agriculture related surveys carried out every two years. I presume that is where the confusion is. However the most complete data comes from the survey carried out every ten years which the Ministries are now working collaboratively on to prevent further differences like the one in the past. It is like having two Ministries doing the same job.

Thank you.

MR SPEAKER: Thank you Hon Minister. I call on Afioga Toeolesulusulu.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER.: Mr Speaker thank you for the opportunity. I wish to comment on the same issue as I observe that at the moment it is not only agriculture carrying our surveys and census but also other Ministries. It is my recommendation that this Bill be used as a standard format for other Reports tabled. It is observed that stats presented by the Ministry of Tourism differ from stats from the Management of the Airport. Therefore I recommend Management to utilize the same format in survey to ensure the same data collected.

Thank you.

MR SPEAKER: I call on the Deputy Prime Minister.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker this is exactly why the Bill was tabled, and the Hon Ministers are working together. The concern raised by the Member that just finished has already been established and why the Bill was brought forth.

MR SPEAKER: The Chair observes the concerns of the Members voiced in saving our resources and duplication. Nevertheless the establishment of the Bureau of Statistics is very important in counting the population and also the agriculture, assets and economy. It is why I believe that concerns voiced are noted that census is not only for population but also housing, agriculture and development.

Clause 26 approved.

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Statistics Bill 2014 – consideration in detail

CLAUSE 27: Information to be collected at census of population and housing.

Approved.

CLAUSE 28: Surveys and other Censuses.

Approved.

CLAUSE 29: Mode of Collection.

MR SPEAKER: The Committee has an Amendment as printed in the Supplementary Order Paper.

I call on the Chairperson of the Committee.

Tofa Hon TUUU ANASII LEOTA: Mr Speaker I move to amend Clause 29(b) as follows:

“AMENDMENT:

Clause 29(b):

To insert the words “to the best of his or her ability endeavour to” after “(b)” and before the word “supply”, thus 29(b) reads:

“29. Mode for Collection – To enable the collection of information by means of a census or survey, the Government Statistician must:

(b) To the best of his or her ability endeavour to supply a schedule to any affected person, dwelling, or place of business by any means the Statistician reasonably considers to be appropriate (which may include notice of where an electronic schedule can be obtained); and”

Amendment approved.

Clause 29 approved as Amended.

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CLAUSE 30: Duty to complete schedules and provide information.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker, I do apologize but I have a question on Clause 30 please.

MR SPEAKER: Yes, Tofa Lealailepule; what Clause?

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker Clause 30.

MR SPEAKER: I beg pardon of the Member but Clause 30 has been approved. There is still Clause 35 and Clause 36.

Tofa LEALAILEPULE RIMONI AIAFI: I am not satisfied but it is okay.

MR SPEAKER: There is still to follow Clause 35 and Clause 36 which have similar interpretations. The interruption will be allowed once we get there. There is an Amendment on Clause 31.

MR SPEAKER: There is a Committee Amendment on Clause 31 as printed in the Supplementary Order Paper.

I call on the honorable Chairperson.

Tofa Hon TUUU ANASII LEOTA: Mr Speaker I move to Amend Clause 31 (1)(a) as follows:

“AMENDMENT:

Clause 31(1)(a).

To insert the words “notify the Bureau of Statistics or” after “(a)” and before the or “obtain”, Thus (a) reads:

“(a) notify the Bureau of Statistics or obtain that schedule from the Government Statistician; and

Amendment approved.

Clause 31 approved as Amended.

CLAUSE 32: Exceptions to general duties for census.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Mr Speaker....

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MR SPEAKER: What Clause Tofa Aveau?

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Clause 32 please.

MR SPEAKER: I grant opportunity to the Member.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Mr Speaker Clause 32(2) provides freedom for individuals to abstain issuing their denomination or beliefs in the census records. It is my concern Mr Speaker especially with the amendments to the citizenship provisions that this might become a loophole for terrorists. Perhaps it might be wise to amend this clause to enforce individuals to state their denomination. It should be no problem because all Samoans have a Church to go to.

MR SPEAKER: Good. I call upon the honorable Chairperson.

Tofa Hon TUUU ANASII LEOTA: The Members concern is good. The Committee has reviewed all these probable issues and it is being provided for in the first part. Individuals are entitled to seek assistance from the Office on matters like this. Thank you.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Mr Speaker what I asked was the freedom of individuals to withhold information in relation to their denomination. The clause provides the right for the person to withhold that. Therefore I asked that perhaps it should not be left this way. Thank you.

MR SPEAKER: It is in the survey paper the question concerning the spiritual beliefs of an individual. It is my discretion to approve this aspect in relation to ecclesia. I believe the concern of the Member has been addressed.

Clause 32 approved.

CLAUSE 33: Overseas businesses operating in Samoa.

Approved.

CLAUSE 34: Righty of inspection and duty to comply with requisitions

Approved.

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CLAUSE 35: Power to request re-supply of information.

Approved.

CLAUSE 36: Notice to be given to Government Statistician of existence of undertaking.

Approved.

CLAUSE 37: Evidence.

Approved.

CLAUSE 38: Offences

MR SPEAKER: There is a Committee Amendment on the Clause 38 as printed in the Supplementary Order Paper.

I call on the honorable Chairperson of Committee.

Tofa Hon TUUU ANASII LEOTA: Mr Speaker I move to Amend Clause 38 as follows:-

“AMENDMENT:

i) Clause 38(3)

To omit the number “24(3)” and substitute thereby the numbers “23 or 24”, thus (3)m reads:

“(3) A person who has made an oath or affirmation under section 23 or 24 and has or is given access to information but does not comply with any requirement or restriction under that section, commits an offence and is liable on summary conviction to a fine not exceeding 20 penalty units.”

ii) Clause 39(8):

To insert the word “personal or” after the word “of” and before the word “financial”, thus (8) reads:

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“(8) If the Court is satisfied that an offense described in this section was committed for the purpose of personal or financial gain, the Court may impose a further fine not exceeding three (3) times the value of the pecuniary gain derived by the offender from the commission of the offence.”

Amendment approved.

Clause 38 approved as Amended.

CLAUSE 39: Ministerial instructions.

Approved.

CLAUSE 40: Regulations.

Approved.

CLAUSE 41: Repeal, transitional and consequential amendment.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker....

MR SPEAKER: What Clause Tofa Lealailepule?

Tofa LEALAILEPULE RIMONI AIAFI: Clause 41 Mr Speaker.

MR SPEAKER: I grant opportunity to the Member.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you. The reason why I stand is that I had assumed the Committee would have an Amendment on this Part on Clause 4. The Amendment for Clause 4 is very similar to the recently removed Amendment for Clause 14. Clause 14 has the powers even though the name is being changed. Another change has occurred to give the authority to appoint deputy register and senior officers of the Ministry. Therefore I wish to ask the honorable Chairperson why this is. It is confusing because all the staff members are employees of the Bureau. Thank you.

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MR SPEAKER: Honorable Chairperson.

Tofa Hon TUUU ANASII LEOTA: Thank you Mr Speaker. Perhaps the Member is referring to the Bill and different parts which each have parts that are appropriate to it. It appears that Section 9 provides that there are different functions in the Bill, the Government Statistician uses the Public Service Act 2004. Mr Speaker that is what it is as everything is clear.

MR SPEAKER: I grant opportunity to the Member.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker this is exactly what I advised about before in terms of the Bill being inconsistent in relation to the powers given. It is because the powers given to the Statistician is being removed in the first section of the Bill. If the authority of the Statistician to appoint its own staff is being removed in the first section, then it should be the same in the later section of the Bill. It is why I am reiterating the importance of further review on the matter and what is best to be done so to minimize flaws on the Bill. Thank you.

MR SPEAKER: Well, I suppose the Members views differ from that of the Committee. I do apologize to the Member for the concerns raised. I believe the honorable Chairperson has addressed the matters not only once, twice but four times already and we should be considerate of the discretion of the Committee and also the Attorney General. It is why I have made the decision for us to tolerate the amendments presented. If problems do occur, the Members concerns will have been noted. The Committee will then address it in the future. Without further ado I believe the matter has been cleared.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker I have the most respect for you and the decision made. Lastly I only want to point out that as the Parliament it is our duty to review the Bill. It may very well befall on us that we have mindlessly carried out our duty to approve Bills today and amend them tomorrow.

MR SPEAKER: Tofa Lealailepule your concern is noted and your concern is not being undermined. It is important, the Hon Minister has observed, the honorable Chairperson has observed and will be taking it into consideration. I must remind the Chamber of the urgency but your concern is noted. However I also value the discretion of the Chairperson of the Committee and seeing how there is seven of them plus the Attorney General. Honorable Member your concern is noted.

Afioga Toeolesulusulu....

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Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Mr Speaker I fully support the matter as voiced. It is my recommendation to do this in Parliament. The Parliament re-evaluates and reviews these very important Parts. It is my belief Mr Speaker that perhaps we can move a motion to omit Clause 4 so that it will be combatable with the provision already approved. At the moment we are considering that the Statistician has power to appoint an ACEO but later on in the Bill states this power to be removed. I believe we can save time for further Amendment and therefore I move a motion, *That Clause 4 be omitted for consistency.*

MR SPEAKER: I grant opportunity to the Deputy Prime Minister.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker I stand on the matter that the statement issued by the honorable Chairperson of the Committee is correct. It is stated in Clause 9 of the Bill which has been approved. The matters such as this are handled by the PSC as it falls under the Commission and its normal process. The matter is very simple and the Chairperson is right. It is my belief that there is no need for an Amendment.

MR SPEAKER: Yes, I trust the Bill is understood.

Tofa LEFAU HARRY SCHUSTER (Vaimauga West): Mr Speaker I support the discretion of Tofa Lealailepule on the inconsistency. It is my observation of the Bill that the Registrar is given the power to appoint those already in the Ministry to be Deputy Registrar and other posts in the Bureau. It seems that there is more power given to the Registrar instead of the PSC which was responsible for the hiring process. For example, PSC hires a individual to be an office clerk, and after working in the office for 15 years the Registrar has the power to appoint that person to Deputy Registrar.

It is my example on the matter of inconsistency. It is in the Bill and what Tofa Lealailepule is emphasizing on is that PSC hires a person for the Ministry but when they are promoted the Registrar carries out the promotion.

Thank you.

MR SPEAKER: I recognize the Deputy Speaker.

Tofa AGAFILI PATISELA ETEUATI TOLOVAA (Palauli West): Mr Speaker there is something that needs to be clarified. Ever since the Government of Samoa has been established, the Ministry of Justice and Court Administration has been taking responsibility of recording the births, wedding an deaths of the nation. In the beginning of 2002 when the Government made arrangements, the responsibility fell on the Ministry of Finance and it was still uncertain at the time as taking these records was incompatible with the work of the Ministry of Finance.

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In 2008 the Government made the discretion to refer the Office of Birth Certificates, Marriage and Death Certificates to the office it is at now which is the Bureau of Statistics. The stats under the Birth Certificates, Marriage and Death Certificate Office were more historical figures and were not appropriate. Since establishment the General Registrar was the chief of the Ministry. In the office of the Courts, the Clerk of the Courts at the time was the chief executive but the delegation was given to the Deputy Registrar to carry out the work. It seems that from that time to the present the Bill has progressed to having the office of birth, marriage and death certificates separate. It is my observation of the Bill that it is accurate at the moment; the Registrar of birth, marriage and death certificates appoints the Deputy Registrar and other officers below. Thank you.

MR SPEAKER: I gather the matter has been clarified by the Deputy Speaker and also the Deputy Prime Minister.

Yes, Tofa Lealailepule....

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker the Deputy Speaker speaks on the History and I am grateful we now understand the history of the matter but that is not what is being discussed here. Furthermore, I stand to second the motion moved by the Member for Aana Alofi No.3, to omit this section because it is being removed in the first section of the Bill.

Thank you.

MR SPEAKER: Yes, I grant opportunity to the Chairperson of Committee.

Tofa Hon TUUU ANASII LEOTA: Mr Speaker, it is not a matter or disregarding the Members concerns. However the Bill is set and it is complete and accurate.

The Clause 41 of the bill is the same as Clause 4 of the Birth, Marriage and Death Certificate Bill. There is no inconsistency on the matter. The recruitment is from the PSC and due to past events occurring in Ministries the Government therefore deemed it best for the Cabinet to make appointments to ensure honesty and accuracy. Mr Speaker there is nothing inconsistent with the Bill and we do not accept the motion moved. Thank you.

MR SPEAKER: Yes, I trust the matter is clear. I recognize Afioga Afualo.

Afioga AFUALO WOOD UTI SALELE: Thank you Mr Speaker. The matter is very simple and in the English translation of the Bill, Clause 4 that has been removed states, “The Registrar in general may appoint.” It means that is it uncertain but there is still power regardless of recent removal; it should not be this way.

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The matter is very simple but the stubbornness of the Chairperson is the delay. The back should be removed to be consistent with the front. Thank you.

MR SPEAKER: The matter is settled. I grant opportunity to the Minister responsible for the Bureau of Statistics.

Afioga Hon LAUTAFI FIO SELAFI PURCELL: Mr Speaker, I observe the provision as mentioned in the Bill and I notice the word designation or delegation which means that General Registrar may appoint a staff member in the Office to act as a designated for a period of time. There are other Acts that do not overstep that of the PSC Act in the appointment of the ACEO. However it is done so within the Office if there is no ACEO perhaps they are traveling then the Deputy Registrar appoints a staff member to be the ACEO which is what is called delegated authority. The Section 41 provides for that power and it does not mean appointment of new persons.

Thank you.

Tofa AGAFILI PATISELA ETEUATI TOLOVAA: Mr Speaker there is something to be clarified. The Bill provides that there are two titles but only one person. The front is the Government Statistician and the back is the General Registrar. The duties of these posts are carried out by one person. There are different duties but the Bill is still accurate and consistent. The Government Statistician covers the Statistics and the General Registrar covers the birth, death and marriage records.

Thank you.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker I have one more thought, if this is what the Government wishes then so be it. Let us also admit to our misinterpretation of the matter. Even though the word used in section 14 and section 41 is appoint. Nevertheless I understand.

Thank you.

MR SPEAKER: The word appoint is also dedicate. I beg Members to accept the Bill and to approve so that it may proceed. If there are any mishaps I doubt any CEO would continue with the inappropriateness. Let us set sail and see how it will pan out.

CLAUSE 41: Repeal, transitional and consequential amendment.

Approved.

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Statistics Bill 2014 – consideration in detail

SCHEDULE.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short Title and commencement

TITLE: Statistics Act 2014.

MR SPEAKER: I call on the Chairperson of the Committee as there is a Correction.

Tofa Hon TUUU ANASII LEOTA: Thank you Mr Speaker but I do wish to emphasize to the Member. There is no such Government that would be stupid enough to carry on with something that would be bad for the country. Mr Speaker I move a Correction to Clause 1 and Title as follows:

“CORRECTION:

To omit the figure “2014” and substitute thereby the figure “2015,” thus the Title reads:

Statistics Act 2015.”

Thank you.

MR SPEAKER: Well done prince.

Correction approved.

Clause 1 and Title approved as Corrected.

**PUBLIC FINANCE MANAGEMENT AMENDMENT BILL 2014
– consideration in detail**

MR SPEAKER: Pursuant to Standing Order 106, the Legislative Assembly should approve the Committee Report on the Bill before careful consideration of the Bill.

I call on the honorable Chairperson of the Finance and Expenditure Committee.

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**Public Finance Management Amendment Bill 2014
– consideration in detail**

Susuga Hon PAPALIITELE NIKO LEE HANG (Chairperson of the Finance and Expenditure Committee): Thank you Mr Speaker for the opportunity. I stand with due respect to move a motion, *That the Assembly approve the Committee Report on the Public Finance Management Amendment Bill 2014 along with Corrections.*

Seconded by one of the Members for Faasaleleaga No.1, Afioga Hon Gatoloaifaana Amataga Alesana Gidlow and the Member for Aleipata Itupa i Lalo.

MR SPEAKER: I now declare that the Legislative Assembly has approved the Committee Report on the Public Finance Management Amendment Bill 2014.

The Assembly will now proceed to Consideration in detail of the Public Finance Management Amendment Bill 2014.

Pursuant to Standing Order 102, consideration starts at Clause 2.

CLAUSE 2: General amendments.

Susuga PAPALIITELE LIO FAAVAIVAIOMANU TAEU MASIPAU: Mr Speaker, I would like to just ask the Chairperson or the Hon Minister responsible for the Bill, what is the difference between the statement of economic strategy and strategy for the Development of Samoa? I would like to understand because it is being changed from another. Is there any difference?

Thank you.

MR SPEAKER: I call on the Chairperson.

Susuga Hon PAPALIITELE NIKO LEE HANG: I thank the Member for the query. The answer is simple. There is no difference. Thank you.

MR SPEAKER: I beg pardon of the Member, but I grant opportunity to the Deputy Prime Minister.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker, the statement in which the word strategy is emphasized and there is no difference. The only change is the re-phrasing in terms of synonyms. The term used before was economic strategy while the term used now is strategy for development of Samoa. However in terms of the operations and mission of the Government they remain the same, with the changes only being that of the terms.

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**Public Finance Management Amendment Bill 2014
– consideration in detail**

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker, I wish to elaborate more on the question as I am a Member of the Committee and I too queried the Ministry when they came. There is a difference because economic strategy refers specifically to the economy while development encompasses the development of the nation as a whole and the Government development. The Ministry views the term “economy” which was usually used and replaced it with “development” to emphasize all projects of the Government and country referred to it. Thank you.

Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU: Mr Speaker since I raised the question, I acknowledge the difference in the statements and the reason to which it was changed. I believe the matter will emphasize the difference when the projects for the next five years of the Government are in place.

MR SPEAKER: The Members clarification has been noted. I recognize the Chairperson of Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG: Thank you Mr Speaker for the opportunity, I believe the bottom line in terms of development is for the economy; to develop the economy.

It is why I voiced that there is no difference in the re-phrasing of the terms. The bottom line is for the development of the economy. Thank you.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker I do not intend to appear boastful on the matter but I was the one who queried the Ministry. The Ministry responded that in the initial transference of the economic development to development there were different models used. If the village water sources are utilized, it does not necessarily mean that it is a development, it means that it is for the social well being. Thank you.

MR SPEAKER: It is apparent you have just refuted the Report of the Committee but your thoughts should have been voiced in the discussion. Nevertheless, the Deputy Prime Minister and the description by the Chairperson is clearly delivered.

CLAUSE 3: Section 5 Amended.

Approved.

CLAUSE 4: Section 17 Amended.

Approved.

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**Public Finance Management Amendment Bill 2014
– consideration in detail**

CLAUSE 5: Section 19 Amended.

Approved.

CLAUSE 6: Section 20 Amended.

Approved.

CLAUSE 7: New Section 78A inserted.

MR SPEAKER: I call on the Member for Faasaleleaga No. 2.

Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU: Mr Speaker, I observe that Clause 7 is on the matter which I voiced in the second reading of the Bill. It is on the word financing any deficit in the budget of the State. The Hon Minister of Finance the Hon Prime Minister stated that it is debt. Therefore is it really debt? Thank you.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker, there are two words used for a financial income received is less than the expenses; it is either deficit or loss. If an Organization seeks to gain profit then the term used is loss, but if it is not to gain profit then the term used is deficit. Our government seeks profit. Thank you.

Clause 7 approved.

CLAUSE 8: New Section XIA inserted.

Approved.

CLAUSE 9: Section 107 Amended.

Approved.

CLAUSE 10: Section 108 substituted.

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**Public Finance Management Amendment Bill 2014
– consideration in detail**

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Mr Speaker, Clause 10 please.

MR SPEAKER: I grant opportunity to the Member.

Afioga TOEOLESULUSULU CEDRIC SALESA SCHUSTER: Thank you. I would like to ask the Chairperson of the Committee on the quarterly summaries as I understand it is being advertised in the Savali. Perhaps the Committee should consider inserting in the Bill the reporting of the summaries to the Parliament for consideration rather than outside of the Parliament.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker the recommendation is noted.

Clause 10 approved.

CLAUSE 11: Section 110 amended.

Approved.

CLAUSE 12: Schedule 5 substituted.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Public Finance Management Amendment Act 2014.

MR SPEAKER: The Committee has a Correction on Clause 1 and Title as printed in the Supplementary Order Paper.

I call on the honorable Chairperson of the Finance and Expenditure Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker, I move a motion, That the Public Finance Management Amendment Bill 2014 may progress along with its Corrections.

Thank you.

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**Public Finance Management Amendment Bill 2014
– consideration in detail**

MR SPEAKER: I beg pardon of the Chairperson, but before the question is put, the omitting of the number 2014 and substitute with the number 2015.

Susuga Hon PAPALIITELE NIKO LEE HANG: I apologize to the Chair I seem to have misread. Mr Speaker, I move a motion to Correct Clause 1 and Title as follows:

“CORRECTION:

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

PUBLIC FINANCE MANAGEMENT AMENDMENT ACT 2015.

Correction approved.

Clause 1 and Title approved with Correction.

TEACHERS BILL 2015 – first reading

MR SPEAKER: I call on the Hon Minister of Education, Sport and Culture.

Afioga Hon MAGELE MAULIU (Minister of Education, Sports and Culture): Mr Speaker I move a motion, *That the Teachers Bill 2015 be read for the first time.*

Seconded by the Minister of Works, Industry and Labour.

The motion was approved and the Bill was read for the first time.

MR SPEAKER: Pursuant to Standing Orders, the Bill will be read a second time on the third Sitting following.

GENEVA CONVENTIONS BILL 2015 – first reading

MR SPEAKER: I call on the Deputy Prime Minister.

Tofa Hon FONOTOE NUA FESILI PIERRE LAUOFO: Mr Speaker, I move a motion, *That the Geneva Conventions Bill 2015 be read for the first time.*

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Geneva Conventions Bill 2015 – first reading

Seconded by the Deputy Speaker, Member for Aleipata Itupa i Lalo and the Minister of Commerce, Industry and Labour.

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

MR SPEAKER: Pursuant to Standing Order the Bill will be read a second time on the Third Sitting following.

WATER SCHEMES BILL 2015 – first reading.

MR SPEAKER: In the absence of the Hon Minister of Women, Community and Social Development, I call on the Hon Deputy Prime Minister.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker, I move a motion, *That the Water Schemes Bill 2015 be read for the first time.*

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

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

MR SPEAKER: Pursuant to Standing Order, the Bill will be read a second time on the Third Sitting following.

ROAD TRAFFIC AMENDMENT BILL 2015 – first reading

MR SPEAKER: I call on the Hon Minister of Works, Transportation and Infrastructure.

Afioga Hon MANUALESAGALALA MATI TUIGAMALA ENOKATI POSALA: Mr Speaker I move a motion, *That the Road Traffic Amendment Bill 2015 be read for the first time.*

Seconded by the member for Falelatai and Samatau and the Minister of Education, Sports and Culture.

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

MR SPEAKER: Pursuant to Standing Order the Bill will be read a second time on the Third Sitting following.

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ACTS INTERPRETATION BILL 2015 – first reading

MR SPEAKER: I call on the Deputy Prime Minister.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker, I move a motion, *That the Acts Interpretation Bill 2015 be read for the first time.*

Seconded by the Member for Aleipata Itupa i Lalo and the Minister of Commerce, Industry and Labour.

Motion approved and the Bill was read a first time.

MR SPEAKER: Pursuant to Standing Order the Bill will be read a second time on the Third Sitting following.

CONSIDERATION OF SELECT COMMITTEE REPORTS

P.P.2014/2015 NO. 206, REPORT OF THE JUSTICE, POLICE AND PRISONS COMMITTEE ON P.P.2014/2015 NO. 38, SAMOA LAW REFORM COMMISSION REPORT ON THE MEDIA REGULATION, REPORT 10/12 – CONSIDERATION

MR SPEAKER: I call on the Chairperson of the Justice, Police and Prisons Committee, Honorable Chairperson, Afioga Afoafouvale John Moors.

Afioga AFOAFOUVALE JOHN MOORS (Deputy Chairperson of Justice, Police and Prisons Committee): Mr Speaker I move a motion, *That the Legislative Assembly consider the Committee Report along with its, FINDINGS, RECOMMENDATIONS AND RESOLUTION.*

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

MR SPEAKER: I call on the Deputy Chairperson for the reading of the Recommendation and Resolution.

Afioga AFOAFOUVALE JOHN MOORS: I apologize to the Chair but the Officers are working on the matter.

Mr Speaker, I stand to voice the Recommendation, Resolution and Findings of the Committee.

RECOMMENDATION:

Based on its Findings the Committee recommends that Government:-

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P.P.2014/2015 No. 206, Report of the Justice, Police and Prisons Committee on P.P.2014/2015 No. 8, Samoa Law Reform Commission Report on the Media Regulation, Report 10/12 – Consideration

Takes note and consider Recommendations submitted by the Samoa Law Reform Commission on the National Heritage Board.

Takes note of Recommendations No. 1 to No.21 by the Samoa Law Reform Commission in its Report. The Committee is of the opinion that these recommendations are complete and satisfactory for the improvement of the roles and functions for the enactment of the Media Regulation. Recommendations by the Commission for the reform of the Media Regulation is to solely improve the services provided by the Media to address the media coverage needs of Government and the public.

RESOLUTION:

The Committee resolved to recommend to the Assembly:

To approve the P.P. 2014/2015 No. 38, Samoa Law Reform Commission Report Media Regulation Report 10/12.

Thank you.

MR SPEAKER: Thank you honorable Chairperson. I trust the Report has been clearly understood.

I recognize the Member for Faleata West.

Tofa LEALAILPULE RIMONI AIAFI: Mr Speaker, I acknowledge the Deputy Chairperson and the efforts on their Report. As the Chair may have noticed the Report has a different format in the sense that it does not have a Recommendation. It has only one Recommendation which states to approve the Report and nothing on the details of the Recommendation. The Bill is progressing towards the Regulation of the News Media Council but the Principal Act is yet to be reported on as it encompasses the majority of these things. The Bill has been tabled in the Chamber and is available for recommendation.

I wish to question the Chairperson where the Amendments of the Committee Report is heading with the News Media Council? Furthermore, the important Recommendation not mentioned in the Report by the Committee is that from the Law Commission. The Law Commission recommends the reviewing of the Prison and Publisher Act, Newspaper and Printers Act in Section 7 of the Bill to notify the names of the people included in the defamation in the Papers.

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**P.P.2014/2015 No. 206, Report of the Justice, Police and Prisons
Committee on P.P.2014/2015 No. 8, Samoa Law Reform Commission
Report on the Media Regulation, Report 10/12 – Consideration**

The Law Commission recommends the Committee to review the Act to examine the Act and to consider the need to amend or repeal S.10 as it relates to the disclosure of information about a journalists source. It is not noted what the Committee recommends on the many recommendations of the Law Commission mentioned.

Therefore can the Chairperson address where exactly the News Media Regulation amendments form as the Media Council is laid out.

MR SPEAKER: The Members concern is noted.

Afioga Afoafouvale John Moors: Thank you for the opportunity. Our Report is quite simple even though there was a lot of time spent on discussing and considering the recommendation from the Commission. Based on our consideration and investigation the Committee confirmed the recommendations on the Law Commission Report. The Committee resolves that the recommendation and investigations of the Commission the Committee finds it complete and the Committee fully supports. It is clearly stated in the recommendation that the Committee supports the recommendations of the Commission as stated in the Report.

Thank you.

MR SPEAKER: I grant first opportunity to the Member for Aana Alofi No.3 followed by the Member for Gagaemauga No.2.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Thank you Mr Speaker for the opportunity. Mr Speaker I wish to understand the Committee since they have quite a few Reports tabled including this Report by the Law Commission. Majority of the Reports have strictly followed the format which details Committee investigations as reported. However this Committee Report seems to only mention their approval of the Land Commission and their recommendation and surveys but have failed to carry out surveys of their own on the Ministry and its impacts on these areas. For an example Mr Speaker, the Committee Report consists mostly on the discussion of Media Council and Newsprint but the only people investigated were the Law Commission. Why was the Ministry or Management in which the Bill pertains not investigated especially since there are changes to the Bill? Has the Committee considered that there is now a new Bill, the Media Council Bill. I believe that the Committee should consider reviewing this Bill and also report recommendations from the Law Commission. Thank you Mr Speaker.

MR SPEAKER: In saving our time, I grant opportunity to the Member for Gagaemauga No.2.

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**P.P.2014/2015 No. 206, Report of the Justice, Police and Prisons
Committee on P.P.2014/2015 No. 8, Samoa Law Reform Commission
Report on the Media Regulation, Report 10/12 – Consideration**

Tofa LEVAOPOLO TALATONU: Mr Speaker the Report is on the regulations. Therefore I would like to ask the Committee since the Media Council Bill is still pending; it should have been based on the regulations before. I do not understand how it is that this Report was made when the Principal Act has yet to be approved. Thank you.

MR SPEAKER: I grant opportunity to the Member for Vaimauga West, Lefau Harry Schuster.

Tofa LEFAU HARRY SCHUSTER: Mr Speaker, I wish to assist our Chairperson as it seems that we are confused by the word “Regulations”. The correct phrase is the regulating of the Media Industry, while the Act that we considered was the Media Council Bill. The legislation is the Media Council Bill while the regulation refers to the facilitating of the Media Industry, but that's not the same – we would not consider any regulations.

MR SPEAKER: Thank you, the matter is understood.

Afioga Toesulusulu Cedric Pose Salesa Schuster: Mr Speaker on the same matter. I observe that if it is on the Media Council Bill, I believe that the Law Commission and Committee should have considered collaborating for recommendations on the Media Council Bill. Whether there should have been amendments before the final report. It is hard to comprehend the Report of the Law Commission when there are no recommendations for whether the Media Council Bill is appropriate. It is something that needs clarification.

MR SPEAKER: I recognize the Leader of Opposition.

Afioga Hon Palusalue Faapo II: Mr Speaker, I feel very sorry for the Chairperson who seems to be lost. Therefore I recommend the Chair to retract the Report until the Media Council Bill is approved.

Afioga AFOAFOUVALE JOHN MOORS: Thank you for the opportunity. The Report is like a carriage coming first before the horse. The comments voiced will not deter our confidence in the Report and the importance. The Report considers and seeks the approval on the recommendations of Regulations of the Bill being drafted. The Report voices our support for the Law Commission Report and based on our findings, we have approved and concluded the appropriateness of the Report. Opportunity was given to the public but we cannot force witnesses to come forth if they do not wish. The Report is based on the findings of the Law Commission in establishing the provisions and the provisions within the Media Council Bill being drafted.

17 MARCH 2015

**P.P.2014/2015 No. 206, Report of the Justice, Police and Prisons
Committee on P.P.2014/2015 No. 8, Samoa Law Reform Commission
Report on the Media Regulation, Report 10/12 – Consideration**

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker the Committee Report is a Committee Report on the Samoa Law Reform Commission Report and Recommendations. The Ministry involved in reviewing the Bills Reported and thus the Committee have Reported back to the Chamber. It is not a Report on the Bill. The two main aspects of the Report include any possible provisions that would regulate the Media in Samoa to which 21 recommendations were offered.

Secondly, the Recommendations on the Regulations needed for the provisions of Media related issues, rather than affecting the Media Council Bill. Mr Speaker that is my interpretation of the Report.

MR SPEAKER: Thank you. I call on Leader of Opposition.

Afioga Hon Palusalue Faapo II: Mr Speaker the Deputy Prime Minister has just made things more confusing. The Chairperson has voiced that the Report is like a carriage coming before the horse.

I therefore recommend that the Bill be tabled along with the Report as majority of the Report is based on it.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker, I have explained the accurate explanation on the matter. It has been clarified that the Report is a Report on the Report of the Commission. The Committee Reports they have considered and made 21 Recommendations of the Samoa Law Reform Commission. Let us proceed with our work.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker the matter is now clear. In my understanding of the Report, the recommendation from the Law Commission is complete. The Report Mr Speaker should have been referred to the Committee reviewing the Media Council Bill. It is clear that the Media Council differs from the News Media Council which has conflicts as we cannot approve the Report as the Committee holds the bulk of the Report. The Law Reform Commission Report is based on the Media Council which the Chamber has referred to the Committer for consideration. I believe it is good...and I recommend the Chair....

MR SPEAKER: I acknowledge the Members concern. The Committee Report refers to the recommendation of the Law Reform Commission. There is no reason why the Committee should be affected in relation to the Media Council. The Committee Report on the Report of the Law Reform Commission is important for us to consider and also for our surveys. The findings of the Committee based on the Recommendations of the Commission is for us to consider and its importance, the Report is not on a Bill. Therefore I believe the matter is settled.

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**P.P.2014/2015 No. 206, Report of the Justice, Police and Prisons
Committee on P.P.2014/2015 No. 8, Samoa Law Reform Commission
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Tofa LEALAILEPULE RIMONI AIAFI: Thank you. I mean no disrespect for your decision, perhaps it would have been best if there was opportunity for the Law Commission Report and the Bill to be discussed simultaneously to ensure the Bill is absolute. I acknowledge the Committee Report even though the Committee barely did any work but it is important that we are to consider so that when the Bill is tabled we may understand the Media Council Bill in the future.

Thank you.

MR SPEAKER: As I have said before, there is no boundary to all good things. The importance of the Committee Report confirms the surveys of the Law Reform Commission.

Susuga PAPALII LIO FAAVAIVAOMANU TAEU MASIPAU: No, I guess the matter has been clarified and as our Committee it is the same thing. It is important that the Committee considered the matter as we considered the Bill. The Clerk of our Committee stated that we should carry out our duty in considering the Commission Report and then refer to the Parliament for approval and further recommendations. It is important to acknowledge these matters for future reference of our work.

Thank you.

MR SPEAKER: I acknowledge the Committee for the patience and I believe the Members concerns are due to the upcoming Bills. Nevertheless I acknowledge the effort in the work and the commitment. I am the Chairperson for the Committee currently reviewing one of the Bills yet to be tabled, and I remind the Law Reform Commission that your Report confirms the urgency and importance of the Bill being considered especially for the Media.

Report was approved.

**P.P.2014/2015 NO.203, GOVERNMENT RESPONSES ON
P.P.2014/2015 NO.135, REPORT OF THE WORKS, TRANSPORT
AND ENVIRONMENT COMMITTEE ON P.P.2014/2015 NO.65,
ANNUAL REPORT OF THE SAMOA PORTS AUTHORITY FOR
THE FINANCIAL YEAR ENDING 30 JUNE 2012**

MR SPEAKER: I call on the Hon Minister of Works, Transport and Infrastructure.

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

Afioga Hon MANUALESAGALALA MATI TUIGAMALA ENOKATI POSALA: Mr Speaker I move a motion, *That the Assembly approves the P.P.2014/2015 No.203 presenting the Government response on P.P. 2014/2015 No.135, Report of the Works, Transport and Environment Committee on P.P.2014/2015 No.65, Annual Report of the Samoa Ports Authority for the Financial Year Ending 30 June 2012, pursuant to Standing Order 54.*

Seconded by the Minister of Education, Sports and Culture.

Afioga Hon MANUALESAGALALA MATI TUIGAMALA ENOKATI POSALA: Mr Speaker, this is the Samoa Ports Authority response to the recommendations.

RESPONSE TO RECOMMENDATIONS OF THE ‘WORKS, TRANSPORT AND ENVIRONMENT COMMITTEE’ UNDER PARLIAMENT PAPER P.P.2014/2015 NO. 65 IN RELATION TO SAMOA PORTS AUTHORITY’S ANNUAL REPORT FOR FINANCIAL YEAR ENDED 30TH JUNE 2012.

“RECOMMENDATION:

1. The Samoa Ports Authority should cease using Middle Man companies in purchasing its expensive assets because the Committee noted that these assets are not reaching the quality needed.

Response:

- 2.1 Samoa Ports Authority has accepted the recommendation by the Committee and has ceased using Middle Man/Companies in purchasing expensive assets.

RECOMMENDATION:

2. Considers a fair decision to the Authority’s current outstanding debt at the Ministry for Revenue since 2006/2007, in fact it was created from the importation of machineries for Government Projects.

Response:

- 2.2 The Authority is currently awaiting a response from the Ministry of Revenue in relation to its outstanding debt emanating from custom duties for machineries for Government Projects that remain outstanding since 2006/2007. All documents pertaining to this have been submitted to Customs for their assessment and consideration.

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

RECOMMENDATION:

3. The Matautu Wharf should be upgrade as an investment and reconsiders the establishment of another new sea port due to the decrease in number of incoming vessels.

Response:

- 2.3 The upgrading and rehabilitation of the Matautu Wharf by the Government of Japan will be carried out in the near future, with the Authority aiming to implement a number of revenue generating activities already put in place, as well as development of a new wharf at Vaiusu, to cater for larger vessels and to further enhance port services.

RECOMMENDATION

4. The Authority should consider and complies with the requirements of International Maritime Organizations to ensure that its performance is in line with these International Laws.

Response:

- 2.4 The Authority places great importance in complying with the requirements of the International Maritime Organizations and in ensuring its performance is consistent with these International Laws.

Samoa Ports Authority wishes to take this opportunity to thank the committee for its recommendations, in trying to assist the Authority with its cost cutting measures and to further enhance its services to all stakeholders.

Report was approved.

MR SPEAKER: Well I believe we have concluded our work for the day. The Order Paper for today has been completed and it is in accordance with our time. In the utmost respect I convey my gratitude to the distinguished Members of the House for our Sitting today. I acknowledge your patience and commitment and I thank you. We have done much today from the Bills being first read, second read right up to the Bills which are being reviewed. Once again I acknowledge the commitment and forbearance of the Chamber towards our work from the morning to now.

The Chair requests the Chairperson and Committees that have yet to complete their work. The Office of the Legislative Assembly is always available and I urge the Committees to not procrastinate. The Office of the Legislative can also readjust their schedule if the Committee is a bit delayed.

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

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

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

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

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

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

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

THURSDAY, 19TH MARCH 2015

The Speaker took the Chair at 9.00am.

Prayer.

OTHER ANNOUNCEMENTS BY THE SPEAKER

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

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

Greetings and welcome Government Heads of Public Enterprises.

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

MOTION TO SET ASIDE STANDING ORDERS 100(1)

MR SPEAKER: I call the Hon Prime Minister.

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

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

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

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