

TUESDAY, 18 MARCH, 2014

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

Mr Speaker took the Chair at 9.00am

Prayer.

MESSAGE FROM O LE AO O LE MALO

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

1. “MEMORANDUM for:

Mr Speaker:

Pursuant to Standing Order 59 of the Constitution of the Independent State of Samoa and Parliament Standing Order 85, consent is hereby given to the Legislative Assembly to proceed upon consideration of the following Bill:

1. Maritime Zones Amendment Bill 2014.
2. Family Court Bill 2013.
3. Trusts Bill 2014.
4. International Companies Amendment Bill 2014.
5. Counter Terrorism Bill 2014.
6. International Criminal Court Amendment Bill 2014.
7. Metrology Bill 2014.

GIVEN UNDER my Hand this Tuesday 17 March in the year 2014.

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

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Message from Le Ao o le Malo

2. CERTIFICATE OF URGENCY

Pursuant to Standing Order 99(2) I, TUI ATUA TUPUA TAMASESE EFI, HEAD OF STATE, hereby issue the Certificate of Urgency to the Legislative Assembly to consider the Bills listed hereunder in the Meeting commencing on Tuesday 18 March 2014:

1. Trusts Bill 2014.
2. International Companies Bill 2014.
3. Counter Terrorism Bill 2014.

GIVEN UNDER my Hand this day 17 March in the year 2014.

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

OBITUARY SPEECHES

Mr Speaker pronounced the passing of the Afioga ANAULI Pofitu Fesili who was a member of the Parliament on the 3rd of February 2014.

The Hon ANAULI Pofitu Fesili was a member from the Faaalaalafaga of Vaimauga West Constituency in the year 2006-2011.

The Hon ANAULI Pofitu Fesili was an Associate Minister for the Audit Office and the Accident Compensation Corporation in 2006-2011

He was also a Chairman of the Consideration Committee of the Parliament in the year 2008-2009 when analyzing of the Protest against the Road Switch.

He was also a member of the Officers of Parliament Committee, Works, Transport & Environment Committee and the Regulations Review Committee in 2006-2011.

The members of the House stood still in honoring the member who has passed.

OTHER ANNOUNCEMENTS BY MR SPEAKER

MR SPEAKER: I believe that despite the sad news and the unfortunate circumstances we should all be thankful for we are present here today to witness the unconditional love of the Lord for us all.

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Presentation of Papers

Thanksgiving for the Lords mercy and love for guiding and protecting each and every one of us to this new day, for guiding each distinguished member to this wonderful new day we have planned and prayed for, so that we may continue our work.

I trust and believe everyone here is in good health and that nothing will retract the smooth sailing of our work today.

I would like to thank our Prime Minister, honorable Ministers and Associate Ministers. To this side of the house; the Hon and that side of the house; to the Hon Member, thank you for your patience this morning.

I also acknowledge respective members present here today and also to our children. It is not news the aims and programs of the Parliament in making Awareness Programs for the knowledge of not only our children but also the general public about the proceedings of the Legislative Assembly.

Welcome everyone. I believe the purpose is to witness and experience the proceedings of the Meeting House here at Tiafau of the chosen Leaders of the Country dedicated to developing a better and brighter future for Samoa.

I recommend that you pay attention and focus on the proceedings so that you may take something useful for yourself in the future. We believe you the young generation are the future of our nation. Your time will come to lead our country but you must gain experience in the paths and conformities of the Parliament for the betterment of all Samoa.

I also acknowledge the presence of all Government Ministries and their respective CEOs, thank you for being here today.

I believe we are also present with our guests from the Government of Australia who are here to assess the need for our new Meeting House to be built. We all hope that they would offer their complete assistance in implementing a new Meeting House because as you can all see we are in dire need of it. The climate changes and harsh weather has degraded our House among other factors.

I welcome you all.

PRESENTATION OF PAPERS

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

1. S.R.2014/1, General Price Order (No.1) 2014.
2. P.P.2013/2014 No. 78, Ministry of Police and Prisons Annual Report for the Financial Year 2007-2008.
3. P.P.2013/2014 No.79, Ministry of Police and Prisons Annual Report for the Financial Year 2008/2009.
4. P.P.2013/2014 No. 80, National University of Samoa Annual Report for the Year 2012.

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Presentation of Select Committee Reports

5. P.P.2013/2014 No.81, Government Responses on P.P.2012/2013 No.33, Report of the Finance and Expenditure Committee on P.P.2011/2012 No. 30, Financial Statement of Totalisator Betting Agency ending 30 June 2010.
6. P.P. 2013/2014 No.82, Annual Report of the Ministry of Agriculture and Fisheries for the Year July 2011- June 2012.
7. P.P.2013/2014 No. 125, Government Responses on P.P.2013/2014 No.30, Report of the Finance and Expenditure Committee on P.P. 2012/2013 No. 92, Corporate Plan of the Office of the Clerk of the Legislative Assembly 2013-2015.

PRESENTATION OF SELECT COMMITTEE REPORTS

The Clerk read out the list of Papers pursuant to Standing Order 51(5).

1. P.P.2013/2014 No.83, Government Administration Committee Report on P.P. 2013/2014No.3, Annual Report of the Unit Trust of Samoa for the Financial Year ending 30 June 2012.
2. P.P. 2013/2014 No.84, Government Administration Committee Report on P.P. 2012/2013 No. 44, Statement of Corporate Objectives of the Unit Trust of Samoa for the period 2013-2015.
3. P.P.2013/2014 No.85, Report of the Finance and Expenditure Committee on P.P.2012/2013 No. 51 & P.P. 2013/2014 No. 14, Betting Totalisator Agency Board Financial Year ending 30 June 2012.
4. P.P. 2013/2014 No.86, Report of the Works, Transport & Environment Committee on the Apprenticeship Bill 2013.
5. P.P.2013/2014 No.87, Report of the Works, Transport & Environment Committee on the Lands, Survey and Environment Amendment Bill 2013.
6. P.P.2013/2014 No.88, Report of the Finance and Expenditure Committee on P.P.2013/2014 No.21, Annual Report of the Samoa Life Assurance Corporation for the Financial Year 2011/2012.
7. P.P.2013/2014 No 89, Report of the Works, Transport & Environment Committee on the Unit Titles Amendment Bill 2013.
8. P.P.2013/2014 No.90, Report of the Works, Transport & Environment Committee on P.P.2012/2013 No. 71, Annual Report of the Samoa Ports Authority for the Financial Year ending 30 June 2011.

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Presentation of Select Committee Reports

9. P.P.2013/2014 No. 91, Report of the Works, Transport & Environment Committee on P.P. 2013/2014 No. 6, annual Report of the Samoa Airport Authority for the Financial Year ending 30 June 2011.
10. P.P. 2013/2014 No.92, Report of the Finance and Expenditure Committee on P.P. 2012/2013 No. 61 & P.P.2013/2014 No.75, Annual Reports of the Polynesian Airlines for the Financial Years ended 30th June 2012 and Financial Year ended 30th June 2013.
11. P.P. 2013/2014 No 93, Report of the Justice , Police & Prisons and Land and Titles Committee on P.P.2012/2013 No. 91, Samoa Law Reform Commission Report on the Village Fono Act 1990, Report 09/12.
12. P.P. 2013/2014 No 94, Report of the Government Administration Committee on P.P.2012/2013 No 41, Annual Report of the Samoa International Finance for the Financial Year ended 30th June 2011.
13. P.P.2013/2014 No. 95, Report of the Government Administration Committee on P.P.2013/2014 No. 77, Annual Report of the Office of the Attorney General for the Financial Year ended 30th June 2012.
14. P.P. 2013/2014 No. 96, Report of the Education, Science, Communication & Information Technology on P.P.2013/2014 No. 20, Annual Report of the National University of Samoa for the Financial Year 1st July 2010- 30th June 2011.
15. P.P. 2013/2014 No. 97, Report of the Justice, Police & Prisons and Land & Titles Committee on P.P. 2013/2014 No. 52, Annual Report of the Samoa Law Reform Commission for Financial Year July 2011- June 2012.
16. P.P.2013/2014 No. 98, Report of the Education, Science, Communication & Information Technology Committee on the Telecommunication Amendment Bill 2013.
17. P.P.2013/2014 No. 99, Report of the Education, Science, Communication & Information Technology Committee on P.P. 2012/2013 No. 80, Samoa Qualifications Authority Statement of Corporate Objectives 2013-2015.
18. P.P.2013/2014 No.100, Report of the Education, Science, Communication & Information Technology Committee on P.P.2012/2013 No. 57, Samoa Post Corporate Plan 2013-2015 & P.P. 2012/2013 No. 58, Samoa Post Statement of Corporate Objectives 2013/2015.

*18 MARCH 2014***Presentation of Select Committee Reports**

19. P.P.2013/2014 No. 101, Report of the Health and Social Services, Internal Affairs, Community and Social Development Committee on P.P.2012/2013 No.12, Annual Report of the National Kidney Foundation of Samoa for 1 July 2010 to 30th June 2011.
20. P.P.2013/2014 No. 102, Report of the Justice, Police & Prisons and Land Titles Committee on the Police Offences Amendment Bill 2013.
21. P.P. 2013/2014 No. 103, Report of the Primary Production, Commerce, Industry and Labour Committee on the Trade, Commerce and Industry Amendment Bill 2013.
22. P.P.2013/2014 No. 104, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2013/2014 No.69, Annual Report of the Ministry of Commerce, Industry and Labour for the Financial Year ended 30th June 2012.
23. P.P.2013/2014 No. 105, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2013/2014 No. 40, Annual Report of the Samoa Tourism Authority for the Financial Year ended 30th June 2012.
24. P.P.2013/2014 No.106, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P.2013/2014 No. 5, Annual Report of the Development Bank of Samoa for the Financial Year ended 30th June 2012.
25. P.P.2013/2014 No. 107, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P. 2012/2013 No. 76, annual Report the Samoa Trust Estates Corporation for the Financial Year ended 30th June 2011.
26. P.P. 2013/2014, No. 108, Report of the Primary Production, Commerce, Industry and Labour Committee on P.P. 2012/2013 No.75, Annual Report of the Ministry of Agriculture and Fisheries for the Financial Year ended 30th June 2011.
27. P.P.2013/2014 No. 109, Report of the Foreign Affairs, Trade and Revenue Committee on the Counter Terrorism Bill 2012.
28. P.P.2013/2014, No 110, Report of the Foreign Affairs, Trade and Revenue Committee on P.P. 2012/2013 No. 67, Annual Report of the Ministry for Revenue for 2008/2009, P.P. 2012/2013 No 68, Annual Report of the Ministry of Revenue for 2009/2010, P.P.2012/2013 No 69, Annual Report of the Ministry of Revenue for 2010/2011, P.P. 2012/2013 No. 70, Annual Report of the Ministry for Revenue for 2012/2013.

*18 MARCH 2014***Presentation of Select Committee Reports**

29. P.P.2013/2014 No 111, Report of the Regulations Review Committee on S.R. 2013/1, S.R. 2013/2, S.R. 2013/3, S.R. 2013/4, S.R. 2013/5, S.R. 2013/6, S.R. 2013/7, S.R. 2013/8, S.R. 2013/9, S.R. 2013/10.
30. P.P. 2013/2014 No.112, Report of the Justice, Police & Police and Land and Titles Committee on P.P.2011/2012 No 105, Annual Report of the Ministry of Justice & Courts Administration for the Financial Year 2010/2011.
31. P.P.2013/2014 No.113, Report of the Business, Standing Orders, House and Electoral Committee on P.P.2011/2012 No. 96, Report of the Office of the Electoral Commissioner on the 2011 By-Elections.
32. P.P.2013/2013 No 114, Report of the Health and Social Services Committee on P.P.2012/2013 No 16 and P.P.2013/2014 No. 1, Annual Reports of the Ministry of Women, Community and Social Development for the period ended 30th June 2011 and Period ended 30th June 2012.
33. P.P. 2013/2014 No155, Report of the Health and Social Services Committee on P.P.2012/2013 No.16 and P.P. 2013/2014 No. 73, Report of Operations and Statement of Accounts of the Samoa Senior Citizens Benefit Fund 2012-2013.
34. P.P.2013/2014 No. 156, Report of the Business, Standing Orders, House and Electoral Committee on P.P. 2012/2013 No. 25, P.P. 2012/2013 No. 53 and P.P.2012/2013 No. 54, Annual Reports of the Office of the Electoral Commissioner for the Financial Years 2008/2009, 2009/2010 & 2010/2011.
35. P.P. 2013/2014 No. 117, Report of the Education, Science, Communication and Information Technology Committee on P.P.2013/2014 No. 72, Annual Report of the Ministry of Communication and Information Technology for the Year 2010-2011.
36. P.P. 2013/2014 No. 118, Report of the Health and Social Services Committee on P.P. 2013/2014 No 46, Annual Report of the Samoa Housing Corporation for the Year 2012.
37. P.P.2013/2014 No 119, Report of the Works, Transport & Environment Committee on P.P.2013/2014 No. 4, Statement of Corporate Objectives of the Electric Power Corporation for the Period 2013-2015.
38. P.P.2013/2014 No 120, Report of the Officers of Parliament Committee on P.P.2012/2013 No. 5 and P.P.2013/2014 No.2, Annual Reports of the Parliamentary Pension Scheme for the Year 2010/2011 & Year 2011/2012.

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Motion to withdraw the Bill (S.O.133)

39. P.P.2013/2014 No.121, Report of the Works, Transport and Environment Committee on P.P.2013/2014 No. 15, annual Report of the Electric Power Corporations for the Financial Year Ended 30th June 2012.
40. P.P.2013/2014 No.122, Report of the Educations, Science, Communications and Information Technology Committee on P.P.2013/2014 No.26, Annual Report of the Ministry of Education, Sports and Culture 1 July 2011 – 30th June 2012.
41. P.P.2013/2014 No.123, Report of the Education, Science, Communications and Information Technology Committee on P.P.2012/2013 No. 11 and P.P.2012/2013 No.11 And P.P.2013/2014 No. 39, Annual Reports of the Scientific Research Organisation of Samoa for the Financial Years 2010-2011 and Financial Year 2011-2012.
42. P.P.2013/2014 No. 124, Report of the Government Administration Committee on P.P.2012/2013 No.42, Annual Report of the Samoa Post for the Financial Year 2009/2010.
43. P.P.2013/2014 No.126, Report of the Finance and Expenditure Committee on P.P.2012/2013 No. 21 & P.P.2012/2013 No 45, Central Bank of Samoa Annual Reports for the Financial Years 2010.
44. P.P.2013/2014 No. 127, Report of the Finance and Expenditure Committee on P.P.2012/2013 No. 38, P.P.2012/2013 No. 39 & P.P.2012/2013 No.40, Public Accounts Year ended 30th June 2010.

MOTION TO WITHDRAW THE BILL (S.O.133)

MR SPEAKER: I call on the Hon Minister of Police and Prisons.

Afioga Hon SALA FATA LISATI PINATI (Minister of Police and Prisons): I thank you Mr Speaker for giving thanks this morning to our Lord for his guidance and care.

I extend warm greetings to the Hon Prime Minister and respective members of the Cabinet, the Hon Leader of the Opposition and distinguished members. I also acknowledge the presence of the Government CEOs and also the students present here this wonderful morning. Lest I forget, I also greet the honorable people of Samoa listening in; welcome and a pleasant to you all.

Mr Speaker I stand to move a motion, *That the older Counter Terrorism Bill 2012 be withdrawn.*

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**National Payment System Bill 2014
- third reading**

Motion seconded and the Counter Terrorism Bill was withdrawn.

**NATIONAL PAYMENT SYSTEM Bill 2014
- third reading**

MR SPEAKER: For the information of Parliament this Bill was considered in detail on the 24 of January 2014 sitting day.

I call upon the Hon Minister of Finance.

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA (Minister of Finance): Mr Speaker I move a motion, *That the National Payment System Bill 2014 be read a third time.*

Seconded by the Minister of Revenue, Minister of Communication and Technology and the Deputy Prime Minister.

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

**SAMOAN LANGUAGE COMMISSION BILL 2014
- third reading**

MR SPEAKER: For the information of the Parliament this Bill was considered in detail on the sitting day of the 24 of January 2014.

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 Samoan Language Commission Bill 2014 be read a third time.*"

Seconded by the Minister of Agriculture, Agriculture Store and Fisheries, Minister of Natural Resources and Environment, Minister of Works, Transport and Infrastructure and the Minister of Police and Prisons, Fire Services and Accident Services.

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

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**ELECTRIC POWER CORPORATION AMENDMENT
BILL 2014 – third reading**

MR SPEAKER: For the information of the Parliament this Bill was considered in detail on the sitting day of the 24 of January 2014.

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

Afioga Hon MANUALESAGALALA ENOKATI POSALA (Minister of Works, Transport and Infrastructure): Mr Speaker I move a motion, *That the Electric Power Corporation Amendment Bill 2014 be read a third time.*”

With all due respect.

Seconded by the Minister of Natural Resources and Environment, Minister of Police and Prisons, Fire Services and Accident Compensation and the Minister of Education, Sports and Culture.

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

**MARITIME ZONES AMENDMENT BILL 2014
– first reading**

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

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI (Prime Minister): Mr Speaker I move a motion, *That the Maritime Zones Amendment Bill 2014 be read a first time.*”

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

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

MR SPEAKER: Pursuant to Standing Order the Bill shall be read a second time on the third sitting day following.

**TAX ADMINISTRATION AMENDMENT BILL 2014
– first reading**

MR SPEAKER: I call on the Hon Minister of Revenue.

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**Trusts Bill 2014
- first reading**

Tofa Hon TUILOMA LAMEKO (Minister of Revenue): Mr Speaker I move a motion, *That the Tax Administration Amendment Bill 2014 be read for the first time.*

With due respect.

Seconded by the Minister of Finance.

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

MR SPEAKER: Pursuant to Standing Order the Bill shall be read a second time on the third sitting day following.

**TRUSTS BILL 2014
- first reading**

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

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: Mr Speaker I move a motion, *That the Trusts Bill be read for the first time.*

Seconded by the Deputy Prime Minister and the Minister of Communication and Information Technology

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

**INTERNATIONAL COMPANIES AMENDMENT BILL 2014
- first reading**

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

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: Mr Speaker I move a motion, *That the International Companies Amendment Bill 2014 be read for the first time.*

Seconded by the Deputy Prime Minister and the Minister of Communications and Information Technology.

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

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COUNTER TERRORISM BILL 2014
– first reading

MR SPEAKER: I call upon the Hon Minister of Police and Prisons and Fire Services.

Afioga Hon SALA FATA LISATI PINATI: Mr Speaker I move a motion, *That the Counter Terrorism Bill 2014 be read for the first time.*

Seconded by the Minister of Works, Transport and Infrastructure and the Minister of Natural Resources and Environment.

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

INTERNATIONAL CRIMINAL COURT AMENDMENT
BILL 2014 - first reading

MR SPEAKER: I call upon the Hon Prime Minister.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I move a motion, *That the International Criminal Courts Amendment Bill 2014 be read for the first time.*

Seconded by the Deputy Prime Minister, Minister of Revenue and the Minister of Finance.

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

MR SPEAKER: Pursuant to Standing Order the Bill shall be read a second time on the third sitting day following.

METROLOGY BILL 2014
– first reading

MR SPEAKER: I call upon the Hon Minister of Commerce, Industry and Labour to take the floor.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO (Deputy Prime Minister): Mr Speaker I move a motion, *That the Metrology Bill 2014 be read for the first time.*

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Family Court Bill 2013
– second reading

Seconded by the Minister of Revenue, Minister of Finance and the Minister of Communication and Information Technology

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

MR SPEAKER: Pursuant to Standing Order the Bill shall be read a second time on the third sitting day following.

FAMILY COURT BILL 2013
– second reading

MR SPEAKER: For the information of the Parliament the Bill was first read on the 24 of January of 2014.

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

Afioga Hon FIAME NAOMI MATAAFA (Minister of Justice, Courts and Administration): Mr Speaker I move a motion, *That the Family Court Bill 2013 be read a second time and I would like to elaborate on it.*

Seconded by the Deputy Prime Minister and the Minister of Finance and the Minister of Revenue

MR SPEAKER: I give opportunity to the Hon Minister of Justice and Courts Administrations to elaborate on the Bill.

Afioga Hon FIAME NAOMI MATAAFA: Mr Speaker and the distinguished members of the Parliament this Bill aims to establish a Family Court under the District Court with its judicial system and staff. This will mainly focus on family matters and alternative dispute resolutions. This Bill comprises of six sections which I wish to talk briefly about. This Family Court follows an objective to set up special court for young offenders or Youth Court.

The purpose of this policy is to familiarize judges and staff with the rising number of similar cases and how to deal with them from time to time. This seeks for effective response to existing laws and legislations by being experienced, efficient and well versed with past hearings and cases.

This bill seeks to stress the importance of mediation before the case reaches the court that we are familiar with and ways to encourage harmony and peaceful living in the homes.

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Family Court Bill 2013
– second reading

The Court have also sorted out positive ways to minimize alternative dispute resolutions through setting up another government body called mediators or legal spokespersons to solve domestic disputes without having to resort to a court.

Another section I wish to speak shortly about some rules and procedures under this new law on domestic matters including Infant Ordinance, Family Safety Bill, Marriage Ordinance, Divorce & Matrimonial Causes Act and the Young Offenders Act. These are some of the Principle Acts that will assist and guide the work of the new court. The work performance of this new court is managed by the Ministry through the Registry Division and staff of the District Courts proceedings.

Another important area under a range of requirements to Section 6 is regulating the rules by the Council of Judges and the works of the new Court. That is the clarification before Parliament with respect.

MR SPEAKER: Thank you to the Hon Minister for the precise clarification on the Bill. I trust each member has a copy of this very important bill. The Bill seeks to address the growing problems within our families. Given the perpetual setbacks occurring with families in Samoa, the bill will address these growing problems within the homes as well as the negative influence from foreign countries. The purpose and hope of this Bill is to construct other alternatives in solving and diminishing these cases from time to time.

It is now time for our debate. I give the first opportunity to the member for Faasaleleaga No.2 followed by other members.

Susuga PAPANII LIO FAAVAIVAIOMANU TAEU MASIPAU (Faasaleleaga No.2): Thank Mr Speaker for the opportunity and distinguished members of the House.

I express sincere gratitude and acknowledgment to the Hon Minister for this Bill. This is the first time that this Bill has been implemented in the country. The Minister has spoken on the positive outcomes of this bill and just in time for a Family Court to be set up focusing on domestic violence. However, I have a few queries on the bill before it is referred to the Committee for consideration and investigation.

My question is whether the Ministry of Justice and Courts has enough hearings to serve the purpose for this newly established family court? Based on current observations, domestic hearings usually hold one day per week. I hear that a new appointment has been made for a female judge. That is the intention for this newly established court. Nevertheless I place emphasis upon the Land and Titles Court.

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Family Court Bill 2013
– second reading

A source from the Ministry claims that at least 500 backlog cases are still awaiting verdicts in the Court of Appeal under the Lands and Titles Court.

I thank the Chief Justice and Management of the Court House for appointing one of the female judges to assist the Hon President. It is good to have this newly appointed female judge to assist with the Land and Titles cases most significantly our assets. I shall lay it beside the Hon Minister for improvement of this bill and the Ministry. Thank you.

MR SPEAKER: Thank you. I call upon the member for Falealupo. I beg your pardon member for Faleata West as the Deputy Leader of the Opposition stood up first.

Afioga Hon AEAU PENIAMINA LEAVASEETA (Falealupo): I greet Mr Speaker and the dignified House and the presence of our brothers.

Mr Speaker the mind and soul recognizes anything that is appropriate. These are the developments of the Ministry that needs improvement. In simple terms; upgrade and minimize the work load. In query any family disputes evolve around land and titles court. What is the main family court issue, domestic violence? That is my main concern. Pardon the members but majority have long overdue unsolved cases. That is the concern of the country. We shall leave it to the Hon Minister, prioritize our view and court.

If the lapsed cases are over 10 to 20 years behind and we are undertaking a new step, the major concern is the impact to the entire country. Consider it...

Afioga Hon Fiaame Naomi Mataafa: Mr Speaker...

MR SPEAKER: I beg your pardon member; I give opportunity to the Hon Minister as you are pressing similar concern. The member for Faasaleleaga No.2 initiated the concern which you are now clarifying in detail.

I give opportunity to the Hon Minister of Justice and Courts Administration.

Afioga Hon Fiaame Naomi Mataafa: Mr Speaker I like to clarify something. It is true that the member for Faasaleleaga No.2 was the initial pointer of this view but now the member for Falealupo is voicing the importance of the Land and Titles Court. We all share different opinions on this but please be mindful Mr Speaker, the bill is about Family Court.

The members views should be directed to the bill beforehand unless a bill for Lands and Titles is tabled then we can openly discuss it otherwise, please consider your submissions accordingly.

With due respect.

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Family Court Bill 2013
– second reading

MR SPEAKER: Thank you Hon Minister for that clarification. The reason for granting opportunity is because of members queries to the Family Court Bill but there is a huge backlog on Lands and Titles Court cases. But I will assist you, the recommendations presented hereunder are from the Office of the Ministry of Justice and Administration.

They administer the work and produced this bill. Majority of the disputes in relation to Land and Titles evolve around domestic disputes. Therefore, if family court cases is approved, then your views can be divided between the two unachieved courts but that is the assistance, prioritize family court – family first to seek peace and justice, lands and titles later.

Any other member who wishes to comment or is it all clear now? I call upon the member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI (Faleata West): Thank you Mr Speaker for the opportunity. I greet the distinguished members and Samoa listening in. I also acknowledge the presence of the students and their ongoing program. We hope that you will become good leaders for Samoa tomorrow hence it is coincidence that you are present before this tabling bill. Thank you for the bill but I wish to re-emphasize the views of some members. The Ministry of Justice and Administration have made tremendous positive changes in protecting, establishing and enforcing the laws. Similar process is conducted in larger countries. Most of the cases involve commitment and crime offence which is growing in number. A new Mediation section has just been introduced involving proceedings on light offences. I thought that this would involve domestic violence and other related cases hence I am unsure of the urgent need for setting up a family court. As such does not involve criminal like cases such as separation and young offender cases. The concern is that most of these established laws are not executed properly.

Last Saturday I took a tour for our visiting guests around the town area. We started around the NPF Plaza building and chatted. They avowed that Samoa has encountered significant changes including some negative ones. Whilst resting, about 10 different kids approached us with selling items. We continued out to the Mariner headed by the Deputy Prime Minister at Matautu and 6 more young vendors approached us.

Those are the concerns considering the long passing Labor Bill on child enforcement from leaving school plus too many existing laws that are not monitored properly...

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

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Family Court Bill 2013
– second reading

MR SPEAKER: Pardon the member but opportunity is given to the Hon Prime Ministers clarification.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: I wish to ask the member if his visit was conducted last Saturday? In case you speak of children in general, when in fact they are making good us of Saturday which is a resting day.

MR SPEAKER: Leala is it Saturday?

Tofa LEALAILEPULE RIMONI AIAFI: The Hon Prime Minister is correct. It was Saturday because Lealailepule goes out on Saturdays. Lealailepule goes out from Monday to Saturday and on Sunday, he goes to church to praise the Lord and give Him thanks for his love.

This means that such practices...

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

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

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: I too have fun on Saturday such as these child vendors wandering around for a good cause. Lest your time commenting on children not attending school is wasted, when really it is a Saturday. Everyone enjoys Saturdays.

MR SPEAKER: I call on the member to continue his speech. I urge the member to be direct please.

Tofa LEALAILEPULE RIMONI AIAFI: The Hon Prime Minister is correct about hanging out but at church not in town. Regardless of the jokes and the jests but these concerns should be prioritized by the Ministry. Please consider it as positive changes is supported whilst these issues must be addressed and considered closely.

The Hon Lady Minister has talked about Mediation which is very critical. The only disappointment after viewing these pictures is consideration for the business owners and farmers. This includes solicitors correct me if not. I thought solicitors should not be involved given the conflict of interest.

MR SPEAKER: I beg tolerance to the member.

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Family Court Bill 2013
– second reading

Tofa LEALAILEPULE RIMONI AIAFI: Despite, that is the comment for the Ministry's consideration...

MR SPEAKER: I beg your pardon Lealailepule as I have something to say as our discussions involve the appointment of the Hon Chief Justice and his staff. I beg tolerance to refrain all comments from this matter as decisions have already been reached by the respective Ministry for these public servants as they are unable to provide responses, hence I ask that you now conclude with your comment.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you and I beg forgiveness but I did not intend to offend anyone but a matter submitted for consideration.

That concludes my views on the bill, thank you.

MR SPEAKER: I beg your pardon member for Gagaemauga No.2 but I give the opportunity to this side of the House. I give opportunity to the Associate Minister before you.

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

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW (Faasaleleaga No.1): Thank you Mr Speaker for this opportunity.

For the record, I extend heartfelt gratitude and support for this very important Bill. I extend appreciation to the Hon Minister and the Ministry as families and children are the backbone which brings endearing blessings and welfare for the country.

I thank the notion for establishing a separate court specifically for domestic violence cases and one involving young offenders. The core essence is to separate light offences from serious crimes mainly to harmonize families. The only advice is to consider having able men and women to follow up these recommendations and ensure to enforce this with the Mediation section. That is the assistance but sincere gratitude in consolidating the bill before the House. Thank you for the opportunity.

MR SPEAKER: Thank you for your speech. I give opportunity to the member for Gagaemauga No.2.

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Family Court Bill 2013
– second reading

Tofa LEVAOPOLO TALATONU (Gagaemauga No.2): Thank you Mr Speaker. The views on the bill are brief. I thank the Hon Lady Minister for placing emphasis on this bill for the safety of our families.

If the safety of families is in line with the assistance and purpose of the bill, then it is good. In the past, we have had Court Houses in the Constituencies with extended service by the Ministry. Perhaps this is good undertaking in summing up cases as per constituency and settle a date for the Judges and staff to address them to save traveling costs.

Secondly, is this service available in Savaii given that one appointee is chosen for this task when similar cases of this sort also involve Savaii. Thank you.

MR SPEAKER: Thank you for that speech. I beg forgiveness to the member for Aana Alofi No.3 but I give the opportunity to this side of the House.

I call upon the member for Falealili, Tofa Tusa Misi Tupuola followed by the member for Aana Alofi No.3.

Tofa TUSA MISI TUPUOLA (Falealili): Thank you Mr Speaker for this opportunity. I acknowledge the respective members of the Parliament gathered here today. I would like to make a brief statement with regards to the Bill presented by the Hon Lady Minister.

Mr Speaker I voice concerns on the Family Court Bill. Families are very important because the family is the source of blessing for the Ecclesias. As a Parliamentary norm, the success of families, village, church leads to the prosperity of children. Such is the essence of this bill. Sincere appreciation to the Hon Minister and the Ministry for this bill given that numerous children are befalling from within their families. These young offenders are mostly released without a verdict. Based on my observation, these offenders are taken in by other families without any order of custody therefore, who is to blame if unforeseen circumstance arise from them?

In addition, such cases should be promptly considered given the delay which takes days and months before a verdict is presented. Just to note as recommendation your honor, set up a district court house for efficient access by the constituents in order to find effective solutions to these domestic matters. That concludes my advice to the bill which I fully support.

With all due respect.

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Family Court Bill 2013
– second reading

MR SPEAKER: Thank you, I call upon the member for Aana Alofi No. 3.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER (Aana Alofi No.3): Thank you Mr Speaker for this opportunity. I firstly acknowledge the Hon Minister and the Ministry for preparing this bill which I fully support.

This is because over the years, reports on the news have been quite disturbing as we all know. The media have been reporting nonstop incidents on violence between and amongst women and children. I believe this paved way for the Ministry to set up this bill.

I acknowledge the Hon Minister and Ministry for this start. Despite discussion on the bill, a newly appointed judge is also in place. Workshops have also been conducted on this yet to be approved bill before they embark with their set tasks and duties.

Mr Speaker, the urge is that we now have ways to minimizing domestic disputes without going to expensive court proceedings, hence we must address these issues inside the homes, a collective effort by all to assist one another particularly the young offenders.

That concludes my advice with regards to the bill.

MR SPEAKER: Thank you for your assistance in the matter. I will now give the remaining opportunity to the member for Falelatai and Samatau and the member for Salega, Afioga Afualo Wood Uti Salele before the Hon Minister responds.

I call upon the member for Falelatai and Samatau.

Afioga TAEFU LEMI (Falelatai and Samatau): Mr Speaker my constituency would also like to make a statement pursuant to the bill. Mr Speaker I convey deepest condolences to the family of the late Afioga Lupematasila. I convey commiseration to the grieving wife Fiasili, Hon Misa and the entire family. May the Hon Lupematasila find a good place in heaven.

Mr Speaker the only glitch to this bill is that it should have been established before the Youth Juvenile Centre at Oloamanu as most of the young offenders serving there start from problems at their homes. Nevertheless the Oloamanu Centre has gratefully impacted the youth members positively.

Thank you to the Hon Minister of Justice and Courts Administration for initiating this important bill and to the Associate Minister for supporting the bill.

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MR SPEAKER: I call upon the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker I see that the Opposition is snickering because the Associate Minister is speaking sadly but he is the Associate Minister to the Justice and Courts Administration. Why are you disappointed when you could have given your recommendation swiftly? To all Associate Minister, please do not sit around as if these duties are carried out by angels. If you have submissions to present then do so immediately. As for the Associate Minister of Courts and Administration, this is your first ever advise.

MR SPEAKER: Hon Prime Minister, the clarification was given by the member who is both happy and sad. I call upon the member for Falelatai and Samatau.

Afioga TAEFU LEMI: You honor that is the happiness and sad spirit given that we just had on board some courageously responsible recruits in the Ministry. The bill has just come through while the Centre at Oloamanu has already been established. Sincere appreciation to the Hon Minister for initiating this bill which should have been initiated long time ago by former Ministers and Associate Ministers. Have a blessed meeting Mr Speaker.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker, a point of clarification.

MR SPEAKER: What is there to be clarified member for Faleata West?

Tofa Lealailepule Rimoni Aiafi: I am saddened with the Associate Minister and his lack of insight upon his set duties. Oloamanu was specifically set up for severely violent criminals. With all due respect.

MR SPEAKER: Member for Faleata West you are entitled to your own views but leave the members clarification as he is correct, most of the cases at Oloamanu Centre involve family disputes. This means that the carriage is leading after the horse. Regardless of the situation, that is lifes journey, sometimes things occur rapidly and laws are created from rising situations. Hence thank you member for Falelatai and Samatau.
I beg tolerance Hon Prime Minister as we have one more speaker. I call upon the member for Salega, Afioga Afualo Wood Uti Salele.

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– second reading

Afioga AFUALO WOOD UTI SALELE (Salega): Thank you Mr Speaker for this opportunity. I also like to note the gratitude of the constituency of Salega for this bill. From the very beginning of creation families are centered as the most precious creations of our Lord.

Some churches believe that families are forever. The work done by the families and ecclesias in the villages are very important. Regardless of the 10 commandments that guide and direct us, ‘Do not commit adultery, Honor thy father and mother that you may live long’ plus other commandments. My gratitude to the Lady Minister and the Ministry, because the Bible sets principles for us to abide by which ensures peace and harmony our Samoan families. Nevertheless the core value is to ensure that happiness affects all starting from parents. The concern is in case the law is extended towards the rural villages hence is the urge to the Hon Minister to carefully reconsider the warranty upon village councils and Church servants who are assisting spiritually. Thank you for this relevant bill. We must support our families to ensure a peaceful living and a prosperous future.

Thank you Mr Speaker.

MR SPEAKER: Thank you for your insight. I give this opportunity to the Prime Minister for his speech followed by the Ministers response.

Susuga Hon TUILAIPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I wish to add a few comments to the bill. As members have accorded their word of thanks, I too support it. This bill is titled Bill 2013 which means that it was tabled in February 2013. However the load involves a lengthy process including translations and going through the loads of bills. The bill does not interfere with other issues but is relevant to the current affairs happening today involving marital conflict which also relates to the Village Fono Act and the village council authority including the code of conduct that impacts government laws and should be addressed accordingly. And when the Judge rules out its decision, the court follows normal procedures for instance; a man has served his sentence for disrespecting a daughter. The Judge will teach the defendant a lesson by dropping the sentence from 20 years to 7. There are ways to executing the process.

Nevertheless the importance of this bill is to protect the identity of children and victims from unwarranted media publicity, so long as their names and images remain anonymous. This is for family protection as provided in clause 10(e), there is permission to release information for the media news coverage by attending the court, but the judge manages the proceedings and identities are withheld for the protection of implicated families.

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Moreover your honor, regulations are there to guide the work of the Ministry but there is still long delayed hearings from the Supreme Court and the Land and Titles Court. According to previous members, clause 18 provides for Court Rules which sets ideas to formulate policies and regulations as this is one pressing issue, overdue hearing results. Some hearings have taken over three years. I too have thought that with set regulations, there is still opportunity to execute their work in collaboration with the Ministry to identify issues for improvement.

Mr Speaker that is additional statement to the bill which has not been mentioned by anyone but for your information, there has been a lot of implemented tasks by the Hon Lady Minister and the Ministry.

MR SPEAKER: Thank you Hon Minister for that clear and concise addition. I give opportunity to the Hon Minister to conclude her response.

Afioga Hon FIAME NAOMI MATAAFA: Thank you Mr Speaker. I believe in the importance of a debate is to springs valuable ideas and thoughts to assist in stabilizing this bill.

The question on whether there are sufficient hearings to justify a special court set up? The answer Mr Speaker is, yes we have enough hearings. I hope the house remembers our approval of the Family Safety Act with laid principles and aims for this new establishment. As mentioned, there have been an increasing number of domestic violence cases on women and children hence a Family Court is crucial and urgent. Parts of the bill also protects a perpetrator except upon a judges hearing to prove that he/she is innocent until proven guilty, particularly with domestic violence and abuse, emphasis is put on perpetrators instead of the victims. That is the essence of this bill, to protect both parties involved. Regardless, the purpose of this special Court is to implement a strategy to simplify the works of the Ministry especially matters pertaining to domestic issues. The idea is to provide a more efficient and effective process to remedy disputes in a quick and timely manner.

The concerns raised by the member for Faasaleleaga No.1, Afioga Hon Gatoloaifaana Amataga Alesana Gidlow is very important to encourage judges to make decisions effectively. We also have government sectors who are encouraging this doing such as the Police and Prison, the Law and Justice Sector to develop a link across the Court and other related government agencies to push and provide positive ends to the Ministry of Justice. This is the challenge for us as lawmakers and decision-makers as we cannot follow up and go against reached decisions.

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Some mentioned the extension of Family Court to the rural areas including Savaii. Yes, it is extended to Savaii and currently there is a Family Court in Savaii under the umbrella of the District Courts Division. Speaking of District Court, I have thought of the movie 'Back to the Future' and thinking back on how we paved way to the future. We had a system in the past and traveling was difficult, but there are courts in Tuasivi, Savaii and Upolu.

We need a place that is accessible with complete services available compared to traveling costs considering our economic status and set priorities. Another important issue raised under remedial issues is, dispute resolution and mediators involving our village pastors. Early intervention is another key solution to solving severe cases. Additionally, the impact of privacy beyond village authority as raised by the member for Salega, Afioga Afualo Wood Uti Salele is not clear.

Mr Speaker and respective members of Parliament you are the forefathers of the nation. From the legal perspective, most domestic disputes must be warranted and should not be violated by law.

Otherwise most severe domestic cases now require law including those of the outside world. This is an international trend. The concept of dissuading laws on domestic disputes no longer exists. What is the use of existing laws in todays society? Some have protection orders some do not, particularly domestic disputes involving women and children who are vulnerable and weak. And if assistance is not reached, where is the law and how is it justified? As mentioned earlier, this Bill coincides with the previous Family Safety Act rendering protection to both parties involving the victim and the perpetrator.

I believe the Hon Prime Ministers statement has broadened the concerns and preparations to improving the Judiciary services. There are two sections to the parts of the Bill in which the Prime Minister was talking about; rules and regulations. Rules are conducted by the Judiciary and they are in charge of the orders of proceedings. Regulations are managed by the Management staff.

I thank the support of the Associate Minister because he is right, this bill should have been established long time ago. However I wish to remind that although Oloamanu has been founded, we have laid principles for the Youth Court bill.

Mr Speaker with all due respect I leave this Bill to proceed with normal Parliamentary procedures to be reviewed by the Select Committee. It would also give the public the opportunity to share their opinions. With due respect.

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Family Court Bill 2013
– second reading

MR SPEAKER: Thank you Hon Minister of Justice, Courts and Administration. I trust you have fully explained and covered every detail of the said bill. The concerns and queries of the members have also been well addressed.

Motion was approved and the Family Court Bill 2013 was read a second time.

MR SPEAKER: Pursuant to Standing Order the Bill will now be given to the Justice, Police & Prisons and Land & Titles Committee for the consideration and report back to the Legislative Assembly on the Parliamentary Sitting following.

I would like this time to acknowledge and thank the respective members of the House for your patience and tolerance in the first session of our sittings. I would like to declare that a meal has been prepared for the House. There is a gentleman from Germany present here with gifts for the Fire Station. They have gifted us with an ambulance for our Ministry and today, he is brought over a mobile kitchen. This facility is to cater thousands of people in times of distress. Therefore the Minister has requested our presence in accepting this monumental gift. I have requested the chef to prepare us a meal using this facility because our kitchen is currently inoperable at the moment.

Germans are good people. Their service and support shall ensue into the future.

The honorable Wolfgang has contacted the Ambassador and has expressed his continuous assistance to Samoa, and I can see now that the tents are now set for our meal, everything is arranged.

Proceedings of the Legislative Assembly will now be set aside for its normal recess.

Proceedings of the Legislative Assembly were set aside for normal recess at 10:47am and continues at 11:30pm.

MR SPEAKER: I now declare that Parliamentary Proceedings be resumed. I believe we have come to the final parts of our meetings this morning. I express my deepest gratitude to each respective member for all your insights this morning. I trust we have completed a lot of our work and I hope that all have been rejuvenated with the wonderful meals prepared by our helping friends from the Government of Germany, especially our friend and guest who is responsible for this grand affair.

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**National Kidney Foundation of Samoa Amendment Bill 2013
- second reading**

We resume our business of the day on Bill No.12.

**NATIONAL KIDNEY FOUNDATION OF SAMOA AMENDMENT
BILL 2013 – second reading**

MR SPEAKER: For the information and knowledge of the Parliament this Bill was read for the first time on the sitting day of 24 of January 2014. I call upon Hon Minister of Health.

Afioga Hon TUITAMA TALALELEI TUITAMA (Minister of Health): Mr Speaker I believe we have all settled well after the grand preparation of our meals of both sides of the house and of course the CEOs of Government Ministries here this morning. I also acknowledge the humble support of our country waiting patiently for us as we proceed with today's business. Hence, I thank the honorable Speaker.

Not only that Mr Speaker but I also wish to convey a word of thanks to our friend and partner for kindly lending a helping hand all the way from Germany, our friend Wolfgang. As witnessed yesterday, we have received an in kind donation of a mobile kitchen from Wolfgang which is just in time as today marks the 100th year since Germany left our shores. Such presentation is highly needed as not only has Wolfgang presented us with ambulance cars yesterday but has also presented us with a gift much needed in times of accidents like natural disasters. I speak on behalf of the Ministry involved in looking after the Tsunami victims. The clearing work after the tsunami took three weeks and one of the very difficult undertaken witnessed was the food preparation for the volunteers.

Mr Speaker I wish to note this Constituency's gratitude upon respectable Wolfgang for the presentations and kind assistance from his country. By observing the preparations of our meals this week, we can then use this mobile kitchen gift for this purpose. It can be made available whenever required. The honorable Speaker will arrange for people to look after this mobile kitchen.

Mr Speaker I stand to move a motion, *That the Legislative Assembly approve the National Kidney Foundation of Samoa Amendment Bill be read a second time and I wish to clarify more on it.*"

Seconded by the Minister of Finance, Minister of Agriculture, Minister of Education Sports and Culture and the Minister of Natural Resources and Environment.

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**National Kidney Foundation of Samoa Amendment Bill 2013
- second reading**

MR SPEAKER: I call upon the Minister to speak on clarification.

Afioga Hon TUITAMA TALALELEI TUITAMA: Mr Speaker and dignified members, this Bill was established in 2005. Dialysis patients were no longer treated in New Zealand the same year. Consequently a Dialysis Unit was set up and the Principal Act was produced.

It has been a while since work was regulated by this bill although it was prepared urgently at the time, but amendments have also long been overdue. Samoa is the only country in the Pacific that is offering this service. Other countries have undertaken it but have failed. Others have sought assistance abroad to research the viability of this service as well as its operational costs. Nonetheless, today, Samoa is the only Pacific country that is still offering this service.

For the information of the House, this service was initiated in collaborating efforts of other Ministries through Board of Directors and its workers. Such was opportunity for those responsible to review policies and guidelines to be in line with government whilst the old service is still provided. Such was the delay in setting up these policies and decisions were yet to be made if it was appropriate for this service to be privatized.

Based on observations and today's outlook, this service began with 6 dialysis patients and now it has increased to 75; the waiting list has reached 300. The Ministry is considering the expansion of this service to the rural hospitals.

This service is also available in Savaii. We are also looking if it is appropriate to apply this service around Upolu health clinics for easier access by patients scattered around before continuing with their daily duties. Therefore if a patient is traveling for business they can be treated nearby instead of traveling all the way to Apia.

Mr Speaker and the distinguished members of the House, the dialysis Unit aims to provide additional facilities and increased dialysis machines as well as more employees. These proposed changes are vital to be in line with the regulation, and government aims to formalize the State Owned Enterprises Board of Directors which has replaced the Minister and Government employees as members of the Board of Directors. Furthermore Mr Speaker, the amendments also aim for the recognition of the post of CEO. The aim of the proposed amendments is brief. Clause 2 amends section 7 as follows: First, [Section 7\(2\) of the Principal Act where the phrase 'for subsection \(13\)' is mentioned substitute with the new proposed 'section 7E'](#).

Two, [Section 7 of the Principal Act for subsection \(3\) to \(15\) is to be substituted with the new proposed subsection \(3\) and \(4\) – provide that the Cabinet is to consider new criteria's when advising the Head of State about new member of the Board of Directors.](#)

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Motion to amend Sitting Hours

Three, New Section 7B – provides for the vacancy of the office of a director.

Five, New Section 7C - provides for the rules that apply to a meeting of the Board.

Six, New Section 7D – provides for the allowances of the directors.

Seven, New Section 7E – provides for the appointment of the Board secretary.

Clause 3 substitutes section 8 of the Principal Act; and the Clause 4 provides for transitional matter for the current staff and the secretary of the Board.

Mr Speaker that concludes a brief description of the amendment to the Bill, I shall provide a concise summary on the commencement of the Foundation.

The Foundation started after New Zealand stopped this agreement with Samoa to provide dialysis treatment for Samoans. This is a new development in the South Pacific and so far Samoa is the only country offering this service other than American territories like American Samoa. In the beginning the Government used specialized skills and knowledge from related Health agencies to implement the works of the National Kidney Foundation of Samoa. Over the years the Government has reviewed and managed appropriate ways to continue this service.

May 2015 marks 9 years of this service and the Government have agreed to have it privatized without relying on government relevant agencies anymore.

Mr Speaker that concludes a brief summary of the National Kidney Foundation of Samoa Amendment Bill 2013. With due respect.

MR SPEAKER: Thank you. Before I give opportunity to the House for debate I would like to declare that the Hon Prime Minister wishes to move a motion with regards to rescheduling our sitting. I call upon the Hon Prime Minister.

MOTION TO AMEND SITTING HOURS

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I stand to move a motion and then I would like to make a statement in assistance to the Hon Ministers wonderful speech. I move a motion, *To substitute these Sitting hours: 9:00am to 1:00pm and then 7:00pm to 11:00pm.*

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National Kidney Foundation of Samoa Amendment Bill 2013
 – second reading

These hours Mr Speaker start today and I believe that you are not overt to them. As I look at the Program, do you not notice how thick the Sitting Program is? We should complete today's scheduled business including all bills and reports. If this is incomplete today, then we will have a backlog for another sitting next week.

That is the aim for this motion and given that some older members are getting cold from the air condition, I ask that each member proceeds to the meeting with his own blanket in case someone might get sick on the insistence of completing today's business.

Therefore Mr Speaker that is the aim; we must complete all our work. It is why I humbly request that we ensue our meeting from 7:00pm to 11:00pm until we finish our Program.

Seconded by the Deputy Prime Minister, Minister of Finance and the Minister of Health.

Motion was approved.

Debate on the second reading of the National Kidney Foundation of Samoa Amendment Bill 2013 progressed.

MR SPEAKER: I call upon the Hon Prime Minister.

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker this is one essential bill that can be viewed as simple, but in truth, the Dialysis Unit has taken another step forward. I wish to acknowledge the Hon Minister and the Ministry because this non-communicable disease is not declining but rising.

Back in 2005, the Principle Act was introduced and so as the Kidney Foundation Unit. We have about 4 patients treated in NZ on the value of 5 million New Zealand dollars given the criticality of this disease. Those who were treated in New Zealand were unable to return to Samoa because the treatment takes three days a week. The Government sought NZ's assistance on citizenship given the time requirement of three days to undergo this treatment.

This gave reason for us to establish a Kidney Foundation Unit in Samoa and the former Minister of Health Hon Misa was queried to provide all operational costs from Tutuila on the aid of the American government which took roughly \$40 million in value to build in a year.

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That was impossible to undertake as it was unaffordable to Samoa but former Minister of Health Hon Siafausa continued in his efforts along with the assistance of NZ general practitioner Doctor Papalii Benjamin to achieve this goal.

The Minister of the Singapore Kidney Foundation then met with former Minister of Health, Hon Mulitalo upon similar initials SKF. Based on this reports, before the Ministers initiated their talks, Mulitalo started weeping and the Minister of Singapore began to cry as well and instructed his Director not to bring anymore cry babies but grant his demands otherwise. That is how we got our...in simpler sense, dialysis were no longer treated in New Zealand as service was now available in Samoa.

At first the patients were hesitant but gave in once they found out about these new dialysis machines from Singapore. Until now, the number of patients has nearly reached 100 from 4.

It appears that over 200 people have fallen victims of this NCD which causes renal failure. Firstly the common problem is that when a patient feels unwell they simply refuse this treatment but instead settle for injections which only last a few hours that is consequently fatal. The dialysis treatment is able to make a patient with renal failure live longer. There was a man I met on a trip to Germany for a Museum launching and he told me that his father has been on dialysis treatment for 97 years. So, lifespan can be extended if the patient is consistent with the treatment.

There was a Samoan man from Hawaii who wanted to go somewhere and took his injection with precautionary orders that he had to rest for hours instead he rested for a few minutes and consequently ended up passing in his car. There was a Samoan man traveling from New Zealand to Samoa and was supposed to be treated on his third day locally however upon his landing in New Zealand, he went straight to the restrooms and was later found dead by his relatives. This man should have been on dialysis treatment in Motootua but instead returned to New Zealand without taking his third treatment. This man died due to carelessness.

The current service and standard have improved and is utilized by traveling patients upon the advice of the doctors and the Hon Minister of Healths approval. Cabinet approval through the Minister on appropriated costs and arrangements with regards to the overseas patients who wish to be treated at the NKF is a requirement. Furthermore a dialysis unit has also been fully established in Savaii and I think it that Cabinet directive was given last year. The service must be upgraded as it is highly required in Samoa locally.

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I believe you Mr Speaker are not overt to the symptoms of those who have renal failure. It starts from being diabetic or excessive eating and lack of exercise. That is reason for conducting health promotional and awareness programs to persuade people to exercise more.

Due to the increasing number of kidney failure the Health Services aims to minimize these health risks by promoting healthy lifestyle. This is done by providing proper diet tips and daily exercising. The good news is that only \$5million is allocated these health plants given in the Financial Report. We also need sponsorships for this treatment given that operations are very costly. Local doctors also have the skills and knowledge in carrying out these operations. Some are sent abroad to broaden their knowledge on this field to improve and better the service delivery for our local citizens.

Mr Speaker the Hon Minister of Health's clarification is fruitful for everyone to be informed of how this machine works which is not for the heart. Hence everyone must take heed of pushing a healthier diet and exercise regularly. Because with carelessness and being inconsistent with your heart tablets then this machine is useless. Kidneys can be treated locally but if you have heart problems then you will see life after death soon. That is the clarification.

MR SPEAKER: Thank you Hon Prime Minister for the concise clarification. The House is now available for debate. I wish to remind all that this is not the Principal Act but an Amendment Bill in case someone decides to re-state kidney related matters when clarification is based on the essence of the bill presented by the Minister, hence direct your comments on the short amendments.

I call upon the member for Gagaemauga No.2.

Tofa LEVAOPOLO TALATONU: Thank you Mr Speaker for this opportunity. I was listening intently to the Hon Ministers and the Hon Prime Ministers comments. After hearing that, I presumed to agree with you your honor, there are only two clauses and two huge elaborations to the bill enquiring for further comments.

As observed, the Hon Minister of Health's statement rounded to about 30 minutes, I did not quite grasp it until after 29 minutes which was specifically proposed amendment to establishing Directors position.

Mr Speaker, these proposed change is due to additional increase to funding allocation for the Kidney Unit. From the Ministers speech I seem to have caught on that Samoa is the only Samoa in the Pacific who has this particular service. The question that comes to mind is what exactly is this for Samoa as the only country that is providing this service?

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**National Kidney Foundation of Samoa Amendment Bill 2013
– second reading**

Firstly Samoa this service is affordable, secondly, is this disease growing in Samoa? Why is Samoa number one in dialysis? Does this mean that Samoa is greatly affected compared to other Pacific countries?

What is noticeable is that the building of a dialysis unit to discourage people from consuming unbalanced meals instead of prioritizing our funds for prevention programs instead of funding a dialysis unit and reduce the expenditure for local patients sent overseas.

Furthermore Hon Minister, another issue is canned food products imported from overseas especially from Asia. Most of these imported products do not have English printed labels to signify ingredients or instructions. English labels are important for consumers choice to ensure that they are picking the right product particularly with expired items. Another concern is about your statement on Samoa being the only country thats offering kidney service which sounds irritating. Does this mean that Samoa is now going through massive hardship? Thank you for the opportunity.

MR SPEAKER: The Hon Minister will now respond to the correction of his statements. I believe that the Hon Minister means that Samoa is the only country now offers a Kidney Dialysis facility that is the least expensive. Nevertheless I leave it to the Minister to respond.

I beg your pardon Hon Minister but I give this opportunity to the member for Gagaifomauga No 1 before you proceed with your responses.

I call on the member for Gagaifomauga No 1.

Tofa TUILOA ANETELEA (Gagaifomauga No.1): Thank you Mr Speaker for this golden opportunity. Today has proven productive and I wish to speak further with regards to dialysis. I humbly request because this non-communicable disease is spreading and is unavoidable. I humbly request because we live remotely and have been relocated to Apia to be closer to the Dialysis unit. Therefore Hon Minister, we have a district hospital but we need assistance as it has been almost a year since I have been affected by the kidney failure in the village. I am not ashamed to say that I too need this treatment because I have kidney failure. I am the only member in Parliament that needs this treatment. It seems like a trivial matter but it affects a persons livelihood. That is the request like one in Chicago, two dialysis machines is enough because if you reside in Safotu and travel to Tuasivi, by the time you get there your blood is already spilled along the road. Hence, if we live without a dialysis unit in Motootua, no one would have lived until today.

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The number of people diagnosed with renal failure, high blood pressure and diabetes have increased and I am not ashamed to say that I too am a victim of this disease, so I am only an advisor. Samoa needs to be advised otherwise people may end up dying.

I went to New Zealand for a medical advice and I was shocked to hear claims by Samoan women. They said “When you have dialysis today, you are considered dead with dead blood cells.” This statement made me return to Samoa and sought Ben who informed me that I needed dialysis treatment right away. So I affirm you that it is a great feeling because I thought I was going to die thus I feel more alive now than ever. The treatment takes three days; Monday, Wednesday and Friday and can I say that it is an enjoyable experience as you get to sleep for long hours during treatment.

Therefore I humbly request two dialysis machines for our hospital at Safotu as most of our village people are diagnosed with this disease. Looking around, I see that we have at least a number of members that needs dialysis treatment. Either dialysis or cut off your heads. I hope the Lord blesses this meeting and pray for Samoa. Bless this day.

MR SPEAKER: Thank you. I think your request was yet to be granted but given your speech I think not. However thank you to the member for your input.

I call on the member for Faasaleleaga No. 4.

Afioga PESETA VAIFOU TEVAGA (Faasaleleaga No.4): Thank you Mr Speaker for the opportunity. I support the Hon Minister of Healths Bill mainly because it concerns the differences in total expenditure by different countries compared to the expenditure of services in Motootua hospital.

I fully support this Bill considering incurred costs and expenditure on dialysis in Samoa which is perhaps \$10.00 compared to American Samoa and other countries, the cost is \$200 American dollars. Given the increased appropriation for Health, I solely support the health promotion on dietary and healthy living, however if this does not involve precaution measures or set guidelines which may lead to dialysis treatment. I fully support the Bill considering the cost of expenditures appropriated to the Ministry.

With all due respect.

MR SPEAKER: Thank you. I call on the member for Faasaleleaga No. 2.

Susuga PAPALII LIO FAAVAIWAIOMANU TAEU MASIPAU: Thank you Mr Speaker for this opportunity. I wish to share thoughts on the proposed Bill and amendments by the Hon Minister of Health.

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I wish to thank the Hon Minister of Health for selecting Tuasivi hospital as part of the dialysis unit service. As known this constituency serves government through Health, Police Station and the Court house.

Therefore I would like to take this opportunity to address the Hon Minister of Works, Transport and Infrastructure a strip access road near the hospital in case of natural disasters and emergency cases to be relocated deep inland. That is the request to the Hon Minister.

In regards to the Bill Hon Minister I like to thank you. With the numerous proposed changes and implementation taken place, treatment costs, hence change is good whenever necessary. Thank you.

Another aim for this bill talks about a Board of Directors. The Hon Minister has mentioned the increase of patients to 300 in total. But all depends on our expenditure with essence to produce promotion health programs to reduce the effects of this disease that is growing significantly in the country. That is the request to the Board of Directors, make good use of the funds to minimize the impacts of this disease as much as possible.

The Committee also involves a special engineer that specializes in dialysis machines perhaps, this will be further clarified by the Hon Minister. I believe that the member for Gagaifomauga No. 1 has spoken on his experience from this disease but this is one positive solution for us. He is also affirmed that injections are painful at times, but that is the favor upon the Hon Minister to consider other avenues to assist our people. That concludes my input in regards to the said Bill. Thank you.

MR SPEAKER: Thank you for the speech. I will now give the opportunity to the member for Faleata West and then to the member for Aana Alofi No. 3.

Member for Faleata West please rise.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you Mr Speaker for the opportunity and thank you also for the clarification of the amendments of the Principal Act. I will now direct my statements to the amendments beforehand. Firstly, I convey sincere thanks for the new amendments to this new bill about the arrangement of the Board Committee. The exact numbers as prescribed in the Public Bodies Act is clearly stated; there are seven. The amendment clearly states the appointment of a secretary to avoid any contradictions.

Another important factor reflected in the bill is the time limit of two terms for directors appointment. That is the long term vision to appoint different people based on their professions and skills at certain time period. However there is something I wish to query the Hon Minister.

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Firstly, Section 3(8), states a General Managers appointment for the Foundation. It is clear in the Bill that the Committee appoints the Board. Is this the new system, is Cabinet approval required or is there another Committee.

I wish to know how this is carried out. Or is government allowance ceased to be distributed to Board members? According to the Hon Prime Minister, he stated an appropriation of \$5million given annually which is inappropriate to the new amendments.

Furthermore, section (2) states that the Board can delegate the authority to CEO to appoint his or her own employees. This means that the Board can delegate similar authority to the CEO as stipulated in the bill.

These amendments should be reconsidered. I am confused with how this is assessed and reviewed. I thought that the rising number of patients could be due to poor service delivery which is complicated considering the irremediable cases.

I mean the Ministry should closely monitor these NCD cases. Thank you for new division headed by Susuga Satupaitea Viali which focuses on reducing heart problems effects.

I believe this approach by the Ministry should also apply through the Parliamentary Committee of SPAGHL to advocate the extent of NCD. As mentioned in previous years, the importance of the Heart Foundation links with patients who have heart disease.

Health promotion through exercises is also witnessed in the rural areas and public servants. Regardless it appears that this is seasonal without intending to continue for a good cause. Can the Ministry initiate a Bill to allow Samoa to be ahead of the World by an hour so that people can exercise and still get paid?

Most Government Ministries now have gyms and perhaps in a years time, peoples mindsets and attitude will change and get impacted towards regular exercising to reduce the number of renal failure. Thank you for this service as it not only implicates the elder but also the youngsters.

But that is the advice your honor, if the number is rising from 6-75 patients within eight years, it looks like we are encouraging the disease when we should be working together to remedy the disease from recurring.

Thank you.

MR SPEAKER: Thank you for the very important input. This is the last opportunity. I call upon the member for Aana Alofi No. 3.

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Afioga TOESULUSULU CEDRIC POSE SALESA SCHUSTER: Thank you Mr Speaker for the opportunity. I thank the Hon Minister for the amendments to the Bill which I believe it is for the best.

Firstly Mr Speaker I would like to note my full support to the section of appointing members to the Board Committee which is appropriately relevant. Perhaps the aim is to cater for those who have the knowledge and skills to become active Board members in government and private enterprises.

As observed not only do Board members get sitting allowance as stated in the bill but also Board members also get allowances from attending other meetings. Therefore I urge the Committee to please relook into this process to limit these opportunities and specify these sitting allowances as per regulation.

Lastly Mr Speaker, I wish to congratulate the Ministers strategic vision of converting these Foundations to become independent entities sometimes in the future. As reiterated by the Hon Prime Minister, this was Governments initial aim with government funding assistance to execute her plans not only with various organizations in Samoa but also grants from abroad given increasing number of dialysis patients. This is important for those seeking fund assistance from entities abroad.

Thank you.

MR SPEAKER: Thank you for your recommendation. I believe there are no more comments. Therefore I call upon the Hon Minister of Health for his response to the queries and statements.

Hon Minister of Health please stand.

Afioga Hon TUITAMA TALALELEI TUITAMA: Mr Speaker I express utmost gratitude to members in the House. I am in an uplifting spirit at this hour given your views and submissions of this Foundation Kidney service. I believe there is no further explanation needed except a note of gratitude upon those who initiated this Foundation for Samoa.

The query as why Samoa being the only Pacific country to have a dialysis unit is because dialysis is related to other NCDs diseases like diabetes, high blood pressure and gout. We have two youngsters with dialysis disease from bacterial infections.

However my response to this is sympathy upon these dialysis patients. We had almost ten patients who traveled to New Zealand for treatment with five returning after the establishment of the dialysis unit in Samoa but I guarantee that there are patients who have reached ten years of treatment in New Zealand and a patient of almost eighteen years of treatment. The Hon Prime Minister has also mentioned a male elder patient of 75 years.

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In respond to this, we must take heed of our elders whom are affected by this dialysis disease. In our custom, we must not abandon the sick. Take a look at how Samoa took it in the past when could not afford to treat the patients locally and instead we took them to New Zealand under government aid. The cost of one dialysis patient in New Zealand is \$1000 New Zealand dollars and with five patients it valued at \$5000. The treatment takes three times a week hence per patient adds up to \$15000 in total. The question is why Samoa only? Samoa and its government love her people who are affected by this untreated disease. And when they weep along the way from abroad, it is impossible as treatment has to forego. That gave way for this newly established Foundation so that the loved ones are with their patients, which is one response.

Another response is the visit taken by nearby Pacific islanders to investigate and analyze how Samoa had undertook this new service? They do not believe that we can cater for this service according to the Hon Prime Minister, it was worth \$40million. Where does Samoa obtain these funds from? Those were the queries from these people. The people of Singapore came and assisted us with this service. That is the statement. Officials from Tonga traveled to Samoa to witness and affirmed that patients with 70 years in New Zealand are no longer treated whereas above 70 years is unaffordable and could not be treated. Whist Samoa, 70, 80, or 90 years are still treated. The question is, why is it that...why are these patients still treated when they are ageing?

MR SPEAKER: I beg your pardon Hon Minister but opportunity is given to the member for Gagaemauga No.2.

Tofa Levaopolo Talatonu: Thank you Mr Speaker and thank you to the Hon Minister. The main reason why I asked is in relation to our neighboring countries, why do they not have this service? There response they gave was because it is no required as majority of their people are not affected by NCD. That is the reason but taken from your statement, most of our people are sick given this new set up.

MR SPEAKER: Clarification has been noted. I call upon the Hon Minister to resume.

Afioga Hon TUITAMA TALALELEI TUITAMA: This is one thing that we should take heed of, collecting rumors or collecting false information that is submitted before the House and it is a sin. But I confess your honor.

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Tofa Levaopolo Talatonu: Mr Speaker the Hon Minister absorbed the rumor first from the Tongan he corresponded with.

MR SPEAKER: I beg your pardon member. I call upon the Hon Minister.

Afioga Hon TUITAMA TALALELEI TUITAMA: In records your honor, since the effect of the entire Pacific, these diseases are tsunami including Nauru. Towards the end of last year, American Samoa was number one. But the Tongan came to research on this treatment...how are we implementing this service? Such is the query, why do you aim to implement this...why, and why include the ageing group? I replied you do not have Samoa's intention, these elder patients have the paramount views and knowledge to teaching our young generation in the village, church and families. That is their contribution, whether 60, 70 or 80, they no longer work but have the treasured knowledge that is shared amongst children to manage village councils, church, government that involves several long service veterans. But I am unsure as to why you are like that.

Mr Speaker, that is why we are prioritizing the ageing groups because they are the main advisors to developing this nation.

I guess the mindset of people is towards development expansion based on financial terms, see that, their mind is always set on money. But the Ministry's aim is far beyond conscience, they have predicted that submission in strive to top up more funds to improve this service. Look at...

MR SPEAKER: I beg forgiveness to the current speaker as finance is mentioned, hence I give the opportunity to the respective member as you have mentioned... I call upon the member for Gagaemauga No. 2.

Tofa Levaopolo Talatonu: Mr Speaker, a point of clarification. What the Hon Minister said never crossed my mind. Perhaps if he had directed his statements to the bill it would have been right.

The only basis of my view is that I disagree with development expansion which encourages the sick to get sick. But no one has envisioned anything to generate income.

MR SPEAKER: Thank you. I call upon the Hon Minister to resume his response.

Afioga Hon TUITAMA TALALELEI TUITAMA: Mr Speaker the member has no more opportunity for he has had his second time.

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I clarify the member to rest assure as no such thing is intended to generate income for this service. As explained earlier, before we had five patients that was funded by government at a total value of \$6million NZ currency, \$1000million per patient, therefore the total expenditure is \$6million per year for these six patients.

Upon evaluation of service delivered in New Zealand, government appropriated \$5million worth of total expenditure for these patients. That \$5million in 2005 is worth only six patients and up to date, we have 75 patients worth \$5million and no additional appropriation was given after 2005. Hence no addition was made, but it has contributed a lot to cater for the health of children and elders locally.

Does this funding involve prevention costs? These are the similar concerns raised...such as the saying here, ‘no Tongan support another Tongan’ so prevention should not be avoided and so as our people who are needing this service. We seem to be talking about service delivery instead of prevention, hence I shall speak specifically about prevention which was the topic I spoke about during our last budget proceedings which everyone is eyeing the Ministry of Health when prevention is everyone is responsibility. How can the Ministry monitor you from giving twisties and soft drinks to your children? Can the Ministry stop you from high fat consumption? The Ministry can assist by providing awareness programs on air through the village communities to consume vegetables and fruits regularly. SPAGHL is also traveling around to ensure vegetable growth which is all part of prevention. The Ministry does not come to your homes to censor the food on your tables because that is your part to play.

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

MR SPEAKER: Pardon the Minister as the Hon Prime Minister has the chance.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: I wish to ask the Hon Minister what exactly he is talking about. The member for Gagaemauga No.2 said most of the funds is on prevention. I do not understand what prevention means because these members appear to be speaking English and I do not understand. Perhaps a clarification from the Hon Minister on what prevention means would be appropriate. My constituency does not speak English and so we need clarification. Can someone please translate into Samoan what prevention means?

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MR SPEAKER: I call upon the member for Gagaemauga No.2.

Tofa Levaopolo Talatonu: Mr Speaker I think the Hon Minister is driving away from the subject, as I did not state that prevention should be left aside. I only mentioned that if \$5million is allocated for dialysis, \$10million is appropriated for prevention to improve health promotional programs in order to cease the existence of kidney disease from occurring.

MR SPEAKER: The members statement is well taken. Pardon the Hon Minister as the member who mentioned prevention is upstanding.

Tofa Lealailepule Rimoni Aiafi: Thank you. As I have mentioned a lot about prevention. The Hon Minister is also talking about spreading the word. If we also consider the advertisements on TV you will notice that there are five ads on beer or soft drinks and none on health promotion. Hence there is much effect of advertisements on peoples health due to the very slow awareness from the Ministry.

MR SPEAKER: Thank you. I give opportunity to the Hon Minister to continue his explanation on prevention or whatever word he mentioned.

Afioga Hon TUITAMA TALALELEI TUITAMA: Mr Speaker I wish to briefly respond to the additional statement by the member for Gagaemauga No.2 referring to the \$5million on dialysis and why not allocate \$10million to prevention. In truth prevention programs exceeds over \$10million as the member for Faleata West is only looking at the ads aired on TV. What about the various awareness programs that is conducted in the rural areas like bill boards and such. We have 180 villages have sound systems and large speakers that cost \$6000 used for zumba, aerobics and exercising programs.

Those are some of the prevention activities we have now. But let us discuss 180 villages at \$6000...

MR SPEAKER: Pardon the Hon Minister as I give a moment to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker I have just grasped the meaning of the word prevention from the elaboration of the member for Faleata West. I rise as majority of our listeners do not understand what we are talking about as the Ministry of Health has two main priorities.

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The first priority is through injection or medicinal supplies treatment. The second priority is prevention. I gather the impact upon our people is remedied through injection, cutting and operation. Hence prevention stresses the need to exercise regularly and eat right rather than cure which is costly. That is reason for this incase we laugh about it and the majority do not get the two concepts. It is exactly why I questioned the meaning of 'prevention' hence I am grateful to the member for Faleata West for the clarification. The term prevention is vital and must be understood particularly for the implicated persons. All health services around the word revolve their duties around the two concepts; cure and prevention. Cure is good but prevention is better than cure.

MR SPEAKER: Thank you Hon Prime Minister for clarifying our deliberations.

I call upon the Hon Minister of Health to continue his response.

Afioga Hon TUITAMA TALALELEI TUITAMA: Mr Speaker as the Hon Prime Minister has just stated, that is the exact meaning of the word prevention in the English translation; it is preventing oneself from poor health.

So I shall ensue with prevention costs. Regardless of the different prevention methods, exercising or zumba work-outs are conducted around the village communities to promote health, commitment and prevention to ensure healthy living for all.

Despite these positive attempts, some argued that this is a waste of time and should consider workouts in the plantations. That is called productive exercise which aims for something in return, such as planting the banana or weeding the plantation to maintain and provide sustenance for families.

But not everyone has a plantation so this program drives everyone in despite the size to impact each other and gain energy for work and going forward. These programs involve very expensive equipments but it aims for everyone to keep on going and never give up with challenges to motivate others who are lazy. These competitions involve money prize rewards.

MR SPEAKER: I apologize for interrupting the Hon Minister of Health's speech as you set sail your boat. But I declare that we have come to our normal recess hour and I will give the opportunity for the motion when we return at 7pm.

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I wish to extend gratitude to all dignified members of the House. I believe we should take a break and have some refreshments before we continue. We will gather back here pursuant to the motion to continue our work until 11pm.

I now declare Parliamentary Proceedings of the Legislative Assembly be set aside for its normal recess hour and will commence at 7pm.

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

Proceedings commenced at 7:00pm.

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Debate re-commenced.

MR SPEAKER: I extend greetings to the distinguished House this evening. I know we had made good use of this break to attend to other business in the afternoon, but we have rejoined here once again to ensue our business. Therefore I extend my gratitude to dignified House; the Hon Prime Minister and this side of the House; Deputy Leader of the Opposition and everyone present.

I extend gratitude and acknowledge the support of the country; those occupied with the set duties at home and various parts of the country.

Samoa without your valuable support and prayers, your leaders would not be here today. This evening we are grateful for your prayers and support from all Oratories, Members, women and significant status of Samoa.

We have arrived this evening as per sitting schedule. We will continue until 11.00pm. We retired for recess during the response statements of the Hon Minister of Health. Therefore I give him opportunity to conclude his response in relation to the bill in question.

I call on the Hon Minister of Health.

Afioga Hon TUITAMA TALALELEI TUITAMA: Thank you Mr Speaker and I agree with the continuous support to Samoa this evening. Its true that this short recess has enabled re-new strength and the cool night breeze is good for our work to progress but I will leave it with you Mr Speaker to apportion our time.

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Mr Speaker before our recess we were discussing prevention but I wish to conclude on prevention specifically on exercising activity. I believe that enough clarification was submitted on this except for just a bit on the prevention process. There are numerous prevention activities and prevention measures undertaken by the Ministry that is unclear in the House.

I am pleased with this opportunity to sort out the prevention methods that is funded by this large finance distribution which addresses priority need for dialysis over prevention. Now I have confirmed before this sitting, no we are prioritizing the two, cure and prevention in fact, more fund is allocated for prevention programs.

Secondly, I wish to talk about immunization process. For the information of the House, immunization shots aims to protect everyone including children and the general public for various diseases. There are numerous immunizations that are currently undertaken including typhoid, TB and hepatitis, measles and poliomyelitis. There are also immunity shots for epileptic patients.

Hence your honor, if you will examine closely, there are various processes executed beginning from birth until maturity. It is also not easy but expensive. With immunization, majority of parents have withheld their children from taking these shots due to false claims that it causes additional diseases.

The same problem is occurring in New Zealand. There are parts of the country that assume immunization is a waste of time. But the immunization process targets bacteria that are causing diseases and scientists have developed a way to minimize the effects of bacteria which causes other diseases. For instance typhoid; the injection fluids reduce the probability of typhoid bacterias from causing more damage in your body. The bodys antibodies fights these bacteria to amicably defend the diseases caused by these germs.

MR SPEAKER: I beg your pardon Hon Minister but I give this opportunity to the members.

Tofa Lealailepule Rimoni Aiafi: Thank you Mr Speaker as this is a good opportunity for the Hon Minister of Health to go on TV each night. This talk is good but is prolonging our sitting but it would be very appropriate for him to conduct this session each night on this immunization topic and other diseases like the pink eye disease. When we go to the pharmacy they lack eye drop supplies and immune body weakening. Thank you.

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MR SPEAKER: You were given a chance member for Faleata West but you interjected towards something different.

Hon Prime Minister please rise.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoui: Mr Speaker there was a reminder by one elder man. You do not need to go out seeking for an eye drop as there are several ones available. The normal cure we use is the milk from a mothers breast which cures the pink eye.

I wish to gain an explanation given that most of our proceedings are aired publicly which speaks that there is no need for these programs on televisions or radios as Parliamentary Proceedings is live on air.

Additionally, we need clarifications on the terms like typhoid, jaundice and polio? It is very important given that many have sought Cabinets assistance upon these diseases. Do you mind clarifying diseases?

MR SPEAKER: I call on the Hon Minister to continue his statements.

Afioga Hon TUITAMA TALALELEI TUITAMA: Thank you for the reminder because this is one of the things that I overlooked. It is very expensive to advertise on TV and on Radio. The problem is that not all families have access to TV or Radio and so this is why the awareness programs is carried out in the rural village areas to ensure that message is put across on health related issues. Thank you Prime Minister for the interjection, I will start with the term typhoid.

The term typhoid was coined by our ancestors who served in the health services in the past who referred to this term as ‘palagaau’. The reason why it is called typhoid or palagaau is because it is defined in the meaning of the disease. The symptoms include the bacteria infiltrating the intestine and stomach. These bacteria suck the lymph glands that surround the organs of a person which filters the bodys food; the intestine. It multiplies until the intestine is rotten. If it is not treated early the bacteria will slowly eat its way out until the stomach is completely affected. The bacteria can endanger other areas during the urine excretion process. This can multiply the disease if the contagious disease is not treated properly. That is why it is important for the Ministry to encourage education awareness to avoid urinating behind neighbors premises or anywhere in the open.

Upon my arrival in Epadine I received news about the historical fame of Scotland from typhoid disease which is very common in the winter season. According to reports, a famous doctor was able to determine the viral cause of typhoid in Epadine from a can of corn beef in South America.

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This infection was caused by bacterial water which passed through a poorly sealed corn beef imported to Scotland causing widespread infection in parts of Scotland. That is cause to this contagious disease contained in the bacterial waters around the homes due to people urinating publicly implicating both children and adults.

Such is the Ministry awareness through public notices to wash hands properly after using the toilets as never know you might be a disease carrier. The term carrier refers to a person carrying unseen bacteria causing weakness to the immune system without knowing that they are the disease carrier. Such includes a person cooking in a restaurant or homes affecting people nearby. The impact is huge.

Furthermore, there are hot spots in Samoa that I will not name for reputation sake, but have been inspected by the Ministry of Health. These hot spots are caused by the lack of hygienic maintenance and cleanliness.

Another issue is handshakes between or amongst people specifically when it involves unhygienic individuals and affected carriers. These are all part of prevention measures.

Secondly, TB Mr Speaker.

MR SPEAKER: Yes Hon Minister however I humbly request that typhoid is more than enough example on prevention as the entire House is aware of the prevention concept. You are also about to read out a list of prevention measures which means that our sitting will be up soon but the list will continue further. A plea as we have our Kidney Amendment Bill before us, why not direct views to kidney prevention methods and leave aside other diseases. With all due respect Hon Minister, please consider our sitting hours as we aim to complete our business with all due respect. I give opportunity to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker the current matter is very crucial.

There are prevention programs on immunization and I can guarantee you that we have over ten patients taken abroad in seek of medical help that is very costly. But for the countrys sake, we have two more priorities that needs clarification.

MR SPEAKER: Very well, I call on the Minister to be brief.

Afioga Hon TUITAMA TALAILELEI TUITAMA: I am still on immunization and I wish to discuss the diseases involving immunization. The second disease under prevention program is Tuberculosis or TB.

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For the information of the public TB can affect several organs of the human body including chest weakening, kidneys, lungs, intestines and skin ringworms caused by TB bacterium.

TB bacteria are slowly cured by various remedial medicines. However it is again reviving as people are more preoccupied with HIV. Those with HIV disease have fear that life is pointless. TB or typhoid also known as sickness of the lungs is a result of a disease caused by poor hygiene maintenance. Bacterium is contagious once a person coughs, the bacterium spreads through air. TB carriers can most likely spread this disease. So what are the symptoms of this disease? Symptoms include loss of appetite, unexplained weight loss, fatigue and weakness, and cough with bloody mucus/sputum which can eventually lead to death.

The other disease under surveillance is hepatitis or yellow fever. The reason it is called yellow fever is because it affects the whole body when the liver is affected. The bacterium infects the liver disease. The blood transports the bacteria infects which is likely caused to injured patients who are infected by the disease through open wounds. Unsuspecting people may fall victims of the disease and the situation can happen vice versa. Furthermore a person with the said disease will experience pain of the right side of the body because that is where the liver is situated in the body. The liver will start to swell and bloat and it will hurt, and the infected persons eyes will start to turn yellow. The symptoms are also noticeable through the eyes when they start to yellow or turn pale. This hepatitis disease is able to be treated by the prevention shots by the Ministry. However, it is best to remember that there are three types of hepatitis; hepatitis A, B and C. Hepatitis C is the precaution of the early stages of liver cancer and they are transported around by a bacterium which affects the classification of the yellow fever. The most common of yellow fever types is A, B and C in hepatitis.

Mr Speaker I will stop here on the clarification of the question brought forth by the Prime Minister. However, I now move to other types of prevention. The other type of prevention carried out by the Ministry such as prevention from smoking. As you may all remember we have recently approved the Cigarette bill? Why did we establish such a bill? The Ministrys intention is to protect the public from the effects of smoking. Therefore this bill was made especially for non-smokers so that they are not affected. The bill provides for all public settings to be smoke free areas. Hence, people are not allowed to smoke in public places including buses, taxis, cinemas or guest houses. This includes the airports. A new regulation is prepared and upon completion, it will incur charges to those breaking the no smoking law. This extends to children to prohibit buying smokes. Shops are barred from selling lose cigarettes except when it comes in a packet.

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These facets are all part of prevention process intending to protect the public from the effects of smoking.

MR SPEAKER: I beg your pardon Hon Minister of Health but I give this opportunity to the Hon Deputy Prime Minister.

Tofa Hon Fonotoc Nuafesili Pierre Laufo: Mr Speaker I wish to ask the Minister pertaining to his clarification on smoking prevention. I refer to the Regulation mentioned, is there a warning label on these cigarette packets? Is there a warning provision under these regulations? That is my question.

MR SPEAKER: I call upon the Minister to resume his response.

Afioga Hon TUITAMA TALALELEI TUITAMA: Thank you Deputy Prime Minister. The issue raised by the Deputy Prime Minister has been tossed back and forth by the Company producing cigarettes. These regulation is not simple as it indicates involves a picture change behind a cigarette pack and another warning sign inside it. Despite these complications, the Company is executing this task in accordance to the law. Another step undertaken in Australia is that they have abolished wordings behind cigarette packets that are supplied in normal plain packages.

New Zealand has already declared that by 2015, smoking addicts will be down to 5%. For Samoans, it is very difficult. However, despite these difficulties the Ministry is trying its best to alleviate smoking effects particularly upon young children. However is it now new that cigarettes contain 400 different chemicals that causes cancer. Smoking emitters is not only harmful to the smokers themselves but also the people nearby. The smoke particles and chemicals in the air is scattered and can be inhaled by people sitting afar. These are the harmful effects that are not known to some but are very critical.

Another pressing effect is the typhoid disease. This is one way of spreading the disease around; by handling food cooked in restaurants particularly when it involves a disease carrier. The approved Food Act is one prevention measures against these diseases. Considering the large prevention measures taken by the Ministry on smoking and the Act on Narcotics chemicals, hence it is not a small task. This is reason for implementing laws to prevent youth from the impact of drugs, tsunami which affects the kidneys, as well as smoking which causes kidney cancer.

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Mr Speaker, seeing that we have approved the Act on Health Promotion Foundation, another huge aim by the Ministry is prevention measures for the public. A request to Parliament and everyone listening in, the first prevention is yourself and within your surroundings and around the household.

As said before, it is easier to promote health by the Ministry on TV in collaboration with the churches and communities to address health risks and impact from smoking, alcohol, AIDS etc.

There are numerous prevention methods but the Ministry is relying on parents, orators and chiefs, leaders and families to assist in this area. It is a joint effort by all to make living better for Samoa. Hence it is a collaborating responsibility for everyone including you and your children to slash the consumption of salt, sweets and oily food.

MR SPEAKER: Pardon me Minister, but the member would like a moment.

Afioga Hon Aeau Peniamina Leavaiseeta: Mr Speaker I believe my friend wants to take a break. Mr Speaker I presume the Prime Minister and the Deputy Minister are rather enjoying the Ministers clarification. However it appears like we are having a first year lecture in medical school when we have all passed it. The summary is benefiting Parliament members when in fact, this is not the intention. This awareness should have been conducted in the rural areas not here.

MR SPEAKER: The members interjection is well taken hence I give this opportunity to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neiote Sailele Malielegaoi: Mr Speaker, the Minister is trying to explain the meaning of prevention as raised by the member for Faleata West. Therefore the Minister is trying to clarify preventive measures to these harmful diseases. Perhaps if the members of the Opposition had held back, we would have been clear of these vital matters. It appears like the member for Faleata West is in the dark whilst the Deputy Leader of the Opposition is clear. In truth this brief summary is proven useful to everyone including Samoa.

Tofa Levaopolo Talatonu: Mr Speaker...

MR SPEAKER: Thank you. I beg your pardon member for Gagaemauga No.2, but I give this opportunity first to the member for Aleipata Itupa I Lalo.

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Afioga Tafua Maluelue Tafua: Thank you Mr Speaker. It has been very rewarding listening to the Minister of Health's statement and some relevant ones as we come to number twelve of the National Kidney Foundation of Samoa Amendment Bill 2013, second reading. It is all nice listening to the free consultation delivered by the Minister on health related issues regardless, it has taken up three hours. Nonetheless, I wish to ask the Minister about another illness that has caused many lives in Samoa provided the clarifications on these prevention measures, what is the function and causes of gout and its relevance to kidneys which is the Act that we are currently discussing. With due respect.

MR SPEAKER: Thank you. I call on the member for Gagaemauga No.2.

Tofa Levaopolo Talatonu: Mr Speaker, as I too raised prevention measures for the country, none of us in the Opposition wishes to be clarified on prevention, we all understand. We only wanted the Minister to emphasize the importance of prevention process because much of government expenditure is on dialysis. This is becoming an exhausting topic that I grow weary of hearing.

MR SPEAKER: The member for Gagaemauga No.2's view is clear. However the Minister is responding to the member for Faleata West's comment which he affirmed that TV is the only way to promoting prevention. The Minister has just clarified that there are several ways such as zumba, educational health programs in the rural areas, inspections in school buildings are some of the reasons why opportunity was given to the Minister. I beg tolerance the Hon Minister is about to conclude before the topic is clearly defined.

Tofa Lealailepule Rimoni Aiafi: Thank you Mr Speaker. Mr Speaker the reason why we raised prevention is because we are looking at its end results. If the end result is the increasing number of dialysis patients, then that is the result. Hence the clarification by the Hon Minister is not working. Because if what he is talking about is working, I would thank him, but the end result which he is nice to hear the rising number of dialysis victims, thank you.

MR SPEAKER: Thank you I understand your intention. I call upon another doctor, member for Palauli you may stand.

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Afioga Afoafouvale John Moors (Palauli): Mr Speaker I stand to move a motion, *That the Ministers time be extended.*

Thank you.

Question was not asked.

MR SPEAKER: Thank you Palauli. I call on another doctor.

Tofa Tuisa Tasi Patea (Sagaga le Falefa): Thank you Mr Speaker for this opportunity. The subject of prevention is very important, and I grasp the Ministers statement on the impacts of alcohol. I wish for the Minister to touch upon the negative impacts of alcohol on kidneys, as most members here consume alcohol and incase they have future renal failure. I think it best to be well informed on this effect. Thank you.

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

Afioga Toesulusulu Cedric Pose Salesa Schuster (Aana Alofi No.3): Thank you Mr Speaker for the opportunity. I would just like to know the correct Parliamentary procedures as some members are just standing up raising new issues on the bill. Are you allowing additional thoughts when the Hon Minister has already responded? Thank you.

MR SPEAKER: The reason I have allowed extended opinions on this is due to the dire need for this consultation. However I have been advising our only doctor, the Hon Minister of Health to conclude his response. I leave it to the Minister to sum up his speech.

Afioga TUITAMA TALALELEI TUITAMA: Thank you Mr Speaker. I was nearing conclusion but additional interjections are causing the delay but in accordance to normal Parliamentary procedures and practices, either way, I have already given clarification in my previous responses.

Mr Speaker, now that the concept of prevention is clear, that is the clarification as the House has a narrow insight of prevention which seems insignificant but it is important. The intention is to shed light on the overall view of the concept considering our national economic status as everything involves budgeting and finance, in comparison, there is small funding allocation for dialysis compared than the fund distribution on prevention programs. Such is the question....

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MR SPEAKER: I beg your pardon Minister, but I give opportunity to the member.

Afioga Toesulusulu Cedric Pose Salesa Schuster: Thank you Mr Speaker for this opportunity and I thank the Minister for the clarification. Mr Speaker I speak of funding distribution on dialysis recently stated by the Hon Minister. Mr Speaker, we have raised health expenditure mainly because we now have seven members to the Health Board Committee. The advice is to see how much fund can be less from dialysis treatment allocation and money spent on executing the tasks of the Board Committee when funding is more needed to assist the dialysis patients in the country. Thank you.

MR SPEAKER: I call upon the Minister to continue your response.

Afioga Hon TUITAMA TALALELEI TUITAMA: Well, I have goose bumps as the member has just arrived nevertheless I commence, although the question is in breach, this is not the right time. Mr Speaker, when we have clarification of our duties and responsibilities, who measures these things? We can also ask ourselves, what do we do? How much are we earning? All employees have set policies and guidelines and allocated budget for executing set duties. How are expenditure measured? Let me give an illustration: as stated earlier, the capital cost for the new hospital facility in 2005 was \$5million, up to now we have 75 patients at \$75million. Is not that an illustration of reserved money compared to the 6 treated patients we had, hence what is the current expenditure? It is now ten nearing twenty times the value of this \$5million which is retained. Is not that good works by the Committee selected to do the work? Seven. What is the meaning of this? I am ashamed of these views, because if are going to judge people and their tasks, that is Gods job.

Mr Speaker I am very saddened by these kind of opinions especially when it involves good works and good developments that indicates improvement of good service, with accountable funding distribution all for Samoas wellbeing. Mr Speaker I shall resume to respond.

Mr Speaker I will now reverse from prevention as I believe that the concept is clearly defined and so as its measures. But that is not all, considering our time I shall be brief.

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Mr Speaker, the member for Gagaemauga No.2 had raised canned products without labels. The work of the Ministry does not involve such doing, going around stores to check all labeled cans and the like is the duty of store owners, why purchase a can without a label? How can you tell what is in the can is what you want?

Tofa Levaopolo Talatonu: Mr Speaker, a point of order.

MR SPEAKER: Pardon me member for Gagaemauga No.2, but I give the opportunity to the Minister for his elaboration before you.

Tofa Levaopolo Talatonu: As the Minister is misguided by this issue. Mr Speaker...

MR SPEAKER: What did you comment about member for Gagaemauga No.2?

Tofa Levaopolo Talatonu: With all due respect, I did not mention canned products without labels. Perhaps the Minister has grown old. The purpose of the matter is to be mindful of canned food products and nutritional information in Chinese translations and expiry dates for the countrys sake.

MR SPEAKER: The members view is taken Hon Minister. There are nutritional information provided in other languages, that is the correction in response to the member.

Tofa Levaopolo Talatonu: If this is not the Ministrys duty, then whose job is it? Who is responsible for looking after these food products? With all due respect.

MR SPEAKER: The members concerns have been noted. I call upon the Minister.

Afioga Hon TUITAMA TALALELEI TUITAMA: Public notices have already been put on these canned food items with the assistance of the Food law, all canned food products must provide full detail information on labeling, expiry dates etc. This exists under the law that we have just passed. Mr Speaker, you enquired what task does...that is the implemented task that is prohibited.

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Tofa Levaopolo Talatonu: Mr Speaker, the Minister is very good theoretically but not in practice. That is what I gather of the Minister.

MR SPEAKER: The Minister has already given clarification for the member for Gagaemauga No.2 as the Minister has affirmed that does not involve them, instead that is the duty of shop owners, to check that all items on the shelves have manufacture dates, expiry date and such. I call upon Hon Deputy Prime Minister.

Tofa Hon Fonotoe Nuafesili Pierre Laufo: Mr Speaker I rise to assist with the matter beforehand. For the sake of the member for Gagaemauga No.2, the labeling standards regulations have been approved. It is available. This is for further enforcement on top of this Act according to the Hon Ministers statement. The labeling detail standards involve all factors we just discussed had including the nutritional information of the product and the front labeling picture.

MR SPEAKER: Well, I call on the Minister to continue.

Afioga Hon TUITAMA TALALELEI TUITAMA: Thank you. The Deputy Prime Minister has clearly clarified but the duty of the shop owners is if you find the labeling unclear and you still go ahead with selling. Hence you must learn Chinese or Japanese language first before handling these labeling products. If the product is bought and finds its content is dissimilar with the labeling, the duty of shop owners is to report these to the relevant authorities for investigations.

If such products causes illness that is the duty of the Ministry of Health, to inspect and remove the product and investigate whether its meat, potato or something like that.

In response to the member for Gagaifomauga No.1 who I believe is the only one amongst everyone here who truly finds this deliberation interesting and useful. I hope it is the same with all members in the House, now that you have it, make good use of the recommendations given whilst you still have prevention now. If you have diabetes, be mindful and be cautious of the food that alarms diabetes.

As for part of the Foundation Unit raised by the member, I shall talk about it in case everyone is mistakenly informed, the waiting list is close to 300 lest this avoids people from undertaking medical checkup or complicates their choice based on the assumption that dialysis treatment is extracting full blood from the body. The process only involves kidney blood treatment.

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I have already clarified this in relation to the bill, there is a long term plan to extend this service across the district health services. We are looking for necessary precautions to take not only with good facility but to ensure that all services are provided such as sufficient water supply, enough employees to take shifts three times a week etc. We have a set of employees for Motootua as well as Tuasivi hospitals. The Ministry must ensure that quality service is delivered.

Such arrangements and consultations with Safotu is set accordingly to the plans I have just presented in order to have additional services in Savaii followed by Upolu if the service is in dire need. But we shall leave this matter with the CEO and the Health Board on their conscience and decision making.

Mr Speaker, the member for Faasaleleaga No.2 had spoken on access roads to the dialysis unit. I regret to inform the member that your road will not be done but will reconsider the connection of this road access and dialysis unit. The engineer that is mentioned in the...

MR SPEAKER: I call on the member to speak.

Susuga Papalii Lio Faavaivaioamanu Taeu Masipau: Thank you. Mr Speaker, I meant whisper in the ear of the Minister of Works, Transport and Infrastructure that if dialysis patient is treated and suddenly we get hit by a tsunami, you know very well that the tsunami will run down the hospital, yes. Hence, we need proper road maintenance for easier access to the health service clinic. Thank you.

MR SPEAKER: I call upon the Minister of Works.

Afioga Hon Manualesagalala Enokati Posala (Minister of Works, Transport and Infrastructure): Mr Speaker, the members concern was stressed out by the Hon Minister in his clarification, prevent through exercise is essential to minimizing kidney failure. That is the aim which has no connection with road access considering funding distribution budgeting which is different, with respect.

MR SPEAKER: Thank you. I call upon the Minister to continue.

Afioga Hon TUITAMA TALALELEI TUITAMA: Well, to the honorable member, I believe I do not need to whisper to the Minister for he is able to hear your request.

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On another query, do note that these machines require full inspection by a engineer to make sure that they function well...this engineer is part of the staff and they have already executed repaired work for the machines on a costly value.

The point raised by member for Faleata West is a very welcoming. The Ministry has consulted other strategic approach to making this good plan a success...specifically CEOs of Ministries and their lives due to their busy schedule at work and having no time to exercise. This involves the white collar jobs or those working in offices whereby most of their weights are uncontrollable and they are overweight-resulting to more eating and no exercise. This is a challenge for those who have passed the marching line or obesity which is very hard to maintain.

I thank the member for Faleata West, I appreciate his opinion and effort which is the only crucial contribution in our proceedings today.

The member has mentioned gym house facilities within each Ministry. Attempts were undertaken but have been stopped. The aim is to get everyone to exercise say 15-20minutes break before resuming with their duties of the day. Rather than waiting until after work as some work after hours which defeats the whole purpose of losing weight. But the central objective is to drive everyone into the game, whether it be indoor games, volleyball, soccer and so forth, the aim is to lose weight. If this can be executed, then this is excellent development for healthy living. This is all part of prevention process specifically NCD diseases that we are discussing.

Mr Speaker, gout is another form of disease that can affect kidneys, hence I wish to speak further about this common disease in the country...

Afioga Hon Aeau Peniamina Leavaiseeta: Mr Speaker, we are well clear on the gout case. Why do not they conduct a private meeting elsewhere as the night is growing weary due to this subject matter?

MR SPEAKER: I understand your concern as the presentation of the other member is bearing clarification from the Hon Minister which is the aim of discussions here, more queries and concerns results to further responses by the Hon Minister which he is about to conclude.

Afioga Hon TUITAMA TALALELEI TUITAMA: The gout disease is caused by salt uric acid. Uric acid is contained in animal flesh including lobster, crab, raw fish, sea, tomatoe and chilly. This accumulates uric acids in your body. The reason for this build up acid is because your body does not hold a stabilized mechanism that destroys the uric case chemical.

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Otherwise, the body contains high concentration of uric acid called crystallize that are deposit in your joint swells forming swelling joint that contains salt acid deposits.

Afioga Hon TUITAMA TALALELEI TUITAMA: The gout disease is caused by salt uric acid. Uric acid is contained in animal flesh including lobster, crap, raw fish, sea, tomatoe and chilly. This accumulates uric acids in your body. The reason for this build up acid is because your body does not hold a stabilized mechanism that destroys the uric case chemical. Otherwise, the body contains high concentration of uric acid called crystallize that are deposit in your joint swells forming swelling joint that contains salt acid deposits.

The cause of kidney stones is derived from this crystallize deposits. These stones can block urine or stool hence is immediate cases are taken to New Zealand to undergo operation on kidney stones which costs a lot.

Mr Speaker, many of the other questions I have...

MR SPEAKER: Pardon me as I give the opportunity to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker now that you have mentioned the reasons for the many cases we have in New Zealand, what good system should we accept according to your statements and the notes I have here? What is this troop you have mentioned? Does everyone have troops in their bodies? Are they soldiers? I wish to gain understanding of the term troop?

MR SPEAKER: I call on the Minister to conclude his speech.

Afioga Hon TUITAMA TALALELEI TUITAMA: The...

MR SPEAKER: I beg your pardon Hon Minister, what is the matter?

Tofa Lealailepule Rimoni Aiafi: No I would just to like follow up the Hon Ministers statement on the gout disease and its causes, but he has not mentioned a cure. The thing is to mention the cause of the problem and offer a cure or solution to the problem. The other thing is that he has only mentioned food but not any drinks. Why he is afraid to mention that beer causes gout as well? Some causes like that would help clarify things and all will understand. With all due respect.

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MR SPEAKER: Hon Minister please conclude your response.

Afioga Hon TUITAMA TALALELEI TUITAMA: The thing that this member wants is to be spoon fed. I am shocked that he has not guessed the answer to this is from what causes it. Your brain can work it out by staying away from these types of food. Do not eat cow meat, raw fish, and lessen your intake of crap and lobster. These are the things that cause uric acid in your body. Drink water constantly to ease your passage way and not let it be blocked by these crystals.

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

Tofa Lealailepule Rimoni Aiafi: Mr Speaker that is the reason why I asked the Minister because all these food presented cannot be edible as they are very expensive. This means that there must be other reasons why this is raised and we need clarification. If we are going to conduct a health lecture tonight then I think it is best to hear a list of all prevention methods.

MR SPEAKER: The members view is well taken, the reason why you do not eat is because it is not available. But seafood is found and is edible by the village chiefs. Now that the Minister has clarified it, be cautious of consuming salty seafood that is commonly found in the villages. I give opportunity to the Minister to continue.

Afioga Hon TUITAMA TALALELEI TUITAMA: We also have a medicine called allopurinol which helps treats excess uric acid. But the most preventive method is being cautious with what you consume, not everyone has gout, some are prone to gout and some not which means that they have good systems because uric acid is not developed nor contained in their bodies.

Mr Speaker I believe that concludes the responses to the queries of the Opposition. The reason why time has prolonged is because you are paying attention to these important amendments to the bill.

I extend sincere thanks to the Hon Minister for the time granted to perform this task. With due respect. Have a blessed meeting.

MR SPEAKER: Thank you for your clarified speech Hon Minister of Health.

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Afioga Hon TUITAMA TALALELEI TUITAMA: Mr Speaker I have overlooked one more please as queried by the Hon Minister. Antibody substance plays a vital role in fighting bacteria. Once bacteria are formed, antibodies is ready to fight and destroy these bacteria and viruses. With all due respect. Thank you.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neiote Sailele Malielegaoui: Mr Speaker let me just say that antibodies are very critical. How can we obtain these antibodies to fight diseases and infections?

MR SPEAKER: I ask the Hon Minister to stand.

Afioga Hon TUITAMA TALALELEI TUITAMA: Antibodies are formed from immunization shots. When you are ill, the antibiotic medicine you take combines with the produced antibodies to counteract a specific antigen which helps kills bacteria, viruses and foreign substance in the body whilst your system tunes up more antibodies to destroy further invaders. That is how antibodies are formed Hon Prime Minister.

MR SPEAKER: Well thank you. I believe the House fully understands the speech delivered by the Hon Minister of Health which lasted an hour and forty minutes. Time has extended and was not taken lightly. Regardless of our jokes and jests the reason why I gave opportunity was due to the importance of this subject matter. I believe the country has benefited from this evenings discussion and speech of the last standing warrior and Minister of Health.

I believe this is why this House has been constantly asking for your expert advice and I pray to excuse the constant naggings of this side of the House. Their intentions were purely seeking understanding. I believe that we have all understood since we started off with the Kidney Foundation Bill amendment, drifted off to researching on Health and now come back.

Therefore I believe everything is clear.

Motion approved and the National Kidney Foundation of Samoa Amendment Bill 2013 was read a second time.

MR SPEAKER: Pursuant to Standing Order, the Bill will now be referred to the Health & Social Services, Internal Affairs, Community and Social Development Committee for consideration and refer back to the Legislative Assembly in a future meeting.

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FAIR TRADE AMENDMENT BILL 2013
- second reading

MR SPEAKER: For the knowledge of the Assembly this Bill was first read on the 24 January 2014. Therefore I call upon the Minister of Business, Industry and Labor the Hon Deputy Prime Minister.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker I move a motion, *That the Fair Trade Amendment Bill 2013 be read a second, and I wish to clarify more on it.*"

Seconded by the Minister of Revenue and the Minister of Finance.

MR SPEAKER: I give opportunity to the Hon Deputy Prime Minister to clarify the bill.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Thank you Mr Speaker. This evening I would firstly like to convey greetings to the distinguished members of the House, well done on patience. I also relay my greetings to the respective members of the public listening in who are praying for the work we are conducting.

Mr Speaker, although this bill is short and brief, but it poses very significant matters. It is a bill which amends Clause 49 and Clause 51(7) of the Fair Trade Bill 1998. This amendment is directly related to price order obtained from the Board Committee regulated under the said law. This law has taken over 40 years and is resumed from the then 1998 Act.

This Board involves the Minister of Business, Industry and Labor which comprises of eight members including a secretary. This process involves the Committees approval of price order, the Committee meets on a three monthly basis before these price orders are consolidated under the law. Upon approval, the price order is disseminated to all companies and stores in the country pertaining to the new special price order taken after a three months review.

All prices are set accordingly by the Board based on submissions received from Companies and imported goods from the Ministry of Custom involving revenue and surplus.

This official price order is consolidated and approved by the Board before dissemination. This list is put on public notice for the sake of business owners.

The Ministry conducts monthly inspections around the shops in Upolu and Savaii. The Ministry has another branch in Savaii to cater for this service. The aim is to confirm the new price order in all stores for the sake of shoppers. For instance, items like flour, rice and herring. I will talk about price order soon.

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It is important that this order is available to ensure that legislation is enforced. Additionally, it is vital to obtain receipts as verification to the Ministry to regulate prices which is still encouraged.

There are shops that have breached this law. Some have difficulties in visualizing public notices and some do not have receipts for verification. Receipts are vital when purchasing an item, because if you file a complaint, you have verification by way of receipt to confirm that you have purchased the item.

Mr Speaker, this price order is reviewed after every three months by the Board Committee that relates to this amendment. I appreciate the tabling regulation and the three months price order prepared on the 4th February 2014. This is well presented under this regulation for Upolu, Savaii, Manono and Apolima. To breakdown, we have two kinds of brown sugar that comes in pounds: 110 pounds and 55 pounds. Going down the list, we also have salt and rice.

In this price order Mr Speaker, we have four rice variety, Island Sun Rice at 40 pounds, Island Sun Rice and FRC at 20 pounds and Pacific Rice. All are listed with price range.

We also have nine different types of flour sold in the country. There is a variety of flour that is available in our country and it is good because this flour is the normal flour. The cost of a 110 pound per normal flour is \$88.00 in Upolu. The price varies because different types of flour have their own price.

Moving on to noodles packets which is very popular in the country, the Committee aims to appropriately set the price order that is affordable and suitable to the needs of customers. This includes Devondale milk and HT milk. The price of milk in Upolu is \$4.80, Savaii is \$5.20. We also have other types of milk like anchor light, meadow fresh and meadow fresh low fat and other available in the shops.

You can see it for yourselves in the shops, the same list I have given is similar to the price order in the shops. This is important to confirm everyone of the price order instead of fraud. Liquid milk is different from powder milk.

Milk powder varies in brands like anchor and instant. Instant milk powder is lighter than the anchor brand. Upolu is slight cheaper in its prices than Savaii, given that traveling costs to Savaii is also inclusive.

MR SPEAKER: I beg your pardon Hon Deputy Prime Minister, this is not time for debate as the Minister is currently on point of clarification. Nonetheless, it is now time for normal recess hour. We shall break our business for the evening and ensue when we return.

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Proceedings of the Assembly were set aside at 8.44pm and commenced at 9.24pm.

MR SPEAKER: I now declare that the parliamentary proceedings of the Legislative Assembly be resumed. I believe you have all been replenished from our short break.

We took leave for our break while the Minister for Commerce, Industry and Labour, the Hon Deputy Prime Minister resumed his clarification on the bill. I call upon the Minister to continue.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker I would like to express my sincere gratitude to yourself and also the office of the Legislative Assembly for the wonderful refreshment received. The members of Parliament and the members of each Ministry have been rejuvenated with the fine refreshments provided by the office; so thank you. The different types of milk as I have mentioned before all vary and the low fat milk is very good for people with obesity because it contains little fat. Anchor milk is regular milk that is usually used for tea; they contain an average amount of fat. There is one kind of milk that was not mentioned by the Hon Prime Minister but is used to cure the pink eye disease. Another is the condensed milk that is sweet. These kinds of milk are not given in our list.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker....

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker the bill is currently being clarified, interruption is prohibited at the moment.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker I would just like to correct a misunderstanding in the statement of the Minister in regards to the eye disease, as it goes against the notices of the Ministry of Health. I believe you should clarify this matter further as the Prime Minister and the Deputy Ministry are unclear. The milk you are referring to should not be applied to the eyes. It is used for children to strengthen their bodies and is not related anywhere near the milk that is sold in wholesales.

MR SPEAKER: Thank you Lealailepule for the clarification. I call upon the Deputy Prime Minister to continue. I urge you not to respond on the said milk.

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Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: What I meant is milk for the eyes, I am generalizing eyes as in appearance, but the most popular milk is anchor. Anchor milk costs \$4.70 in Upolu and \$5.00 in Savaii. For the sake of the public, we must take heed of the different kinds of milks and its prices including regular anchor milk. This also includes powder milk which is a different kind.

Milk powder as commonly known is used mainly for young children and babies. This is widely used by young children including babies. The 400 grams of anchor milk powder in Upolu is \$19.30, Savaii its \$20.70. Again, the prices differ depending on the sizes.

Next we have butter; this is a reviewed and revised list by the Board Committee on three monthly basis. This tri monthly review is an ongoing process for local shop owners, the Ministry of Labor and the Ministry of Customs on revised price orders.

There are six different types of butter, some containing high salt concentration and some none. With different butter types comes with vary price range. One good product that the Board is placing emphasis on is the canned fish product.

Samoa has benefited from the various herring types now available locally. We now have a total of 24 different herring types with different price range. This is the most consumable product in Samoa. Other than consumption, this product is also used for family matters including funerals and other related activities. Recent data has it that Samoa is second to Papua New Guinea in terms of consumption.

Hence is the recommendation to the Board of Directors to consider the pricing range for these herring products when they have the review. The 24 types of herring; the anger type cost \$4.30 in Upolu and \$4.70 in Savaii, mackerel cost \$3.00 in Upolu and \$3.10 in Savaii. The brand macoy it costs \$3.50 in Upolu and \$3.80 in Savaii. Ocean queen is another good canned product that is in high demand. Then we come to sardines in oil and also in tomato sauce; sardines cost \$2.30 in Upolu and \$2.50 in Savaii. Sea boat herring which is also considered a good brand cost \$2.30 in Upolu and \$2.60 in Savaii. Notice the price variation which is only .20cents. The soifua herring is popularly distributed for family faalavelave. It is available in oil and tomato sauce at a price of \$2.90 in Upolu and \$3.10 for Savaii. And the most expensive herring of all is taiyo which is very good for consumption despite its cost.

Tofa Levaopolo Talatonu: Mr Speaker my question is directed at...I wish not to interrupt the Minister but....

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MR SPEAKER: I beg your pardon Hon Deputy Prime Minister but I give opportunity to the interruption.

Tofa Levaopolo Talatonu: Considering the bill your honor, we are always given the blame for drifting away from the regulation when the Hon Deputy Prime Ministers view is far on the east western side instead of focusing on the bill. Thank you.

MR SPEAKER: I believe we understand the concern of the member. The clarification by the Deputy Prime Minister is in line with the bill because the bill must be clearly defined to avoid further queries. I beg tolerance to the member as we are pertaining to the bills clarification as you are still given opportunity. I call upon the Minister, how many more fish canned products to go?

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Thank you Mr Speaker, perhaps ten more herring left. Then we have a few corned beef available. And that is the aim of this bill. As the Speaker has said, the more clarification we give on the bill, the lesser the questions; am I right?

MR SPEAKER: I wish to advise the Deputy Prime Minister on a bills clarification as this is one of the main concerns of the Opposition is to do with the cost of living. Some retailers have raised their prices and if this information is received from Parliaments proceedings tonight then good, that is for the sake of the country. Please stand your honor.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Thank you Mr Speaker. That is exactly the intention as herring is the most consumable item in Samoa. Sea star is another good one with similar cost. Triple A oil is a little pricey similar to Three Star and Sea Ram, plus the reduced price for First Choice. The list ends with Blue Sea at \$4.70 in Upolu and at \$5.10 in Savaii. Those are the canned fish that is sold in the country. I have overlooked Manaia can. This is for the member who raised a comment on labels, well we now have our own labels in Samoan, Manaia herring is easier to understand...

MR SPEAKER: I beg your pardon Hon Deputy Prime Minister.

Tofa Tuisa Tasi Patea: Mr Speaker, you have overlooked one more which is really good called taiyo. May I enquire if it is on your list?

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Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Yes it is taiyo. As I have said before taiyo is the most expensive herring there is in Samoa. It is good to know that the Associate Minister over here enjoys the taste of this herring very much.

MR SPEAKER: Very well.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: This particular can of herring is imported from Japan.

MR SPEAKER: I beg your pardon but I gather that there is another missing can by the member for Faasaleleaga No.4. I call upon the member.

Afioga Peseta Vaifou Tevaga (Faasaleleaga No.4): Thank you Mr Speaker for this opportunity. I do not intend to interrupt the Ministers statement on herring but I have two comments on the taiyo herring just in case we move on.

You see Mr Speaker, perhaps one can of tayio in a carton is consumable compared to the ones bought from a store, you can tell the difference in taste. It happened in one of the stores in Lotopa last week where I ordered my son to get another three, however these three contained fish like the size of a marble and was tasteless.

I beg the Hon Minister to relook into this, perhaps some taiyo tastes good and some are bad for consumption. Another one your honor is the pink salmon which costs \$9.00 in Vaitele and \$15.00 in another shop, I will name you the store later. It is also available in other stores at a price of \$9.00, but surprisingly, this one shop has this significant price of \$15.00 for the same product, such is the urge Hon Deputy Prime Minister, see if these goods and prices are appropriate, with due respect.

MR SPEAKER: Your view is taken, I only wish to remind you about the time limit, this is your last chance, I will not tolerate anymore interjections, but given the importance of submissions presented including shops with raising prices for the Ministrys sake. I call upon the Minister to continue his speech.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Thank you Mr Speaker, as said in the beginning, that is reason for having this price order to enforce shop owners not to raise their prices.

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Whilst the members statement on pink salmon is correct, hence salmon is different from herring; a herring is like mackerel and sardine whilst salmon is very costly and is not contained in the list. We also have red salmon which is also very expensive.

The Ministry has also inspected other herring products that are excluded from the list which is close to taiyo as you mention found in cartons received from remittance abroad and are resold to stores other than the normal supplied cartons that is available in stores. Therefore I urge the public to carefully look into this as this is not included in this list.

Another herring type called teio comes with a varied price, hence we should be mindful of the different herring products and their prices.

Mr Speaker, another huge task by the Board Committee is sorting out the 15 different corned beef varieties and prices. This includes locally made products like Valima, Sama and Taula which are regulated.

Mr Speaker the amendment I am trying to explain is related to this order, after the Board review, all eight members have to sign, the past system involves all eight members and the secretarys signatures to the price order schedule.

The new amendment does not require everyones signature but the Chairperson. If the Chairperson is unavailable, the Deputy Chairperson can sign the price order for the country on a three monthly basis review before distribution to all shops. That is the basis of this bill.

Mr Speaker the statement has prolonged thus it is good to get an insight of the Boards terms of reference or duties as well as the price order that is distributed in stores for public information in case they are falsely informed.

That is a brief explanation thank you for the opportunity.

MR SPEAKER: Thank you Hon Minister of Industry and Labor. I believe the clarification has given a clear picture of these amendments to the bill. I acknowledge all members for your patience. Although it is late we must continue our work.

I call upon the member for Aana Alofi No. 3.

Afioga TOESULUSULU CEDRIC POSE SALESA SCHUSTER: Thank you Mr Speaker for this opportunity. Pursuant to the complete statement I wish to ask now that either the Chairperson or Deputy cites the order hence the tabling bill beforehand says that the CEO signs if the Chairperson is unavailable. Is there difference between this section and what the Hon Minister said?

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Secondly, the Boards Secretary is now amended to a CEO. But the work of the Board has been clearly defined but could not raise anything about it as it is not laid out in the bill.

Pursuant to Parliamentary procedures and according to the Hon Prime Minister, we have over 100 bills and reports which are yet to be tabled. Therefore I bequeath a request to be brief about our statements and to pin point directly to the matter at hand. That is my humble request Mr Speaker, thank you.

MR SPEAKER: Very Well. Thank you. I give opportunity to the Deputy Prime Minister.

Tofa Hon Fonotoe Nuafesili Pierre Laufo: Let me swiftly respond to the members view. If we look at the special price order the tabling price order involves the members of the Committee, Deputy, Chairperson and the CEO. Hence if the Chairperson is unavailable the Deputy can sign the Order. Similarly to the secretary, the CEO is not involved but the ACEO who is the respective person that bears relevance to preparing these price orders is the secretary. Thank you.

MR SPEAKER: Very well thank you. I call on the member for Falealupo.

Afioga Hon AEAU PENIAMINA LEAVASEETA: Mr Speaker with all due respect I rise to share a few thoughts on the tabling bill.

Mr Speaker, with due respect to the House, this bill is now tabled, in case you are not...hence let us put this aside with respect. The Hon Ministers speech has taken up extended time but the bill is very short. The bill only specifies the establishment of a new Board Committee despite the unnecessary. We are now leaving.

MR SPEAKER: Pardon the member, but I give this opportunity to the Minister.

Tofa Hon Fonotoe Nuafesili Pierre Laufo: A point of order, the bill is not specifically for establishing a new Board. The only correction I agree with the member is changing of signatures. All eight members will no longer sign but the Chairperson.

MR SPEAKER: I call upon the respectable member to conclude his speech.

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Afioga Hon AEAU PENIAMINA LEAVAISEETA: This is the only aim of this bill, to establish a new Board Committee none other.

Mr Speaker the Committee is comprised of the Ministry of Labor, Ministry of Finance, Ministry of Foreign Affairs, business entrepreneurs and the Samoa Tourism Authority. The significance of having these members involves trading for our exports but they do not know how. How is the bill defined? The Ministry of Trade Mr Speaker...

MR SPEAKER: Pardon the member, I give opportunity to the Hon Prime Minister.

Tofa Hon Fonotoe Nuafesili Pierre Laufo: Mr Speaker, this bill is not related to exports. The bill sets for the prices of imports to ensure that prices are too high in particular for the most consumable goods to assist with the low cost of living in the country, not a bill pertaining to exports.

MR SPEAKER: To save time I give this opportunity to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker another complaint by the Opposition strikes that government lacks transparency. The Deputy Prime Minister was trying to clarify the causes of the bill which is their duty. Government functions were transparently conducted to avoid these typical claims and attacks upon them. We should thank the Deputy Prime Minister and the Ministry for executing the sustaining of this price order.

I see that members are growing weary of this clarification and now they are confusing us, they use to complain about no clarification and now it seems like they are beyond understanding, hence if insight is too much they get annoyed, and if clarification is provided they become more troubled.

Mr Speaker, we are unsure of what to do. This meeting should be open to discussions and clarification, nothing is hidden from countless attempts of issuing false statements about the lack of transparency. Transparency in Samoan means malamalama (clear understanding). Hence everything is interpreted to shed light on everyone.

Good governance is a factor that is greatly admired by other governments when they look at this country. That is the clarification however, this is a different night, as everytime we clarify things, members are hesitant and are weary because they seem to understand things better, otherwise they do not wish to give further clarification. If you hesitate to be clarified, Cabinet will still elaborate.

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

Afioga Hon AEAU PENIAMINA LEAVASEETA: Thank you Mr Speaker. I am confused with the Hon Prime Ministers statement. But I wish to follow with setting up a Board Committee. OK, trade is a very important concept. Whether import or export it is still the Boards duty. The Board members list has been read out.

My recommendation Hon Minister, consider a Farmers representative to the Trades Committee. Why? This is exactly why the Farmers are upset. Get this Mr Speaker. Trade involves the Prime Ministers Office, Trade and Agriculture. Where will the farmers go? This is the Taskforce Committee and they are without a representative. The Hon Prime Minister recently spoke about laziness, task and toil. Yes they have tasked and toiled. For whom? The Hon Prime Minister then said, take it easy. Why take it easy when he mentioned lazy? Where exactly do these people report to? The Prime Ministers Office, MCIL or Agriculture?

That is the concern for getting a Farmers representative on board since they are unaware....although their produce are not exported, no clarification, no assistance...

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

Tofa Hon Fonotoe Nuafesili Pierre Laufo: Mr Speaker, a point of order. The Committee members is explicable. A Farmers representative is present. There are three representatives in the Boards Committee who are all farmers and understand well about the valued goods in the rural side as well as Savaii. This Committee is responsible for setting import valued products including foreign goods such as alcohol beverage. That is the elaboration, the current standing Committee is well aware of all the members submission.

MR SPEAKER: Very well. Are you done member for Falealupo? Be upstanding.

Afioga Hon Aeau Peniamina Leavaseeta: I will clarify this one bit before I am done.

MR SPEAKER: I call upon the member.

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Afioga Hon Aeau Peniamina Leavaiseeta: I believe my friend does not understand either. The name illustrates Trade, Commerce and Industry. Is that right? So what am I saying? That is the only advise. What the farmers society needs is a representative for the Board Committee. It is very simple, then, they are included.

MR SPEAKER: I beg the members pardon but I shall clarify further.

Tofa Hon Fonotoe Nuafesili Pierre Laufo: My friend is also confused Mr Speaker. If you see, imported goods are brought into the country. This does not involve local farmers produce in Samoa. This does not also involve the Taskforce Committee. That is the correction, hence the products I have read out such as milk, powder milk, herring types and other various items, where does Farmers fit in? That is what I mean.

Afioga Hon Aeau Peniamina Leavaiseeta: Perhaps the Minister is still not getting what I mean. With trading activities, the people are keen to know.

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

Afioga Hon Aeau Peniamina Leavaiseeta: I only wish to assist the farmers particularly when it involves trade.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: The problem deals with the member failing to read the bill properly. Please refer to section 49 and 51 of the amendment bill which is crystal clear. The bill seeks to amend Clause 49 and 51(7) of the bill. Hence these are the only two particulars that the bill is stressing not the entire bill. I see that the member is just going through the bill properly. That is the spirit of the night, some tend to sleep and abruptly talk about the bill dispersedly.

MR SPEAKER: I believe the member is clear according to the Deputy Prime Minister, there is a countrys representative in the Board. I take that the farmers representative represents all farmers in the country. I call upon the member for [Gagaemauga No.2](#) followed by the member for [Faleata West](#).

Tofa Levaopolo Talatonu: Thank you Mr Speaker for this opportunity. I firstly like to thank this side for elaborating the bill and its amendments.

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I wish to ask the Hon Deputy Prime Minister about this new amendment, if there is a particular reason why all eight members no longer sign the special price order schedule but the Chairperson. There is a statement on ‘unfound members to obtain signatures’ but I doubt this as inappropriate statement. Secondly, based on the Deputy Prime Ministers statement, if the Chairperson is unavailable, the CEO can sign on his behalf. Has government polices been reviewed on disallowing CEOs to sit in a Board meeting? The position of Deputy Chairperson is now held by the CEO. Furthermore, the Deputy Prime Minister also touched on receipts claimed from stores. Is there regulation on stores for unclaimed receipts to customers?

Mr Speaker those are some questions for clarification.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker perhaps it is best to respond to these matters.

MR SPEAKER: You may if you wish so now.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: In accordance to the queries of the member and the new amendment, after the meeting, the price order is prepared. That was the system of over 40 years before resumption of this 1998 Act. This leaves us with this one piece of legislation which deems for everyones signatures, otherwise the current system has it that most Board members approve of the Chairpersons signature alone. That is the most effective way of dealing with the Ministrys work load before the official price order is disseminated to stores.

The system carried out from the past on Taskforce Committees involving the CEOs position as Deputy Chairperson is all under the old legislation. That is pertaining to the Taskforce Committee not the Board of Directors. The Ministry has received numerous complaints on receipts from store owners. We have recently witnessed reports from a store in Apia or Lalovaea. Investigations were conducted and the shop owner was instructed to comply with the legislation by the Ministry. Though it is good to address these issues for the public, thus the Ministry is always available for consultations and complaints of this sort.

Mr Speaker that is the response.

MR SPEAKER: Very well. I call upon Lealailepule.

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Tofa Lealailepule Rimoni Aiafi: I thank the Speaker for his patience this evening. I have been in the Parliament for quite some time now and from my understanding, all responses must be given until after deliberation. But if that has changed by the Hon Deputy Prime Minister, ask and respond on the spot, that is fine.

The bill caters for one particular aim which is reshuffling of Taskforce Committees to get the signature of the Deputy Chairperson or the CEO if the Chairperson is unavailable. This is practical and should have been done long ago. The Secretary's signature should have been put as well as the Board has already discussed it. The Secretary is no longer the CEO but the ACEO.

The mistake in the bill according to the English translation states that a Secretary must be a supervisor for Fair Trading Section. Supervisorial role does not exist but ACEO. This section of the bill must be amended. See it is simple and done, but the Deputy Prime Minister's presentation on valued goods is noted as were now aware of the 24 different canned fish available in the country that are not below \$2 or \$3 in value, but \$5, \$10 and \$20 tala. See what has happened? We should be thankful to the list read out. Some carton of fish has taken over 5 to 10 years and has not been consumed as they are passed around for family obligations. By the time it is consumed, the problem becomes severe. We must have a law to regulate the use of fish cartons particularly the ones used for family matters.

Hence these cartons are coined as cartons for family matters instead of consumption. The term applied sounds heinous.

Another pressing matter from the public is the cost of local made products which is more expensive than imported goods. Local eggs cost more than imported eggs as well as local sausages.

Another important component is the separation of wholesaler and retailer sometimes but some wholesalers also hold retail stores. This causes several communication links on good values. For instance if a wholesaler or retailer buys a pound of chicken for \$2, and another nearby store sells it at a lower price, thus no law aims for lowering prices other than raising price value which is good for consideration.

Furthermore, there is a rising number of truck deliveries around the island. Whenever they take deliveries, they always end up receiving no receipts, how is this monitored? Do they have a main base somewhere, otherwise we must consider a legislation to improve this process.

Mr Speaker that is all but I agree with the two amendments. With due respect.

MR SPEAKER: Very well. I give opportunity to the Minister to conclude your response.

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Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Thank you Mr Speaker as that is the spirit. The section on Supervisor is under the ACEO who is also the secretary. The task is given to an ACEO who is also the secretary to the Taskforce Committee. That is the main reason for resetting prices appropriately according to the new amendment to retain the price minimum of \$2 and above based on the welfare of the nation.

The matter on costly local made products compared to foreign goods is understandable. Most of our products are made of foreign items. That is reason for the high priced products produced locally. Foreign countries have a wide mass produce scale that can measure the value of goods. They receive over 10,000, 20,000 containers annually from Asia. In comparison to us, its complicated as such is only produced here once which costs millions and millions. That is reason for reduced value of foreign goods in comparison to our locally produced market that is not easy.

Wholesale and retail separation is a very difficult matter which needs to be in line with another proposed legislation that will perhaps be tabled in Parliament sometimes this year.

This new legislation is called Competition Law which involves comparative advantage, law drafters and seeing where Taskforce Committee fit in when setting pricelist for the various goods now available in the country. This covers several issues relating to the members concerns but we shall wait until the new bill is tabled.

We also have caravan available for selling small items plus receipt booklets to verify the different transactions. If receipts cannot be obtained, these businesses are liable under the law. All businesses must have business license. This information is necessary to verify tax fees, GST and income tax returns. This tax collection is used to set up further major government developments for the countrys prosperity.

Mr Speaker the raising queries is now clear. Thank you.

MR SPEAKER: We have in final Tuiatua Faanofonofu before we give the Hon Deputy Prime Minister the chance.

Afioga TAFUA MALUELUE TAFUA (Aleipata Itupa i Luga): Thank you Mr Speaker. I see that Parliament is growing weary of todays business, I salute your honor for your patience. I solely support the two amendments but I wish to share something about the different price range for locally made products and imported goods. Perhaps this is also happening in New Zealand where products like spaghetti, vegetables and fruits are much cheaper in Australia than New Zealand. Similarly to Hawaii, they also receive cheaper products from America. I guess this is the same with other countries.

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But as a recommendation your honor, in the statement of the Hon Deputy Prime Minister, the new pricelist is reviewed on a three monthly basis. This is a very good plan which I acknowledge the Ministry of Trade, Commerce, Industry and Labor in promoting this new system including signage posted in stores. But it would be good to enlarge the font size for all to see. With respect.

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

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker, the raising matters are very important and the produced items both locally and abroad are very interesting. We had the local hellaby corn beef, now where? It is now closed because it is much cheaper abroad. The can supply and cattle is more cheaper overseas than ours. This involves 'comparative advantage' products that are relevantly lower in value and cannot be produced locally but is available in foreign countries. We also had the coconut milk by scientist Petrana in 1970 who created a perfect formula for this freshly consumable product. As initiators of this product, the coconut milk became very popular than the Philippines and other countries. The problem stemmed from the scientist who published this unlaunched product internationally and the formula managed to get across other markets in Australia, New Zealand and Asia who changed the label 'peepee' leaving us insane. That is the reason why this Coconut Manufacture in Taufusi was closed down. Mr Speaker there are struggles on the way, whether good or bad, it all depends on the market. Because if we do not have buyers, then it is a waste hence we must reconsider other options and produce much cheaper products to be in the competition.

Mr Speaker, we too are facing problems of this sort like other countries. We have also heard that Yazaki will leave us soon given the low employment rates. Larger countries with huge population like China can afford employment rates of USD\$1 per day. That no longer exists. This is similar to international companies who seek the most potential places in the world to carry out this system.

Mr Speaker that is how business works in order to be competitive, we must resort to the lowest benefit in return. This is reflected in the development of telecommunications companies of Digicel and Bluesky where cell phones are getting cheaper. Before, cell phones were unaffordable.

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Mr Speaker that is the most constructive part of our discussion tonight, with a whole variety of things involving price and cost, whether affordable and adopting foreign goods as well as the complexity of exporting valuables abroad.

MR SPEAKER: Very well. Any additional statements Hon Deputy Prime Minister?

Tofa Hon Fonotoe Nuafesili Pierre Laufo: Mr Speaker I believe the matter has been well clarified.

MR SPEAKER: Thank you. Before the question is put, it is appropriate to summarize some of the raising concerns by members. The status of our proceedings today is inclusive of our lapsed business pertaining to our Standing Orders, bill involving first, second and third reading and amendment bills. The clarification of bills by the respective Ministers you now witness the main objective of clarifying bills in order to respond to your queries and submissions put forward. Hence bear with me and I manage our work and do not be alarmed by the prolonged explanation by the government as that is the basis of our proceedings. We may proceed until Tuesday or Wednesday week given our lapsed business hence we should not rush the completion of our business.

I have also observed from previous sittings, you are upset with the incomplete responses given. Hence it is best to make good use of the opportunity wisely, as pricelist and time limit is all given in detail. Even with the bill presented by the Hon Minister of Health regarding your concerns on prevention and its causes.

Therefore I urge the House to exude all your patience on our work. Whichever easier and suitable way for government to respond is applicable.

Motion approved and the Fair Trade Amendment Bill 2013 was read a second time.

MR SPEAKER: Pursuant to Standing Order the bill shall be referred to the Primary Production, Business, Industry and Labor for consideration and must report back to the Assembly in a future sitting.

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PLUMBERS BILL 2013
– second reading

MR SPEAKER: For the information of the Parliament this Bill was first read on the sitting day of 24 January 2014.

I call on the honorable Minister of Works, Transport and Infrastructure.

Afioga Hon MANUALESAGALALA ENOKATI POSALA: Mr Speaker I stand to move a motion, *That the Plumbers Bill 2013 be read a second time and I wish to briefly comment on its clarification.*

Seconded by the Minister for Police and Prisons, Fire Services and Emergency, Minister of Natural Resources and Environment, Minister of Education, Sports and Culture, Minister of Health, and the member for Aiga i le Tai.

MR SPEAKER: I call on the Minister for his clarification statement.

Afioga Hon MANUALESAGALALA ENOKATI POSALA: Mr Speaker, at this hour of the night, reminds one psalmist, ‘we should proclaim Gods love in the morning and his unconditional love in the evening’. Unyielding praises and thanksgiving to god for without Him we would not have made it this far and considering the affected neighboring countries whilst Samoa is still sailing peacefully. Thank you to the government Leader, respectable members, CEOs and Samoa for your support.

The Plumbers Bill 2013 lawfully binds plumbers, plumbing profession, plumbing services and other related plumbing activities. This bill also regulates those with plumbing profession and skills along with a Certificate of Merit so that the Plumbing Profession Association continues under the Incorporated Societies Ordinance 1952.

The contents of the Bill provides for registered eligible plumbers. This forms a Plumbers Association of Samoa with registration in order for them to work together. The Association includes an Executive Committee comprising of President, Vice President, Treasure and Assistant and five other members. This Committee sets to execute all duties by the Association and other related duties provided under this legislation.

This bill is enacted and envisions implemented tasks under the plumbing profession. The Association also encourages code of conduct. One pressing issue is water supply under the Samoa Water Authority extracted from reservoirs, water catchment, pipelines layout in parts of the country. Good water supply including metered water and connection across the country is handled by these plumbing specialists under the supervision of the Water Authority.

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We have received reports and complaints on running metered water that comes with high water charge hence investigations are conducted and findings have it that there are various areas with water leakage due to poor plumbing due to no legislation to regulate plumbing work.

These issues related to setting up a Tribunal Commission involving registered plumbers to cater for these concerns. This Committee is responsible for solving filed complaints and reports received to achieve appropriate measures taken. The Committee also ensures that all tasks are implemented accordingly without committing any offence in order for the plumbing profession to achieve high quality standard that is required. But water supply is one dire need that is taken into account considering water shortage, ration water in some parts of the country hence we must ensure that water supply is preserved for consumption.

Another vital component for Tribunals consideration involves pipelines imported including high pressure pipes. In fact this water is utilized by plumbers when fixing plumbing work around the homes. Nonetheless, this also goes for large buildings like hospital facilities to maintain and achieve high quality standard. All these areas are assisted by the Plumbers Association including policies and regulations set by the Tribunal Commission on plumbing related activities.

I give thanks to the orators and chiefs that who lack this profession but are supporting this service as a challenge for the plumbing profession to attain high quality standard. That is the purpose of establishing this Tribunal Commission to manage all plumbing services. That is the explanation your honor.

MR SPEAKER: Thank you for the clarification Hon Minister of Works, Transport and Infrastructure for the bill that should have been introduced long ago implicating water as one of the essential sources of living. It is true that water shortage issues must be managed and distributed wisely in relation to good plumbing service. The House is now available for comments. I call upon the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoui: Mr Speaker I rise with respect to make additional comments to the statement of the Minister of Work seeing that this bill aims for official registration of a Plumbing Association. Other associations include lawyers, doctors and engineers. Such is Governments aim to ensure that such professions are legally bounded by law including their services. This also involves artistry, land surveyors and meteorologists.

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All these professions ought to be protected under the law as some associations have fraudsters but legislations must be drafted to officiate and regulate them from the impacts of fraudulent and false claims. The bill also includes code of conduct to regulate people from deceiving the public with this profession and skills.

That is additions your honor hence it is time for these plumbing services to be legislated.

MR SPEAKER: Thank you Hon Prime Minister for the additional comment to defining the bill further. We still have ten minutes for further comments. Well, I believe it is time for us to conclude our work as it has been a long night. I give opportunity to the member for Faasaleleaga No.4.

Afioga PESETA VAIFOU TEVAGA: Thank you Mr Speaker I rise as that side is getting a rest. Thank to the Hon Minister for this bill. Considering the many huge proposed developments, this is one dire profession required. Based on past observations, plumbing gave very poor service and standards. Some plumbers would just cut pipelines and set fire if sizes do not fit. I personally feel that the unqualified work together with the qualified apprenticeship training at APTC which is an institution that is established for these vital professions.

For instance noting the Maota Tofilau Eti Alesana building, most of this area has water seeping cracks. This means the plumbing works was not properly executed. Perhaps with the tabling of this bill, proper and qualified plumbers ought to provide more appropriate services. The Hon Prime Minister is right about additional professions other than plumbing. I believe that much needed knowledge and skills is required to attaining quality standard services required to build the fifteen story building construction proposed by government. Hence this plan must be encouraged to be achieved by the qualified plumbers.

A plea to the Hon Minister, these professions is necessary to build and improve our developments in the country. Otherwise, sincere gratitude for the tabled Plumber Bill. Thank you.

MR SPEAKER: Very well thank you for your input. I give opportunity to this side of the House. I call upon the member for Aana Alofi No.3.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Thank you Mr Speaker for the opportunity. I believe this bill is a very important bill for improvement and development given this specific profession.

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Mr Speaker I wish to attain understanding on a few matters.

Mr Speaker I query the relationship between registered plumbers and the achievements they attain whether they are certified under SQA. It is important to note this and see if there is a connection so that all standards are compatible not only abroad but locally.

Secondly, it is important for these plumbers to get registration in order to be qualified to do the job. Other villages have private water pool. Most villages would contact the village council for water connection that is connected from this large press pipeline. Does the law regulate all these small tasks in the villages? Nonetheless, if my water is connected, I can seek the skills of my neighbor to fix it. The concern is related to our youth members who are unable to attain any achievement but have the skills in this kind of profession.

Moving on your honor, as commented by one member, plumbing service is critical particularly when it involves major developments.

Large construction projects that are funded and implemented by local plumbers raises the need to take heed of registrations under these associations before they are qualified to do the job. We must take heed of registrations as well as supervisory roles of those who are inspecting the job particularly plumbing work.

MR SPEAKER: I hate to interrupt the member for Aana Alofi No.3 but we have come to the end of our session. It is now 11.00pm and perhaps it is best that we should get some rest. We must adjourn our work until tomorrow at 9.00am.

I express my gratitude to all members of the House. I believe it has been a long night and we should retire to bed for some rest. We have accomplished much work today. I commend you on your patience, support and of course your contribution. I trust the members of the House have been clarified on all matters especially the people listening in. I believe that we shall meet back here at 9.00am tomorrow.

Samoa I thank you all for your support and prayers for your Parliament. Thank you for your tolerance during Parliament proceedings. I also commend the CEOs.

Before we adjourn I call upon the Hon Minister of Natural Resources and Environment to end us with a prayer.

Prayer.

Proceedings of the Legislative Assembly were interrupted as it adjourned at 11.00pm.