

TUESDAY, 7TH MARCH 2017

The Legislative Assembly met at 9:00am pursuant to the Parliamentary Sitting Program 2017/2018.

CLERK: Pursuant to Standing Order 27 (1), with respect I would like to announce the absence of the Honorable Speaker of the House. Due to this, the Deputy Speaker will take the Chair.

Prayers.

MESSAGE FROM THE COUNCIL OF DEPUTIES

The Deputy Speaker read out the Message from the Member of Council of Deputy.

“MEMORANDUM for:

Mr Speaker:

Pursuant to Article 59 of the Constitution of the Independent State of Samoa, I hereby present the Legislative Assembly the following Bill:

1. Tax Information Exchange Amendment Bill 2017.

GIVEN ON this day 3rd March 2017.

(Signed by): Tuimalealiifano Vaaletoa Sualauvi II.
Tuiloma Lameko.
MEMBER OF THE COUNCIL OF DEPUTIES.”

25 JANUARY 2017

Motion for Adjournment

Motion Approved.

MR SPEAKER: Before we adjourned I call the member of Alataua West.

Afioga ALIIMALEMANU ALOFA TUUAU (Alataua Sisifo): Thank you for this opportunity given to me. Perhaps this request will be heeded before we end our work today.

I stand to respectfully remind that only 22 Annual Reports were received by the Parliamentary Committee in August 2016. I would like to remind you all that Standing Order Section 55 states that Government must respond within the 60 days after receiving the Report of a Committee or response to all the Reports of the Committee.

Thank you.

MR SPEAKER: Thank you. The most important thing is that the State has heard the reminder of the Finance Committee in accordance to Standing Orders. As such, if the State opposes, chance will be given. I call the Hon Prime Minister.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker, perhaps this is one issue that requires a meeting sometimes this week to confirm the correct procedures given the many finished Reports, a process whereby all completed Reports can be submitted one time to the Committee if necessary. Perhaps we will meet with the Clerk of the Legislative Assembly on that matter.

MR SPEAKER: Thank you. The matter by the Chairperson of the Finance Committee has been clarified. I extend appreciation to everyone for today's work, well done for your patience, whatever challenges we had today, may we find forgiveness before God. The objective is for us to use simple and direct language for ease of matters in Parliament. We urge your forgiveness Samoa.

Before we adjourn, I call the member of Falelatai and Samatau, pardon the notable member for the sudden alert, it would be good to have you end our Sitting with a prayer.

Proceedings of the Legislative Assembly adjourned at 12:44pm until 9:00am on Tuesday, 7th of March 2017 pursuant to Parliamentary Sitting Programme Shedule 2017/2018.

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NOTICE FROM THE LEADER OF THE HOUSE

Mr Speaker announced the Notice from the Leader of the House.

DEPUTY SPEAKER: Pursuant to Standing Order 76 of Parliament notice is hereby given to the Legislative Assembly to consider the following Bills:

1. Casino and Gambling Control Amendment Bill 2017.
2. Police Powers Amendment Bill 2017.
3. Public Service Amendment Bill 2017.

GIVEN ON this day 6th March year 2017.

(Signed): Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti
Aiono Galumalemana Dr. Sailele Malilegaoi.
LEADER OF THE HOUSE.

NOTICE FROM THE LEADER OF THE HOUSE

Mr Speaker read out the Notice from the Leader of the House.

DEPUTY SPEAKER: Pursuant to Standing Order 100(2) notice is hereby given to the Legislative Assembly for the consideration of the Bills that follow in a state of urgency.

1. Tax Information Exchange Amendment Bill 2017.
2. Police Powers Amendment Bill 2017.

GIVEN ON this day 7th March 2017.

(Signed): Susuga Hon. Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti
Aiono Galumalemana Dr. Sailele Malielegaoi.
LEADER OF THE HOUSE.

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PRESENTATION OF PAPERS

The Clerk read out the Papers tabled before the Legislative Assembly pursuant to S.O.48.

1. S.R. 2017/1, Personal Property Securities Act 2013- Notice of Commencement.
2. S.R. 2017/2, Prisons and Corrections Amendment Regulations 2017.
3. S.R. 2017/3, Ports Authority (Dues and Rates) Notice 2016.
4. P.P. 2016/2017 No. 155, Samoa Law Reform Commission Annual Report No.7 July 2015- June 2016.
5. P.P. 2016/2017 No. 156, Electric Power Corporation Annual Report 2014/2015.
6. P.P. 2016/2017 No. 157, Samoa Water Authority Annual Report 2015-2016.
7. P.P. 2016/2017 No. 158, Samoa Water Authority Statement of Corporate Objectives 2017-2020.
8. 8. P.P. 2016/2017 No. 159, Samoa Housing Corporation Annual Report 2016.
9. P.P. 2016/2017 No. 160, Ministry of Education, Sports and Culture Annual Report 2015-2016.
10. P.P. 2016/2017 No. 173, Ministry for Revenue Annual Report 2015/2016.
11. P.P. 2016/2017 No. 188, Samoa Sports Facilities Authority Annual Report 2015/2016.

PRESENTATION OF PARLIAMENTARY COMMITTEE REPORTS

The Clerk read out Parliamentary Committee Reports tabled before the Legislative Assembly pursuant to S.O.51 (5).

1. P.P. 2016/2017 No.161, Report of the Finance and Expenditure Committee on P.P. 2016/2017 No. 107, Samoa International Finance Authority Annual Report 2014/2015.
2. P.P. 2016/2017 No. 162, Report of the finance and Expenditure committee on P.P. 2016/2017 No. 145, Samoa National Provident Fund Annual Report 2015-2016.
3. P.P. 2016/2017 No. 163, Report of the Finance and Expenditure Committee on P.P. 2016/2017 No. 146, Report of Operations and Statement of Accounts of the Senior Citizens Benefit Fund 2015/2016.
4. P.P. 2016/2017 No. 164, Report of the Finance and Expenditure Committee on the Fees and Charges (Miscellaneous Amendments) Bill 2016.
5. P.P. 2016/2017 No. 165, Report of the Finance and Expenditure Committee on P.P. 2016/2017 No. 143, Annual Report of the Development Bank of Samoa Financial Year 2015/2016.

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**Motion by Chair of Parliamentary Committees Pursuant to
Standing Order 52**

6. P.P. 2016/2017 No. 166, Report of the Standing Orders Committee on S.R.2016/9, Public Service Amendment Regulations 2015.
7. P.P. 2016/2017 No. 167, Report of the Standing Orders Committee on P.P. 2016/2017 No. 99, Office of the Electoral Commissioner Report on the 2016 General Elections.
8. P.P. 2016/2017 No. 168, Report of the Standing Orders Committee on P.P. 2016/2017 No. 109, Samoa Law Reform Commission Report on the Sex Offenders Register, Final Report 16/16.
9. P.P. 2016/2017 No. 169, Report of the Standing Orders Committee on P.P.2016/2017 No. 108 and P.P. 2016/2017 No. 140, Office of the Clerk of the Legislative Assembly Corporate Plan 2016-2018 & Office of the Clerk of the Legislative Assembly Annual Report 2014-2016.
10. P.P. 2016/2017 No. 170, Report of the Economic Sector Committee on S.R.2016/6, Customs Tariff Modification Order 2016.
11. P.P. 2016/2017 No. 171, Report of the Economic Sector Committee on S.R. 2016/11, Intellectual Property Regulations 2015.
12. P.P. 2016/2017 No. 172, Report of the Economic Sector Committee on P.P. 2016/2017 No. 133, Annual Report of the Polynesian Airlines Company 2016.
13. P.P. 2016/2017 No. 174, Report of the Infrastructure Sector Committee on P.P. 2016/2017 No. 141, Annual Report of the Office of the Regulator 2015.
14. P.P. 2016/2017 No. 175, Report of the Infrastructure Sector Committee on P.P.2016/2017 No. 111 & P.P. 2016/2017 No. 112, Annual Reports of the Samoa Ports Authority 2013/2014 & 2014/2015.
15. P.P. 2016/2017 No. 176, Report of the Infrastructure Sector Committee on P.P.2016/2017 No. 105 & P.P. 2016/2017 No. 106, Statements of Corporate Objectives 2017-2020 & Corporate Plan 2017-2020 of the Samoa Ports Authority.

**MOTION BY CHAIR OF PARLIAMENTARY COMMITTEES
PURSUANT TO STANDING ORDER 52**

DEPUTY SPEAKER: I call on the Vice Chairperson of the Standing Order Committee, Member for Falealili East.

Afioga FUIMAONO TEO SAMUEL TEO (Vice Chairperson of the Standing Orders, Electoral, Petitions and Constitutional Offices Committee): Mr Speaker, I move a motion, *That the Legislative Assembly grant permission for additional time for consideration of the 5 Parliamentary Papers referred to the Committee, due to incomplete investigations and considerations and be reported back to the Legislative Assembly in the May Sitting 2017.*

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Opening Remarks by the Deputy Speaker

Seconded by the Member for Safata East.

Motion approved.

DEPUTY SPEAKER: I call upon the Vice Chairperson of the Infrastructure Sector Committee.

Tofa OLO FITI AFOA VAAI (Vice Chairperson, Infrastructure Sector Committee): Thank you Mr Speaker, I would like to thank the Chair for the praises voiced to our Father this morning for it is an unusual one, especially with the member residing in the Chair. I acknowledge the presence of the Honourable Prime Minister and Cabinet as well as the dignity of Members of Parliament.

Mr Speaker I move a motion, *That the Legislative Assembly grant permission for additional time to consider the 5 Parliamentary Papers referred to the Committee, due to incomplete investigations and considerations and be reported back to the Legislative Assembly in the May Sitting 2017.*

Seconded by the Members for Safata West and the Urban West.

Motion approved.

OPENING REMARKS BY THE DEPUTY SPEAKER

DEPUTY SPEAKER: I believe the messages by the Head of State conveyed to the Council of Deputies together with the Notices from the Leader of the House and requests by Parliamentary Committees have been successfully presented. This would be a good opportunity for us to express our sincere gratitude. With respect, I welcome the dignity of the House, the esteemed Members of the Parliament in our session today the Leader of the House, Hon Prime Minister, as well as the Sao Faapito, Deputy Prime Minister, Cabinet Ministers and also Associate Ministers. I greet with respect the dignity of the Members of Parliament. I welcome you all in good health and for bearing with duties and responsibilities given and I see everyone is in good spirits this morning. The intention of today is clear and without further delay, I acknowledge honorary dignitaries of Samoa, *Aiga ma Tama, o Tama foi ma Aiga, Aiga o Nofo ma Aiga o Papa, Aiga o Ee, Aiga o Tupu ma Aiga na Tafaiifa. Ae a le Usoga a Pule ma Tumua, Ituau ma Alataua, Aiga i le Tai ma le Vaa o Fonoti.* Least we cannot forget our neighboring island in the east of Tutuila and Manua, *Sua ma Vaifanua Fofu ma Itulagi, Ituau ma Alataua, Saole ma Saleaumua, ma le Launiu na Saelua. Ae tainane foi Tootoo o le Faletui o Faleula ma Tama a le Manuatele.* These are the respects of Samoa which I humbly greet and acknowledge in our Parliament sitting this morning.

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Casino and Gambling Control Amendment Bill 2017
- first reading

With respect I acknowledge as well the support of His Highness Le Ao o le Malo, Members of the Council of Deputies and their Good Ladies. Thank you for the support and tolerance shown.

I acknowledge and welcome the dignity of the aiga Sa Levi, in all parts of the country. Thank you for your prayers for it has been a blessing to the duties of Government.

I voice special thanks to my constituency, Gagaemauga No.3. The dignity of *Aiga Sa Peseta ma lo latou Maopu. Alaalatai o le Usoalii le nonofo a ituaiga o le Faleiva ma oe le Matautu, e faapea foi le faamaluga o Malo*. Thank you once again for your prayers and support which have enabled our constituency to be blessed with duties and responsibilities and it is reason enough for us to reside in this Chair. As a verse from the Bible states ‘glory is not given unto us but to the Lord for his glory.’

This is a brief acknowledgement considering orders that have been scheduled to be discussed within the House for today.

CASINO AND GAMBLING CONTROL AMENDMENT BILL 2017
- first reading

Afioga Hon LAUTAFI FIO SELAFI PURCELL (Minister for Commerce Industry and Labour): Thank you Mr Speaker especially with the prayers spoken this morning. I also greet the dignity of the House, Honorable Mr Speaker, Hon Prime Minister and Cabinet Ministers, Associate Ministers and respectable Members of Parliament. I also acknowledge for the presence of those gathered here today, I have noted the eager students who want to listen and observe our Parliamentary Sitting today. Thank you.

I agree with the member from Salega. It is a different feeling this morning especially the representatives of Savaii. It is quite fitting to see the Member from Savaii occupying the Chair of the Speaker of the House. May your duties be blessed especially in conducting our session for today.

I acknowledge all of Samoa tuning in from various corners of the country, the old and the young, those who are praying for Parliament while they are on their way to seeking for ways to improve Samoa for the better.

Mr Speaker, I stand to move a motion, *That the Casino and Gambling Control Amendment Bill 2017 be read for the first time.*

Seconded by the Minister for Tourism and the Minister for Agriculture and Fisheries.

Motion approved and the Bill was read a first time.

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POLICE POWERS AMENDMENT BILL
– first reading

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETEELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI (Prime Minister, Minister of Police): Mr Speaker, I move a motion, *That the Police Powers Amendment Bill be read for the first time.*

Seconded by the Minister of Agriculture and Fisheries and the Minister for Revenue.

Motion approved and the Bill was read a first time.

TAX INFORMATION EXCHANGE AMENDMENT BILL 2017
– first reading

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT (Minister of Revenue): Thank you Mr Speaker for the opportunity. I greet the dignity of Parliament here today. The Hon Prime Minister, Ministers, Associate Ministers especially Members also our children who are here this morning as well as Heads of Government Ministries and Non Government Organisations.

Mr Speaker I move a motion, *That the Tax Information Exchange Amendment Bill 2017 be read for the first time.*

Seconded by the Minister for Agriculture and Fisheries and the Minister for Women, Community and Social Development.

Motion Approved and the Bill was read a first time.

PUBLIC SERVICE AMENDMENT BILL
– first reading.

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETEELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker I move a motion, *That the Public Service Amendment Bill 2017 be read for the first time.*

Question has not been put for the motion to be seconded.

Motion approved and the Bill was read a first time.

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MOTION TO SET ASIDE STANDING ORDER 101 (1).

DEPUTY SPEAKER: I call upon the Hon Prime Minister.

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker, I move a motion, *To set aside Standing Order 101 (1) for the second reading of the Bills first read in our sitting today.*

Seconded by the Minister of Agriculture and Fisheries, Minister of Samoa Tourism Authority and the Minister for Women, Community and Social Development.

Motion seconded and Standing Order 101(1) was set aside.

CASINO AND GAMBLING CONTROL AMENDMENT BILL 2017
– second reading.

Afioga Hon LAUTAFI FIO SELAFI PURCELL: Mr Speaker, I move a motion, *That the Casino and Gambling Control Amendment Bill 2017 be read a second time and I wish to elaborate on it.*

Seconded by the Minister for Agriculture and Fisheries and the Minister for Revenue.

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

Afioga Hon LAUTAFI FIO SELAFI PURCELL: Thank you Mr Speaker. Mr Speaker and the dignity of the House, this amendment is the shortest since becoming a Member of this House. The sole intention of the amendment is for figure 4 to be changed to figure 5. The effort was done for the purpose of the TAB Board to enable them to administer the Casino and Gambling Control Amendment Bill 2017 for the next 12 months whilst preparing the Amendment which includes all gambling games in our country. A request under this amendment is for permission from the House to amend the Principle Act through this Bill, and to add 12 months for the TAB Board to continue the work of the Authority to the New Year, as we are nearing the end of the 4 years given for it to be under the Act. We also request given this Amendment for another 12 months to be added, perhaps it will be in accordance with the time given under the Amendment of the Principal Act that is now on the way. By then the Amendments will be tabled and debated before the House. Mr Speaker this is a clarification.

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Casino and Gambling Control Amendment Bill 2017
- second reading

MR SPEAKER: An opportunity is now given to a Member who wishes to speak on the Bill as clarified by the Minister.

I call upon the Member.

Tofa Hon LAUOFO FONOTOE NUAFESILI PIERRE LAUOFO (Anoamaa West): Mr Speaker, greetings to your good self and the House as well as the Hon Prime Minister, Cabinet and Associate Ministers, not forgetting respectable Members of the House. I believe praises have already been voiced this morning together with words of gratitude for the sake of our relationship with God.

I believe introductions have been said, regarding honorific salutations and the belief is to refer to Tumua and Pule for this is their responsibility, as they are the ones responsible for protecting our language. This morning I move with respect to voice an opinion on behalf of my constituency regarding the Amendment Act tabled.

Mr Speaker, this is one of the projects we should further improve. And it is also one that would attract visitors to Samoa to come spend their money in the country in order to boost our economy.

The day I visited our Casino, I noticed that not so many people in our country hold foreign passports. I gathered from that evening that many of those in the Casino were citizens of India, China and some from the Phillipines. I recall 2010 when this Bill was first introduced into the House. On the many concerns shown on this matter. The House was in disorder, many opinions were voiced as well as those who visited the Parlimentary Committees who reviewed this Bill, gave their opinions. The years have gone by, perhaps it is now 5 to 6 years and the complaints of the people have not been touched nor accomplished. Most of the opinions during that time were about the consequences of having a casino. But now I see the need for more people to come and play in our casino. This means, the advise for Government is to look at more ways to attract more visitors to come into our country.

During my observation at the casino I have noted that there are not enough people. I recommend that Government carry out a review on their policies as there are people from our neighbouring islands, American Samoa who would like to visit us, but migration is hard due to restrictions such as permits and so forth. The advice is for Government to look for a way to make things easier for more people to come visit our casino. And I see in the Report that there is only one licence given. It is general knowledge that Aggie Greys Hotel which is also Sheraton is the one holder of this licence. My advice for Government is to look for more overseas companies and issue more licences in order for more casinos to be set up.

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Casino and Gambling Control Amendment Bill 2017
- second reading

As I mentioned before Mr Speaker my opinion is based on what I witnessed when I went, there are quite not many problems seen. We are also well aware of the situation our country is in, but this is an area we should look closely into, according to the Report, up till now, about \$2.5 million is earned from the casino business. This is why Mr Speaker I recommend that this matter be considered carefully.

The 12 months requested within the Bill to be added is done to monitor casinos, moreover it is the TAB Board that will be in charge of overlooking casinos, it is a role carried out for five years now, therefore Mr Speaker I strongly believe the Board is qualified to carry out this duty. Unless there are other upcoming plans, but my advice is to let the TAB Board continue its role of looking after the casinos instead of adding another 12 months. The control of our casinos now has been good so far during the years. In addition there is only one licence. This means everything is dependent on how much work there is to do. But this is my recommendation Mr Speaker today, for you now reside in the Chair to administer our sitting I wish you all the best. I do not mean to flatter but I know you are new to this but already you are used to the Chair.

DEPUTY SPEAKER: I call on the Member Urban West.

Afioga FAUMUINA ASI PAULI WAYNE FONG (Urban West): Thank you Mr Speaker, I second the praises voiced by the Chair this morning. I will try and be brief considering today is a short day. I am grateful for the Bill tabled, I also thank the Hon Minister, he was right this is a short Bill. Unfortunately this Bill has taken five years for it to be drafted and now another 12 months has been added meaning Mr Speaker it is not well organised. An opinion on the matter, I thank the Casino for their assistance on our sports especially for teams who go overseas for sports competitions. I want to point out that not only is assistance needed but we should look at those who win such competitions. It is noted that the Ministry does not have enough assistance for those participating in sports. Therefore I believe this 12 months added is relevant Mr Speaker for the Casino board to review a few changes that should be made. As of now only those who win gold medals are rewarded. This does not affect the gold medal won from Commonwealth games because it is seen as easy but as for gold from the Olympics this is quite hard to acquire. I believe this is based on the fact that we do not know when we will be able to get one. Nevertheless this is an area the Board should look into because if we rate the gold medal won in Commonwealth or Oceania to the Olympics maybe it is the fourth or third ranking. We already have a silver medal from the Olympics but still nothing has been done. This is a recommendation to the Board and Administration, whether to review such matters and foresee a future benefits...

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Casino and Gambling Control Amendment Bill 2017
- second reading

DEPUTY SPEAKER: I call upon the Hon Prime Minister.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Aiono Neioti Glaumalemana Dr. Sailele Malielegaoui: Mr Speaker these are the policies of our Government. Also Government cannot restrict people from achieving the the best of their abilities. It means that those who think that when they get silver medals they should be given lots of money, they are short sighted. Even the Commonwealth we tried and tried and later got a gold medal. It is not because we did not have the fitness nor the knowledge. The problem lies within the Ministry. It is the fault of the games administrators that is causing the problem in how the game is carried out. Government can not put off things that will make our country famous. One fact is that, the country will not be famous with a silver medal but with a gold one. This is why I took the floor, it is because I wanted to apologize to the Member and tell him to put aside those views as they belong to the Observer but to talk about some fresh issues. But Government will not be swayed by such comments, this topic was not just implemented yesterday. These people will participate in games with a knowledge of the extent they should play to. This is the clarification Mr Speaker and stop bringing into the House the views you read in the newspaper. Bring worthy issues for the Committee to listen to and will use to establish sound policies especially the answer is not in there, the issue seen derives from the sporting management which is why there is such poor performance by players.

DEPUTY SPEAKER: I call upon the Member to continue. The Chair would like to advise the Member. It is stated in our Standing Orders that Members cannot elaborate on a topic which is about an individual because that person cannot respond in House. The Chair recommends that the Member move on to another matter.

Afioga FAUMUINA ASI PAULI WAYNE FONG: Thank you Mr Speaker, I would like to apologize to the Honourable Prime Minister, but it is not an opinion of the Observer, I do not care about that newspaper since I rarely read it. What I am stating is made directly towards your honour, but just an advice for you, if this is your opinion then it does not matter. Perhaps there will come a time when you will reconsider then this would be the case. But I rest it with you.

Mr Speaker, my mind is on the new issue. Today I have seen that there are not enough tourists who visits the casino for us to get this income.

Let us see what that side of the House says, or the Administrator, but I would like the opportunity to be given back to the Samoan people to try again, I have been longing to play, but do not have a passport different from the Samoan passport. There are certain people who go there as visitors but there are also others that do not qualify.

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**Casino and Gambling Control Amendment Bill 2017
- second reading**

But I urge your side to reconsider and allow the Samoan citizen to visit the place instead of going overseas to spend their money there while they can spend it here. That is one advice for you honour to look into ways that will enable us to receive that opportunity where we could improve this relationship.

DEPUTY SPEAKER: Pardon the Member I call on the Hon Prime Minister.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Aiono Neioti Galumalemana Dr. Sailele Malielegaoui: Mr Speaker, the advice given is commendable.

But that is exactly the reason for the lapse in the Bill during the time it was prepared, due to this concern, but most especially for Pastors and the majority of our country that went on that trip to New Zealand. There is a song I used to hear that was produced and played at the same time I was drafting this Bill. It goes like this, a casino machine has teeth that consumes peoples money. It means that everyone who play in a casino will end up broke as the casino will use up all their money and nothing will be left to feed their children and and pay their school fees. It was why the Bill was implemented, so to protect our people. Unfortunately some people are attached to casino life and spend all their money there and as a consequence make their families suffer financially. I do not really understand but that was the belief of most people and it is why our Bill was written to suit this belief and to stop our people from playing casino and spending most of their money there instead of prioritising education for their children and family obligations as well as family projects that would be affected due to spending at the casino. The truth is, you are the third speaker together with the other two who had given speeches inside this House who touched on this same issue but Government will reconsider and look for proof whether there is nobody being affected from it.

Let your case rest with the Minister for him to view the advice given whether it be applicable or something that would harm our people by being broke. But the intention is to plan ahead of time, perhaps this is crucial to them, and to please have a look at how the games are operated, and I have been to see Aggie Greys, there are two licence, although it is one, but it is the same as having two and Aggie Greys has two. While being there, I saw that although there is a liscence for the big people, but I noticed that the players were poorly organised except for the big people. Now these big people, they play with \$200,000 and they lose it in one night, it will not harm them that much as they are businessmen from overseas.

That is where all the casino money is being handled. I went there to have a look, everyone walks from where the majority play, but they should have had a back door or a room at the back for people to enter and exit when broke. Most people when they are broke disappear silently through the back door to find a place where they could quickly reach, oh what is the name of that place again? Paradise.

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- second reading

But that is the case for such situation, all of which the Committee needs to look closely at, if the rooms are well organised, there would be an influx of businessmen coming to Samoa to play, and would boost the economy enabling us to carry out our plans as recommended by the member for Anoamaa West. This is further clarification on the matter.

DEPUTY SPEAKER: I believe everything has been clearly defined by the Hon Prime Minister. I call on the Member.

Afioga FAUMUINA ASI PAULI WAYNE FONG: I would like to thank the Prime Minister. Soon the first request would be granted but the second one is already accepted. It is the ignorance of those visiting, but on the other hand, the money would come back for the development of those who needs developing. It is a good thing if our people are accepted.

I conclude Mr Speaker, in case I might stress you with many of my issues then stop me, but wait until the old man returns then I will say more. Thank you.

DEPUTY SPEAKER: I call on the Member.

Tofa OLO FITI AFOA VAAI: Thank you Mr Speaker for the opportunity given. No, I will be brief about the Amendment of the Bill.

I support the additional 12 months extension for the improvement of that project as required. As the first Member had elaborated on the case, many of this House contributed in the discussion of this topic, the Casinos. I was also one of the Members that were quick to comment on this topic, but I thought to try it out first. As observed, I cannot see anything that might trouble or worry our side, which is the Opposition then. As noticed, the Opposition is correct in that I am also one that had been longing to go there but have no passport and a small licence. I recommend your Honour to grant us these things, I have only two licence but grant the restaurants and bars some machines to be used by individuals so that if any coins are left, they can spend it by playing in the casino then go their way. But the concern about money spent on casino but do not on important matters is really up to the individual.

But I believe these are some of the areas Mr Speaker that should be reconsidered, let us go back to when it first started, starting with one licence, then gradually two, then three for the sake of one licence per restaurant and bar. One machine for each will be more than enough.

With respect.

DEPUTY SPEAKER: I call on the Member.

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Casino and Gambling Control Amendment Bill 2017
- second reading

Tofa LOPAOO NATANIELU MUA (Vaisigano No.1): Greetings Mr Speaker, my body feels good this morning as I see a Member from the big island have taken the Chair. Thank the Lord for your good health, also to the Hon Prime Minister, Cabinet and the respectable Members of the House. I support the Bill given.

A request to the Hon Minister I ask you issue a licence for a casino to be set up in my constituency. For your information, I heard from the Ports Authority that they will be using a dredger to excavate the sand which is the reason why a wharf cannot be set up in Asau. This will then be used for man made beaches where the bluest sea of Samoa is located. I am sure the tourists would want to visit, this is why it would be best to set up a casino in my constituency. Villagers will be forbidden from entering only the tourists we will only do the cooking. The dredger will be brought there to dig the area and maybe we can set up hotels that will earn people employment. This is a recommendation to the Hon Minister this morning, bless our proceedings.

DEPUTY SPEAKER: I believe debate on the Casino and Gambling Control Amendment Bill 2017 has concluded.

I call on the Hon Minister to respond to issues raised and queried regarding this Bill.

Afioga Hon LAUTAFI FIO SELAFI PURCELL: Thank you Deputy Speaker. I would like to thank all Members who had risen to show their opinion about this Amendment. Although as I stated, the Amendment is a short one, about one figure that needs changing. Nevertheless, the views voiced are greatly appreciated. As the Hon Prime Minister had voiced whilst drafting this Bill, it is the reason for restrictions and obstructions due to criticisms and objections, or unfavourable opinions during that time. Perhaps it is going on to... or it may have been five years now since Casinos were encouraged and permitted.

Now we have heard and seen these issues and found a direction, whether to continue with the restrictions we have now, or start looking at ways that would benefit the majority in regards to other relevant changes.

As I mentioned there will be an Amendment Bill to amend the whole Bill that will include all gambling games such as Casino, Bingo, games which were the consequence of modern technology. This has affected our revenue unlike when the games were under several authorities. This Bill if it reaches this House will try to bring them all under one authority. This is the situation that will be taken in the Bill. Perhaps by then some of the opinions expressed this morning will be included. I am grateful for the opinions voiced and the opportunity Mr Speaker. Stay blessed.

Motion was approved and the Casino and Gambling Control Amendment Bill 2017 was read for the second time.

7 MARCH 2017

Police Powers Amendment Bill 2017
– second reading

DEPUTY SPEAKER: Pursuant to the Standing Order, the Casino and Gambling Control Amendment Bill 2017 will be referred to the Finance and Expenditure Committee to consider and report it to the Legislative Assembly in its session on June 2017.

POLICE POWERS AMENDMENT BILL 2017
– second reading

DEPUTY SPEAKER: This Bill will be preceded in an urgent manner. In accordance with a notice from the Leader of the House, I call on the Hon Prime Minister, the Minister for Police.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Glauemalemana Dr. Sailele Malielegaoi: Mr Speaker, I move a motion, *That the Police Powers Amendment Bill 2017 be read a second time, and I wish to elaborate more on it.*

Seconded by the Minister for Agriculture and Fisheries, Minister for Tourism and the Minister for Revenue.

DEPUTY SPEAKER: I give this opportunity to the Hon Prime Minister to elaborate more on the Bill.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker this has been one of the shortest Bills accepted by the Assembly in our sitting yesterday. The Ministry for Police clearly elaborated about it in Parliament. The top most intention of the Bill is to lay down the guidelines, then permission and consent from the Commissioner to allow the arms of police is permitted. These guidelines on the use of weapons should not be abused. This is the most important part of protecting those that can be affected because of the belief that he is armed, which means that the person about to be arrested is armed with dangerous weapons that he will use. It also means safety of the police should be prioritised and that of the public. If they are exposed to harm it means that these guidelines will make it hard to misuse these weapons and stop any violence that would arise. This is why the Minister and the Attorney General should be on the alert and for him to be well versed with the Bill which is stopping the people from misusing weapons. This will also emphasize the duties of police in the country. This is a country that does not use weapons but tend to do things following cultural rules. Discussion end disputes instead of turning to the use of firearms. It is a situation as these days the smuggling of firearms into the country is common a cause of police inspections to collect them.

7 MARCH 2017

Police Powers Amendment Bill 2017
– second reading

The Customs department is doing their best in trying to get machine that can detect firearms being hidden secretly inside suitcases, and other bigger cargos hidden inside boxes of goods from overseas that are imported in an unlawful way. Mr Speaker, that is a definition of this Bill as it was submitted in Parliament this morning.

DEPUTY SPEAKER: This is the opportunity for any Member that would like to speak on the Bill introduced in the House.

I call on the Member for Anoamaa West.

Tofa Hon LAUOFO FONOTOE NUAFESILI PIERRE LAUOFO: Thank you for the opportunity. I will not take long in stating my opinion about this very important Bill which is amending the Principal Act 2007. When this Principle Act 2007 was implemented it was not easy when it was first introduced in the House considering the views of Members who gave their opinions about it.

I support the Ammendment considering how we live in communities here in Samoa. Culture is important if police use it wisely during their shifts especially when they are equipped with firearms and so forth. The Police needs the permission from the Minister for Police and such permission has been given after consultation with the Attorney General. It is important because there should also be a legal recommendation.

This part which is being amended that I would like to stress, is the granting of the permission for the time to begin and time for approval be given. It seems from how I read the Bill that permission in written form be given as well as the commencement and expiry date. This is also my concern, it is the time when we try to get permission because during emergency the need for action is required. The Bill as it seems to me is a good one and I support the use in our country. Nevertheless, my brain is questioning some of the accidents that might occur at the airport. For example, the wharf in terms of terrosist acts and the need to act quickly arises. Urgency is required, so that there is no delay and the police to be on the alert at all times. The advice is to focus on this area and for those responsible to look closely into the matter whether additional amendment is required for such actions so that it will not take long to await approval.

This is my advice on the matter. The opinion of this constituency is short, I pray blessings upon this Assembly.

DEPUTY SPEAKER: I call on the Member for Urban West.

Afioga FAUMUINA ASI PAULI WAYNE FONG: Thank you for the opportunity, I will not take long. I am in agreement to all the parts amended of the Bill. I have one recommendation on the issuing of permits to own firearms, because firearms are permitted under the Ministry of Police for the public to own them.

7 MARCH 2017

Police Powers Amendment Bill 2017
– second reading

Considering the situation, I believe that more permits have been given by police to the public who own firearms than the number of the police officers that the Ministry have right now. There is a concern here in permits that are issued to the public

Mr Speaker the Ministry of Police should revise the number of licences issued for the sake of arming the people of the country with weapons. We are all aware of why the permit was granted, it is to shoot down the pigs and to protect agriculture from such animals. At the same time permission was given to the people of the country for them to possess these weapons while the Ministry of Police is trying to go through a lot of hassle in order for them to own firearms.

The suggestion Mr Speaker is to call again all those with permits to come into the office for them to be educated properly.

DEPUTY SPEAKER: I apologise to the Member, I call on the Hon Minister responsible for the Bill.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: This is specifically for the arming of police with firearms, it does not include other matters.

DEPUTY SPEAKER: I call on the Member.

Afioga FAUMUINA ASI PAULI WAYNE FONG: It is correct in the issue of equipping police with firearms, I am saying that I support the Bill and amendment, but this would be for the protection of the police as well, it is not just the Bill for the Police but to also take into account those holding licence to let them come in for inspection of licence. Look at those holding license, let them understand the reason and the sole intention of why they were given licence. With respect thank you.

DEPUTY SPEAKER: I call on the member for Vaimauga East.

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA (Vaimauga East): Thank you Mr Speaker as well as the esteem of the House.

I greet the Leader, Honourable Prime Minister and the Sa'o Faapito, the Deputy Leader and the same goes for the Head of Ministries and Companies and also the school children whom we always support, and all the Samoans tuning in with support to this session of Parliament, not forgetting the support of my beloved constituency Vaimauga East.

7 MARCH 2017

Police Powers Amendment Bill 2017
– second reading

I am looking for an opinion for I believe that the issue we have in this House is one of importance. In the previous years, there was no case like this inside the Ministry of Police, as everything was done through consultation between the members as mentioned by our Leader this morning, this has been the case. It continued to be of use but the police had used their sight in the case with communities. The only advice I would like to give Mr Speaker, according to how the police do things, they do not have it in their process, nor is it with the Alii and Faipule when they should before a raid takes place the police should communicate with Alii and Faipule. This is the security of police and it is why the police officers are affected because they just go on their inspections without consulting the village council. If the Ministry works together with Alii and Faipule, there will be no more problems. Why is this? The security of the people lies in the hands of Alii and Faipule. But the way I see the process, it is continuing without making it important... As I kept saying a few years back, there was no Bill about firearms. Why? It is respect used to carry out this service in communities but if it is queried, then consultations between the Ministry and the Alii and Faipule takes place and lead the prisoner into the Ministry or let the village deal with him.

However, what I see now is that firearms are being used due to the lack of safety as the Ministry carry out their inspections without informing the council of Alii and Faipule.

Secondly, what I have started to notice...

DEPUTY SPEAKER: I apologize to the Member; I call on the Minister for Police.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker, the concern by the Member is exactly what we are carryin out right now. There are several constituencies whose Alii and Faipule are involved in this issue. This means if police were to inform Alii and Faipule about a raid by the time police arrive at the village the Alii and Faipule would have already pulled out all they had planted. Therefore, we are proceeding with care. Perhaps there are more villages or half that are involved in this matter. It means that 99% of the country is not involved but there are villages whereby Alii and Faipule are leaders of growing such plants.

This is why the recommendation made by the Member will not work.

DEPUTY SPEAKER: Thank you Hon Minister. I believe that the clarification given has been made clear.

Tofa Olo Fiti Afoa Vaai: Mr Speaker a point of clarification in regards to the matter mentioned by the Member if you may permit.

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Police Powers Amendment Bill 2017
 – second reading

DEPUTY SPEAKER: I recommend that the Member be seated. Let the Member for Vaimauga East conclude before an opportunity will be given.

Tofa Olo Fiti Afoa Vaai: Mr Speaker, I am interrupting in accordance with Standing Order but if this is your opinion it would be great to put it into practice.

DEPUTY SPEAKER: You will get your chance to speak. I call on the Member for Vaimauga East to continue with his speech. The clarification by the Leader of Government was quite clear.

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: I would like to thank our Leader for the clarification. The sole reason why I had brought it up was for the employee's security but the Member is glad to lead in saying it. The minute the Ministry of Police is suspicious about these plants being planted behind a house, first thing that must be done is to inform the Member of the constituency in order for him to do something about then it can be submitted to the village council. The matter should be discussed if it can be solved then the involvement of Police will not be required.

Secondly, is the use of firearms. When we use firearms, bear in mind that the Ministry of Police has within their possession firearms. But the Member is referring to such guns called taser used in New Zealand which they can fire immediately when they want to and electricutes the culprit. Because if firearms are used it will result in wars between the Ministry of Police and communities. I believe taser guns should be brought in, even though they are expensive in New Zealand, but these guns would be better to make the offender drowsy so they can be brought in for investigation.

This is the concern of the Member regarding this issue as the Ministry of Police at the moment are undergoing many changes. This is the only Ministry that carried out their services with the employment of older gentlemen. Most of the Government Ministries are occupied by younger people. It is why I believe the Ministry was safe due to these older gentlemen working there but now today, maybe it is the Commissioner being young it is why firearms are used. But as I had afore mentioned the service was well secured in terms of administration by the Alii and Faipule together the Member for the constituency who work together on such cases in order to help communities that have this kind of problem. Blessings to you Mr Speaker.

DEPUTY SPEAKER: I call on the Honourable Minister.

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Police Powers Amendment Bill 2017
– second reading

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neiotti Aiono Galumalemana Dr. Sailele Malielegaoi: I move Mr Speaker because I have yet to see the gun mentioned by the Member. Could you please elaborate.... are they slingshots? Or is it like the ones we see in movies once we press them strings-like materials come out? Is that the kind of gun?

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: Mr Speaker, no it is a gun, but the bullets give a person an electric shock once it goes off.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neiotti Aiono Galumalemana Dr. Sailele Malielegaoi: If it hits... is it the gun used to shoot the cows?

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: No Mr Speaker the gun is a Taser.

To wrap things up Mr Speaker, I recommend the use of our dogs. Whenever a raid takes place not only take firearms but also our trained dogs which we spent money on to assist our police officers. Blessings be upon our sitting.

DEPUTY SPEAKER: I want to assist with this issue. The gun as mentioned by the Member that the police are using for such cases is called a taser. I call on the Member for Salega East.

Tofa Olo Fiti Afoa Vaai: Thank you Mr Speaker I apologize for the previous interruption because it was a point of order I wanted to discuss as mentioned by the Member. Nevertheless, I abide by your word.

I give my full support on the Bill and we believe that 99% of this Bill will be implemented for emergencies. But how I see the process, I would say that perhaps it will take an hour. It was good in the beginning but with the inclusion of the Attorney General the process is being dragged. When the matter reaches the Attorney General for his opinion he will not immediately say this is it. There are different kinds of incidents happening in our country. The advice Mr Speaker, it is better to carry out trainings and conduct proper seminars with your Cabinet, for there would be times when you will be away then those who act in your place will issue the warrant. There should be awareness in all incidents that might arise hence for it to be solved quickly.

Another aspect Mr Speaker it is stated in the Bill that not only are the police officers armed but also any person. Mr Speaker, I want to recommend the Minister to look closely into this matter. There are some areas where care is needed considering how general the term “any person” is used. The majority of the people do not have access in the use of firearms that police officers are using. If this be the case then it is important that they be well trained to use it...

7 MARCH 2017

Police Powers Amendment Bill 2017
 – second reading

DEPUTY SPEAKER: I apologize to the Member, I call on the Minister to elaborate more on this matter.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Aiono Neioti Glaumalemana Dr. Sailele Malielegaoi: Could you take a look at the term any person, the issue is not about the police but it is about the protection needed. The use is for the police only which the Bill is all about. But bear in mind that what ever action is taken there should be careful consideration. The two go hand in hand with one another in case you forget. But any person you read out you are reading it wrongly.

DEPUTY SPEAKER: I call on the Member.

Tofa Olo Fiti Afoa Vaai: I am reading it and it states equipping any policeman or any person. I think this phrase is wrong it needs to be put into the right order. I am recommending the Minister to amend it.

My final advice Mr Speaker the Bill that was given has resulted back to how it was before.

DEPUTY SPEAKER: I give the opportunity to the Hon Minister.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Aiono Neioti Galuemalemana Dr. Sailele Malielegaoi: Mr Speaker, that happens when the raid takes place while their is a suspicion that the person is equipped with firearms, he has a gun. But the issue is about the police using it. Do you get it?

DEPUTY SPEAKER: I call on the Member from Salega East.

Tofa Olo Fiti Afoa Vaai: Thank you. Well if that is the case...take away...the first sentence where the matter lies, rephrase it with only the police if it is only the police and not, the police or any person.

Mr Speaker, the Bill that was passed before it clarified this objective only the Hon Minister can give permission to equip the police in times a problem arises.

Now we are back to the same thing that was ammended. Why? When the Bill was given the Minister and their office made the warrant valid for three months. It is why there are so many problems arising because the Hon Minister of Police and the Ministry did not abide to the Bill passed by Parliament. But I do not know what legislations you have implemented but please abide to the laws of Parliament. Thank you for the opportunity.

DEPUTY SPEAKER: Thank you. I believe the issue is clear and well defined. I call on the Member for Falealili East.

7 MARCH 2017

Police Powers Amendment Bill 2017
– second reading

Afioga FUIMAONO TEO SAMUEL TEO: Thank you Mr Speaker. The issue cannot proceed without this constituency contributing to it. Some provisions of this Bill and queries have been clearly defined in the previous day. The only request is to take into account provisions from (1) to (5) of the Bill which emphasizes the safety of a person. We are also well aware of the protection and security of those endorsing this law or warrant that goes hand in hand with the police force.

It is a concern at such short notice given as I had tried to convey an idea, on the start and finish date. For instance, if we look closely at this Bill, it seems that the emphasis is on urgent police raids on people suspected of growing illegal plants or those in possession dangerous weapons that would pose a risk to society. This is also a request given when the permits are granted or permitted it is not specified and it tells of the day it began and would finish. The concern is if the raid is carried out and could not catch the culprits that day or would be up to a week, but is still valid this means the police are still armed with weapons, so it can be put inside this Bill and say that after the raid then grant permission so to make that power become idle.

The second request is, I second the opinion of the Member for Aleipata Itupa i Luga about urgent incidents that accidentally happen. It is in the Bill that a person is suspected to be armed with a weapon by their looks and how they act this poses a risk to society. But the process we are looking at, is informing the Minister and the Attorney General. By the time permission is granted perhaps the majority has been affected. But I am asking whether there is no other provision of the Bill whereby we can use the discretion of the Commissioner or the person in charge of the police force during that time, we have seen the problem and the incident, we should act by then as the long process has been carried out but the majority of the country has been affected.

These are few matters in consideration to the Bill. Nevertheless the constituency of Falealili East supports all parts of the Bill. Thank you.

DEPUTY SPEAKER: I call on the member for Safata West.

Afioga LEAANA RONNIE POSINI (Safata West): Mr Speaker, I would like to contribute in the consideration of the Bill. But first I thank the Minister for the Bill as I believe what happens is constituted to laws and Amendments implemented.

The only concern of mine about the Bill, if you have a look at it Mr Speaker as well as the Ministry, is we are aware about the ammendment stated in the Bill, and the question put forward is whether it will be carried out in accordance to Regulations in case the two clash. Thank you.

DEPUTY SPEAKER: I call on the Member for Vaisigano No.1.

7 MARCH 2017

Police Powers Amendment Bill 2017
– second reading

Tofa LOPAOO NATANIELU MUA: I rise to show the support of this constituency on the Bill. I would like to know what weapons are we using. What I meant is, if the police prepares for a raid taking weapons with them while the other side all possess bazookas, what then? But if they decide to go on a raid with just small guns as they need to have some kind of protection to protect them and I know the House is in full support of this, we should be careful in case the police will use this as an excuse to bring into the country other dangerous weapons that should not be brought into the country. Lastly how are these firearms brought into the country, they say it is through boats but who is monitoring the bringing in of such cargo? This just shows that the work carried out is not done thoroughly if such weapons are seen in present in our country. This means that there is not enough research carried out which is a reason why the Minister of Police has impelmented this Bill. This is just a reminder to the Hon Prime Minister and Cabinet to review this issue which in future pose more threats to our country.

With respect.

DEPUTY SPEAKER: Thank you. I call on the Member for Falealili West.

Tofa AUMUA ISAIA LAMEKO (Falealili West): Thank you for the opportunity Mr Speaker. I would also like to contribute to the Bill. I give my support to the ammendment done to the Bill, whereby the powers to equip the Police with arms and weapons which was with the Commissioner of Police is now with the Minister.

I believe that this Bill will protect the whole country as authorization is now with the Minister to allow the use of arms. The processes or the execution of this task should follow statutory provisions. For instance the banishment of someone from the village, there are provisions on how many days it should be enforced. This is a brief recommendation on the matter with respect. Thank you for the opportunity.

DEPUTY SPEAKER: I believe debate towards the Bill is finished. It seems that all have supported the Bill except for some amendments that need to be done towards it. I call on the Minister to respond to the issues and recommendations raised.

Susuga Hon TUILAEPA AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE AIONO NEIOTI GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker all the concerns raised are not new and it does not mean that our country has not witnessed such accidents. It has been 50+ years since we became independent, therefore what is being said here are some of the issues we have experienced and care should be exercised. Tuivalea is not here in the Police Ministry, but I urge you to be patient and put your trust in the Ministry of Police.

7 MARCH 2017

Police Powers Amendment Bill 2017
– consideration in detail

This is a response with respect.

DEPUTY SPEAKER: Thank you Hon Minister.

Motion was approved and the Police Powers Amendment Bill 2017 was read a second time.

POLICE POWERS AMENDMENT BILL 2017
– consideration in detail.

DEPUTY SPEAKER: Due to the fact that the motion was approved in regards to the Bill being Urgent, the Legislative Assembly will now consider the Bill in detail.

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

CLAUSE 2: Clause 13 amended.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1 Short title and commencement.

TITLE: Police Powers Amendment Bill 2017.

Approved.

The Police Powers Amendment Bill 2017 progressed without Amendments.

POLICE POWERS AMENDMENT BILL 2017
– third reading.

DEPUTY SPEAKER: I call on the Hon Prime Minister the Minister for Police.

Susuga Hon TUILAIPA AUELUA FATIALOFA LUPESOLIAI LOLOFIETEELE AIONO NEIOTI GALUMALEMANA Dr SAILELE MALIELEGAOI: Mr Speaker, I move a motion, *That the Police Powers Amendment Bill 2017 be read a third time.*

7 MARCH 2017

Tax Information Exchange Amendment Bill 2017
 – second reading

Seconded by the Deputy Prime Minister, Minister for Tourism and the Minister for Agriculture and Fisheries.

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

DEPUTY SPEAKER: Unfortunately we have arrived at our recess hour of 15 minutes.

Therefore proceedings of the House will be set aside for its usual 15 minute recess.

Proceedings of the Legislative Assembly was set aside for its usual recess at 10:46am and recommenced at 11:28am.

DEPUTY SPEAKER: I hope Members have been refreshed after our break. I commend all the Members for having made the effort to be here.

TAX INFORMATION EXCHANGE AMENDMENT BILL 2017
 – second reading

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Mr Speaker, I move a motion, *That the Tax Information Exchange Amendment Bill 2017 be read a second time and I will elaborate on it.*

Seconded by the Minister for Agriculture and Fisheries, Minister of Finance and the Minister of Education Sports and Culture.

DEPUTY SPEAKER: I give the opportunity to the Hon Minister to elaborate more on the Bill.

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Thank you Mr Speaker perhaps it took us a long time yesterday to discuss this Bill in our Parliamentary seminar. This Act first came to exist in 2012. The only change is part 5, where we are trying to communicate with 17 countries that had signed an agreement together with us in order to exchange tax information.

The purpose of the Bill is not only targeting the companies that have registered within the Ministry but also the companies that are registered with Samoa International Finance Authority (SIFA).

7 MARCH 2017

Tax Information Exchange Amendment Bill 2017
 – second reading

The objective of the Bill is for the SIFA to strengthen their ties with OCD as most of the time there is a suspicion of dirty money being involved by countries that are partners and register business under SIFA.

The intention of the Bill is for overseas countries to acknowledge the work done by SIFA and I believe that most are aware of the good work carried out by this organisation. The way they exchange tax information is not direct. If a country submits an application for tax exchange information, our Ministry sends it first to the Office of the Attorney General, then to SIFA as they deal with all information regarding this matter. After SIFA, then to the Committee as discussed yesterday, they are the ones selecting the information to be sent to overseas, before we send it to the country requesting tax information exchange. Businesses in our country are not involved and they are well protected.

There are only 5 sections of the Bill that we are trying to change, there are some amendments that need to be done in order for the information to be received quickly. The Committee together with the Attorney General and SIFA await the information that is needed to be sent overseas which is the information we send once finalised. It is only the country in request that this information is sent to. No one can access to this information within our Ministry since majority of businesses are registered under SIFA. This is one Bill that greatly assists SIFA to maintain its status as an organisation dealing with Offshore Banking and people trust them to save their money for a period of time.

As of yesterday our Parliament has been discussing this Bill and this is the objective of the Bill. There is not much harm to us except those that have invested their money in SIFA and the Banks such as the ANZ. It does not mean those who have accounts at ANZ will be affected.

This is a brief explanation Mr Speaker. I believe there are no further questions about it considering our Ministry has been answering queries the whole of yesterday to Parliament, thank you.

DEPUTY SPEAKER: I believe this is also the opinion of the Chair as the Bill was clearly explained yesterday. Nevertheless, as it is provisions of Standing Order I will give the opportunity to a Member who wishes to speak on the Bill.

I call on the Member for Urban West.

Afioga Hon FAUMUINA ASI PAULI WAYNE FONG: Thank you Mr Speaker for the opportunity. The clarification by the Minister is accurate as there were so many good views expressed. But there is one thing I missed Mr Speaker how reliable are some of the 17 countries registered? Can we get the information if we request it? As now we are aware that our Government and country are given the opportunity to release tax information to overseas countries. We should be given the opportunity to access the information of overseas businesses that come into the country so we can be aware that it is legal.

7 MARCH 2017

Tax Information Exchange Amendment Bill 2017
– second reading

This is the only area that needs the clarification of the Minister with respect thank you.

Tofa Hon LAUOFO FONOTOE NUA FESILI PIERRE LAUOFO: Mr Speaker...

DEPUTY SPEAKER: I call on the Member.

Tofa Hon LAUOFO FONOTOE NUA FESILI PIERRE LAUOFO: Thank you for the opportunity given, I will be brief. I have noticed two important aspects about the Bill.

First of all, to understand and know how money is transferred or sent by those known as terrorists. Personally we need to be thorough in our investigations as there is something called due diligence search and cases like that under the Bill.

Secondly, those that are hiding their money will be uncovered. They do this so they will not pay tax to the countries where their taxes should be paid to or it is called Tax Avoiding Schemes. Those are some important issues that I have discovered according to how I see it.

The third one is a question to the Hon Minister as he is the one dealing with information exchange. How about the matter concerning petty cash being used because it is not noted in the accounts, right? I see that it is hard to detect the source where the money is gone to. This is why it is hard to catch the culprits, or reported under reporting standard mentioned in the Bill. Those are a few matters thank you.

DEPUTY SPEAKER: I call on the Member for Salega East.

Tofa Olo Fiti Afoa Vaai: Thank you Mr Speaker. No it is only a short question I would like to ask to understand the issue. The day before the Chief Executive talked about personal research saying no one has access to any information. But I have a feeling Mr Speaker that we must all be aware of any information within the Government. The Members should be allowed to do research in order to understand about these money transactions taking place. Then we will advice on faults and how to improve it in the Bill. That is the only part where I want a clarification upon.

DEPUTY SPEAKER: Thank you respectable Member.

I call on the Hon Minister for his response on the queries asked by Members on the Bill.

7 MARCH 2017

Tax Information Exchange Amendment Bill 2017
 – second reading

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Thank you Mr Speaker the question asked by the Member for Urban West, there are 17 countries which we have signed an agreement with for tax exchange information. There is a belief that if we ever query a country that comes to register here and suspect it has dirty money these 17 countries that we are in partners with will assist us with the information we need. There are only 17 and it is not the whole world. We have the belief that these countries will cater any need regarding queries about tax information exchange if ever the need arise.

The Member for Anoamaa West I truly believe that this is the intention of these information being exchanged, for the protection of money laundering especially into the Pacific countries. That is the purpose of the Act, is for us to protect the good name of SIFA so it will maintain the trust of businesses that have registered in our country.

Thank you for quering the money being transferred and is circulated within the country. I believe that the question is not about the money inside the country but the money transferred to overseas. At the moment the customs office does not do inspections on people leaving the country. This area is under the authority of Immigration and the Ministry of Agriculture. Although I strongly believe if a person leaves the airport with bundles of money tied to themselves they cannot be caught. We are trying to get a canine that is trained to sniff money especially during such situations.

There are various ways by which money can be taken illegally overseas but at the moment we do not have access to this area. We only deal with people who enter our country.

As for personal reserves I strongly believe a person cannot touch it even myself the Minister. We cannot access it because there are tax legislations that protect the information of those who put their money for businesses into the revenue department.

I cannot access this information as well because there is a legislation that safeguards the confidentiality of business owner information in the Ministry. The only information given to me is the overall amount as for having access it is declined.

This is a brief response on the queries Mr Speaker thank you for the opportunity.

DEPUTY SPEAKER: It seems to me debate on the Bill has concluded therefore question will now be given.

Motion approved and the Tax Information Exchange Amendment Bill 2017 was read a second time.

7 MARCH 2017

TAX INFORMATION EXCHANGE AMMENDMENT BILL 2017
– consideration in detail

DEPUTY SPEAKER: Pursuant to Standing Orders consideration in detail of the Tax Information Exchange Amendment Bill 2017 starts with Clause 2.

CLAUSE 2: Section 2 amended.

Approved.

CLAUSE 3: Section 10 amended.

Approved.

CLAUSE 4: New Part 3A inserted.

Approved.

CLAUSE 5: New Schedule 3 inserted

Approved.

CLAUSE 1 AND TITLE

CLAUSE 1: Short Title and Commencement.

TITLE: Tax Information Exchange Amendment Bill 2017.

Approved.

The Tax Information Exchange Amendment Bill 2017 progressed without amendments.

7 MARCH 2017

TAX INFORMATION EXCHANGE AMENDMENT BILL 2017
– third reading

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Mr Speaker, I move a motion, *That the Tax Information Exchange Amendment Bill 2017 be read a third time.*

Seconded by the Minister for Agriculture and Fisheries, Minister of Finance and the Minister for Works, Transport and Infrastructure.

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

PUBLIC SERVICE AMENDMENT BILL 2017
– second reading

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker, I move a motion, *That the Public Service Amendment Bill 2017 be read a second time and I want to elaborate more on it.*

Seconded by the Minister for Agriculture and Fisheries, Minister for Revenue and the Minister for Tourism.

DEPUTY SPEAKER: I give the opportunity to the Hon Prime Minister to clarify the Bill.

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker, this Bill is made directly for those that are appointed Assistant Chief Executive Officers in Ministries. It is specified in this amendment that Deputy Executives are to be appointed by Le Ao o Le Malo upon the advice of Cabinet.

The sole purpose of this Amendment is for Cabinet to consider those who are eligible for they are next Chief Executives of Ministries. It means that preparations for interviews should be thorough and accurate together with advice on candidates that are eligible. This is the reason for this Amendment. This is a brief clarification on the Bill tabled before the House.

DEPUTY SPEAKER: I believe this Bill has thoroughly been considered by Parliament the previous day. In accordance with Standing Orders, an opportunity is now given for Members who wish to speak on the Bill. I call upon the Member for Alataua West.

7 MARCH 2017

Public Service Amendment Bill 2017
 – second reading

Afioga ALIIMALEMANU ALOFA TUUAU (Alataua West): Thank you Mr Speaker for the opportunity. I greet the dignity of the Members of Parliament and everyone who are here.

I would like to convey my thoughts on behalf of Alataua Weston the Public Service Amendment Bill 2017 tabled before the House. It is noted in the clarification made by the Hon Minister and Prime Minister that Cabinet should ensure proper advice on appointment of an Assistant Chief Executive which is then given to Le Ao o le Malo for approval. The concern of this constituency, it appears by the Amendment that Government does not trust the work of the Public Service Commission to carry out decisions anymore. It is noted that 50% of the work by the Commission includes the appointment of Assistant Chief Executives. These are the duties pertained to the Commission alone which starts with the recruitment of Principal Officers up to Assistant Executives. Chief Executive Officers are chosen by Cabinet. The concern is, there would be no more work for the Commission. Therefore, if 50% of the work of the Commission involves in appointing Assistant Executives then it means there is a 50% chance that there would be no jobs done or these posts would be mostly redundant.

Secondly, I believe that there are numerous duties undertaken by Cabinet especially in overlooking the economy of the country. Yet they will be given another duty which can be handled by the Commission and it is why the Commission exists. This constituency believes that we should take into account the real cause of the problem. If the problem is the Commission not making just decisions to give proof as to who should be chosen then a solution to solve it is required. We should not amend the Bill due to the Commission not being qualified in doing their work.

Mr Speaker this is the concern of the constituency.
 Thank you for the opportunity.

DEPUTY SPEAKER: I call upon the Member for Urban West.

Afioga FAUMUINA ASI PAULI WAYNE FONG: Thank you Mr Speaker. I am grateful for the Bill before the House today. Bills are not suddenly drafted there is a reason why they are introduced. I believe it might be a disagreement between the Ministries and the Commission. This has resulted to the Cabinet to intervene. I am sure that the Chief Executive of the Ministry understands more about the people being nominated for such positions. Cabinet have trust in the Chief Executive of Ministries to make recommendations and make decisions relevant to their Ministries.

This is why I recommend to the Hon Minister to trust in the decision made by the Chief Executive together with the assistance of a Director from the Commission. There are various recommendations and decisions which is why this new Bill has been implemented.

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Public Service Amendment Bill 2017
– second reading

I recommend that the opportunity be given to the Chief Executive of the Ministry to make a decision that will satisfy their requirements. If both positions are being decided by Cabinet, then it means no sooner will the principal level be the same fate as well.

It is just a thought if we could discuss it again and give advice to do it properly. I am certain that Cabinet has a lot of responsibilities therefore there is no room for any more work. This is an opinion on the matter bless our proceedings. Thank you.

DEPUTY SPEAKER: I give the opportunity to the Member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI (Faleata West): Thank you Mr Speaker for the opportunity. We write our history everyday of our lives. Today, a line to mine has been added. It is the first time you have presided on the Chair of Parliament. I congratulate you and Lealaiauloto blesses your honour today.

But I would like to contribute to the Bill. This is one other task of the Associate Ministers to be done, it is working together with Cabinet to protect the integrity of Cabinet in its longterm objectives. In my opinion, what caused the change arose from a good intention. Because if we observe, in my opinion, the benefit is on us people who reside in Samoa for many years. We know that many things happen here. Government receives a lot of complaints, especially towards these posts. Cabinet does not know nor the people where to resort to in solving this problem. An Act is amended for only two reasons, first we look at how it is implemented. Secondly we look at those who are administering the Act whether it is properly carried out in accordance with the purpose of why it was implemented.

I am one of those people who spoke on this issue in the previous years. It is a subject I had raised. There are so many reasons and problems that have fallen on these people at Executive Assistant level in my own opinion, we have deprived these poor people of their right to these posts. As of now, after the decision is made not to reappoint you, you go home as a mute person with your hard work of so many years ignored. Some of these people bear in mind that they have appraisals written by the Chief Executive as well as the Commission. All these reports are based on the performance of the Assistant Executive. But after the interviewing process it is a different story. Then they question their abilities on all the work they carried out over the years but now they are not reappointed with the feedback that they did not do any work. These are reasons enough why I believe that the Commission has the power under the Act Clause 35 to reappoint any person to work in Government Ministries except for Chief Executive Officers.

This is the cause in my opinion, there are times when power given to the Commission overrules but there is no power given to those who question decisions. Perhaps it is a reason why in this world if we understand something we are satisfied.

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Public Service Amendment Bill 2017
– second reading

My concern is just one look by the country and the people will know that politics is involved in the decision for Assistant Executive. It is not the intention. If we take a look at the past years these are some of Government Ministries that have withdrawn from the Public Service Commission. It the Attorney General and Office of the Clerk. They are independent and they decide their own Assistant Executives. The question though are there any problems seen within these Ministries? What about other private organisations who decide there Executives? These private organisations do not have that many problems but Government Ministries. It seems the problem arises from within another matter one of there representative sits in the panel and later a decision is also made by them. Even the decision is made upon the recommendation given it is still the same.

My advice to the Hon Minister responsible for Public Service i recommend you look closely again into these issues. What Cabinet does portrays Government it is a Government for all of us and we serve to protect it from criticism voiced by the people. So I advice to look closely again if we could change the process of doing things. If the process is the problem then fix it if it is the person carrying out the work then reevaluate it. With respect. Thank you.

DEPUTY SPEAKER: Thank you. I call on the Member for Vaimauga West. Unless there is another matter that is different from the one mentioned by the Member...

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: Mr Speaker thank you for the opportunity. Before I contribute to the Bill, I ask whether you found the records by Speaker that Associate Ministers are not allowed to speak because these are their own matters. Nevertheless I will convey an opinion.

DEPUTY SPEAKER: I give the opportunity to the Member.

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: Thank you. I appreciate the matter raised by the Hon Minister. I am grateful and commend you for the effort.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker...

DEPUTY SPEAKER: I call on the Member for Faleata Sisifo. I ask the Member for Vaimauga East to be seated?

Tofa Lealailepule Rimoni Aiafi: Such deliberations are important for us to share our thoughts. What is happening is I cannot hear or understand what the Member taking the floor is talking about, it is why I try and assist at times. With respect. Thank you.

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Public Service Amendment Bill 2017
 – second reading

DEPUTY SPEAKER: The Chair has already given a request but if there are any new opinions that need to be expressed then this is your opportunity.

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: Mr Speaker, your voice have been heard. I applaud you for leading our morning session. The only concern of Vaimauga East is not only is Cabinet involved in appointing Chief Executives but now they will be involved in chosing Assistant Executives which could be unjust. This is aflawin my opinion and the country will turn to criticize us.

DEPUTY SPEAKER: I apologize to the Member I call on the Minister.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Aiono Neioti Glumalemana Dr. Sailele Malielegaoi: Mr Speaker, the Member does understand, Cabinet does not make decisions unjustly, the decision made in appointing the Chief Executive and the Assistant Executive are the same. If you were Minister you would understand that what Cabinet is doing is emphasizing the importance of the Assitant Chief Executive.

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: I feel sorry for the heavy burden that will be put upon the Cabinet, I recommend that the appointment of Assistant Executives be returned back to the Commission.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Aiono Neioti Galumalemana Dr Sailele Malielegaoi: A Point of Order there is no heavy burden. There is no such thing as a heavy burden incase the Member might forget. Look at our Cabinet everyone are young and the burdenis lighter to carry.

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: It is the intention of this Member to protect Cabinet and its decision making. The country is well aware that they are the ones with the final decision regarding the appointment of the Chief Executive Officer. But my opinion is the leadership of the Public Service Commission has been renounced, now it is with the Chairman becuase of disagreement between the Cheif Executive and the Chairman. I am grateful for the decision made by Cabinet to execute this decision. If we take a look at how the Assistant Executive interview is carried out it is done by a panel which includes a representative of the Commission. After the interview itis referred the matter to the Chairman and Commission whereby there is a fault, as the Chairman changes the decision made whereby the a member of the Commission was included.

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 – second reading

If the process is alright then there will be no changes if not many changes will be implemented due to not having the qualification and poor performance of tasks. Moreover if the Chairman is not qualified enough then it is best to dissolve the Commission and as we know after the panel the decision is given straight to the our Leader.

I just want to stress that a representative of the Commission should not be included in the panel. Let the Chief Executive and other panelists make the decision then it can be submitted to the Commission whether they will reject it or not it will not matter. I can see that a member of the Commission is included in the interview but when the decision is given to the Chairman it is rejected. This is the reason why there have been...

DEPUTY SPEAKER: I call on the Hon Minister.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Aiono Neioti Galumalemana Dr Sailele Malielegaoi: Mr Speaker, I am worried that the Bill is emphasising the importance of decision making, while the Member is trying to mumble some of its defects but he had opposed to it in the first place. If they are aware of these effects, remember what the Apostle say? If you know of a defects while you don't do anything to solve it then it is a sin. Not only have you sinned but you will have a never ending cough.

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: I feel for the Prime Minister and his speech. If Cabinet are selecting the Chief Executives then use the Associate Ministers to appoint the Assistant Executives as they are only idling around doing nothing.

Mr Speaker this is my opinion on the matter, I believe the reason why the Hon Prime Minister has made this change is based on the fact that the Chairman of the Ministry of Works performs his tasks and not obligated by anything.

DEPUTY SPEAKER: I call on the Member for Aiga i le Tai.

Susuga Mulipola Leiataua Laki (Aiga i le Tai): Mr Speaker, I rise with respect to correct an error made by the Member in his speech. This House is not for idlers we are doing a lot of work for Cabinet. With respect I conclude.

DEPUTY SPEAKER: The Chair has noted your point. Thank you for the correction.

Afioga Peseta Vaifou Tevagaena (Faasaleleaga No 4): Mr Speaker, perhaps this will be an opportunity for this constituency to contribute to the issue mentioned by the Member.

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– second reading

A point of order Associate Ministers are not idlers because the majority of the work of the Ministries have been referred to Associate Ministers to carry out. I mention this based on the Ministry the Hon Prime Minister and I are designated. Police and Fire department are not easy Ministries to handle also the Associate Minister cannot just sit around. Only a responsible Associate Minister who is qualified and experienced is chosen to such Ministry. With respect.

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: Mr Speaker since the Associate Minister has spoken...

DEPUTY SPEAKER: I suggest that the Chair give the instructions in regards to matters raised in the House, the Member for Vaimauga Sasae...

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: I am saying it as the Associate Minister to the Prime Minister has spoken, but he being the Associate Minister had rejected the issue relating to police yesterday. How can he say he supports the matter together with the Prime Minister when he objected the Bill discussed yesterday? Nevertheless this constituency will now conclude.

Afioga Peseta Vaifou Tevagaena: Mr Speaker a point of order in the statement conveyed. It is not objecting to the Bill but trying to explain parts of it, as it states, only the police and not the Commissioner.

That is why the opinion was given the previous day, it is something I want to make clear. Now it is understood but it is not something where you can just throw words at me and say that I am a slacker.

DEPUTY SPEAKER: Thank you, the Chair understands the matter I appease the Member for Vaimauga East to put aside this matter we have not yet discussed this Bill. I ask that you now conclude.

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: I will not speak further on the matter but I would like to thank the Chair. The reason why I mentioned the Member is my concern for the Cabinet. It is my opinion that appointment of Chief Executives be enough for Cabinet but as for other positions let the Commission and panel decide. Blessings upon the Chairman and the House.

DEPUTY SPEAKER: I believe that deliberations on the Bill are over. I call on the Hon Minister.

Tofa Aumua Isaia Lameko: Mr Speaker an opportunity please...

DEPUTY SPEAKER: I give the opportunity to the Member for Safata.

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Public Service Amendment Bill 2017
– second reading

Tofa AUMUA ISAIA LAMEKO: A correction Mr Speaker but it is the Member for Falealili West. Thank you for the opportunity.

Perhaps this amendment has taken years for it to be implemented and I thank Government. The first Public Commission was set up in 1977 their duty was to appoint and sack public servants. In 2003 Government made changes to minimize the number of Ministries from 27 to 14 larger ones. In 2004 another legislation was implemented titled the Public Servants Act 2004, authority was given to the Chief Executive to recruit employees in the officer, senior and principal level. This exercised part 35 of the Act. Part 36 states areas by which a person is selected which is merits, qualification, work experience, personal attributes and past performance.

Those are the merits laid down by the Commission in the previous years although today recruitment of Chief Executives are now done by Cabinet.

In my own opinion, the privilege should be given to our Assistant Executives because their overseas trips are not endorsed by the Public Service Commission but by the Cabinet. If the post is added then it will be 110%.

That is my contribution in support of the Amendment given by Government today. Thank you very much.

DEPUTY SPEAKER: Thank you for the opinions stated. I call on the Hon Minister to respond to issues raised.

Susuga Hon TUILAEPA AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE AIONO NEIOTI GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker, I express gratitude to the speakers of today, the amendment was done with care. As mentioned in my introduction given, posts are being aligned so that they are of the same level and Cabinet appoint the CEO and the ACEO. The intention is that the ACEO will move upwards and so if the ACEO is at fault then the post above will also have faults when there is a need to make changes for the two posts.

Word spreading around is that the Public Service Commission will not get any more tasks to do, and this was also popular during the time we were amending the law and transfer posts of director to Ministries. This would also mean the Public Service Commission will have no significance. They still have a lot of significance. There is no reason to be worried about this matter. It is not really a hassle. The only good thing to look at is monitoring the process and look at qualifications and recommendations as there are many things being recommended to be used nevertheless they are being replaced. This country is a small one, what happens in the easy will be known by the west. Therefore all the final decisions are made by the Head of State.

Mr Speaker, there is no intention to harm anyone but to improve leadership. This is further clarification on the matter.

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Fees and Charges (Miscellaneous) Bill 2016
– consideration in detail

Motion approved and the Public Service Amendment Bill 2017 was read a second time.

DEPUTY SPEAKER: In accordance to the Standing Order the Bill will be referred to the Standing Orders, Electoral, Petitions and Constitutional Offices for consideration and reported back in June 2017.

FEES AND CHARGES (MISCELLANEOUS) BILL 2016
– consideration in detail

DEPUTY SPEAKER: Pursuant to Standing Orders the Legislative Assembly should first approve the report of the Committee on the Bill before it is considered in detail.

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

Afioga ALIIMALEMANU ALOFA TUUAU: Thank you for the opportunity. Mr Speaker I move a motion, *That the Legislative Assembly approves the Committee Report that recommends the progress of the Fees and Charges (Miscellaneous) Bill 2016 together with Amendments and Corrections.*

Seconded by the Member for Palauli le Falefa.

Motion was approved.

DEPUTY SPEAKER: The Legislative Assembly has approved the motion by the Committee therefore the Assembly will consider the Bill in detail.

According to Standing Orders consideration in detail starts with Clause 2.

CLAUSE 2: Animals Ordinance 1960 amended.

DEPUTY SPEAKER: There are amendments in Clause 2 as shown in the Supplementary Order Paper.

I call on the Chairperson for the Committee.

Afioga ALIIMALEMANU ALOFA TUUAU: Mr Speaker, I move to amend Clause 2 as follows:

“AMENDMENT”

Omit paragraph (e) and change it to a new paragraph as follow:

“(e) in clause 40:

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Fees and Charges (Miscellaneous) Bill 2016
– consideration in detail

- (i) *in subclause (2), for paragraph (j) change it to:*
 “(j) fees and charges for the purpose of this Act”;
- (ii) *after subclause (2), insert subclause (2A) as follow;*
 “(2A) The amount of any fees or charges prescribed in subclause (2) (j):
 (a) should be deliberated by the Ministry; and
 (b) subject to deliberations and approval by the Revenue Board under the Public Finance Management Act 2001;”

Amendment approved.

Clause 2 amended is approved.

DEPUTY SPEAKER: This is the opportunity for those who would like to speak on the amendment.

CLAUSE 3: Apprenticeship Act 2014 amended.

DEPUTY SPEAKER: There is an amendment made to clause 3 as stated in the Supplementary Order Paper.

Afioga ALIIMALEMANU ALOFA TUUAU: Mr Speaker, I move an amendment to Clause 3 as follows:

“AMENDMENT:

Insert new clause 3 as follows:

“3. National Health Services Act, 2014 is amended for the *National Health Services Act 2014*:

- (a) *In clause 2, omit the phrase “fees”*
- (b) *In clause 12 (1), 21 (1), 27, for “approved fees”, changed to “the prescribed fees”;*
- (c) *In clause 40 (1), change as follows:*
 “(1) the amount of the fees or charges required to be prescribed:-
 (a) The Assembly should consider; and
 (b) Subject to deliberations and approval by the Revenue Board under the Public Finance Management Act 2001”.

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**Fees and Charges (Miscellaneous) Bill 2016
– consideration in detail**

Amendment approved.

Clause 3 Amendment approved.

CLAUSE 4: Business Licenses Act 1998 amended.

DEPUTY SPEAKER: There is an Amendment by Committee to Clause 4.
I call on the Chairperson of Committee.

Afioga ALIIMALEMANU ALOFA TUUAU: Mr Speaker, I move an Amendment on Clause 4 as follows:

“AMENDMENT:

That clause 3 be renumbered to become clause 4, and omit paragraph (c) and change it to be as follow:

“(c) in clause 6 –

(i) In clause 2

(aa) for the period at the end of Paragraph (b), change the mark”,
or “; and

(bb) *after paragraph (b), insert:-*

“(c)” prescribing fees and charges for applications, certificates,
documents or any other issue required or provided i this Act.”;
and

(ii) *After subclause (2) insert (3) to be as follow:*

“(3) The amount of a fee or charge prescribed under subclause (2) (c):

(a) Should be liberated by the Assemble; and

(b) Subject to liberations and approval by the Committee of the
Revenue Board under the Public Finance Management Act
2001.”

Amendment approved.

Clause 4 amendment approved.

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Fees and Charges (Miscellaneous) Bill 2016
– consideration in detail

CLAUSE 5: Citizenship Act 2004 amended.

DEPUTY SPEAKER: There is an amendment by Committee on Clause 5 in the Supplementary Order Paper.

I call on the Chairperson.

Afioga ALIIMALEMANU ALOFA TUUAU: Mr Speaker I move an Amendment on Clause 5:

“AMENDMENT:

Amend clause 5 as follow:

5. Arms Ordinance Act 1960 is amended- for the Arms Ordinance Act 1960:-

(a) in clause 2, insert in the correct alphabetical order this information:

“Ministry” means Samoa Police Force established under the Samoa Police Force Act 2009;”

(b) in clause 3 (2), 6 (1), 7 (3) 9 (2) and 12(2).

(c) in clause 27:

(i) after subclause (2) (d), insert:

“(da) prescribing fees and charges for purposes of this Act”; and

ii) after subclause (2) (d) insert as follow:

(2A) The amount of any fees or charges prescribed in subclause (2) (da):-

(a) it should be considered by the Ministry; and

(b) subject to the deliberation and approval of the Revenue Board under Public Finance Management Act 2001;”

(d) Schedule 1 is repealed.”

Amendment approved.

Clause 5 Amendment approved.

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Fees and Charges (Miscellaneous) Bill 2016
– consideration in detail

CLAUSE 6: Customs Act 2014 amended.

DEPUTY SPEAKER: There is an amendment by the Committee on Clause 6. I call on the Chairperson.

Afioga ALIIMALEMANU ALOFA TUUAU: Mr Speaker I move an Amendment on Clause 6 as follows:

“AMENDMENT:

Insert new clause 6 as follow:

6. Broadcasting Act 2010 is amended as follows: - *For Broadcasting Act 2010:*

(a) *after clause 9 (1), insert:*

“1A The amount of fees or charges prescribed in subclause (1) :-

- (a) the Ministry should consider a consultation with the Regulator; and
- (b) subject to consideration and approval of the Revenue Board under the Public Finance Management Act 2001.

b) after clause 73 (2), insert:

“3” Regulations may be made under subclause (1) to prescribe fees and charges for the purpose of this Act, and the amount of any fees or charges prescribed under this subclause is as follow:

- (a) the Ministry should consider consultation with the Regulator; and
- (b) subject to consideration and approval of the Revenue Board under the Public Finance Management Act 2001

Amendment is approved.

Amendment to Clause 6 is approved.

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Fees and Charges (Miscellaneous) Bill 2016
– consideration in detail

CLAUSE 7: Dental Practitioners Act 2007 amended.

DEPUTY SPEAKER: There is an Amendment by the Committee for clause 7. I call on the Chairperson.

Afioga ALIIMALEMANU ALOFA TUUAU: Mr Speaker I move an Amendment on Clause 7 as follows:

“AMENDMENT:

- (i) To renumber clause 4 to become clause 7.
- (ii) For new clause 7 omit paragraph (a) to (c) as follow:
 “(a)” in clause 2 insert this information in the correct alphabetical order “Ministry” means the Ministry responsible for revenue”;
 and
 (b) *in clause 9 (3), for “a fee prescribed by the Commissioner,” changed to “the fee prescribed”*
 (c) *in clause 14(2)(b), for the clause “fees for old applications for \$200; or any other amount given later”, to change it to “fees and charges paid later”.*
 (d) *after clause 19(2), insert:*

“(2A) the amount of a fee or charge prescribed in subclause (2):-

- (a) The Ministry should consider and
- (b) Subject to the consideration and approval by the Revenue Board Committee under the Public Finance Management Act 2001”;

e) Schedule 2 repealed.

Afioga Hon FIAME NAOMI MATAAFA (Deputy Prime Minister): Mr Speaker...

DEPUTY SPEAKER: I give the opportunity to the Deputy Prime Minister.

Afioga Hon FIAME NAOMI MATAAFA: I greet respectable Members this morning I take the floor so the Chairperson of the Committee can take a short break. My observation of the work we are engaged in is a waste of time because it is all about the same changes and expressions. But the issue I would like to raise is there any other simple way we could bring back the Bill with its body being perfect as we saw that nearly all of its clauses are dealt with equally.

7 MARCH 2017

Motion to Suspend Standing Order (S.O.114)

The opinion is made in regards for the Clerk to give advice to, and those with the general knowledge of Standing Orders. This amendment is a bit intense.

MOTION TO SUSPEND STANDING ORDER (S.O.114)

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETEELE AIONO NEIOTI GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker, incidents like this hardly occur, the amending of the whole Bill. I move that the Bill be withdrawn from discussion for it to be rewritten to include all necessary parts. I should have been informed of this matter.

This is why I move, *That the Bill be withdrawn for further amendments and be later tabled before Parliament to discuss what Committee has amended.*

Seconded by the Deputy Prime Minister and the Minister for Agriculture and Fisheries.

Motion was approved and the Fees and Charges (Miscellaneous) Amendment Bill 2016 was withdrawn.

DEPUTY SPEAKER: I call on the Hon Prime Minister.

MOTION FOR ADJOURNMENT

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETEELE AIONO NEIOTI GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker, due to our business being done for today's sitting, the Committee is still at work.

I thank the Committee for the various tasks they had executed, it was why the procedure for carrying out our Meeting was changed as well as a lot of issues deliberated by the Committee whereby members of Parliament take part in it. During the previous years, when Session is closed, everyone leaves unlike today, all the members even the Associate Minister to Ministers of Cabinet but the same applies to those Honourable Members working for the Committee. This is why our achievements are high in standards especially with our Bills except for one that was late in reaching me because if it had, it would have done in a thorough way which is firm in order for the Bill to be accurate in how its organised and easy to bring to Parliament. But acknowledgment of it has been voiced by the Speaker.

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Motion for Adjournment

I would also like to acknowledge the way you had conducted our Session this morning. I have noted that Parliament Sitting dates have been scheduled unlike before when they were not, and sitting days has been laid out for the whole and to base activities of honourable members on.

I move a motion *that our sitting be adjourned till the date scheduled for it to resume in order to continue issues postponed this morning.*

This is a motion with respect.

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

Motion approved.

DEPUTY SPEAKER: I believe that we are now nearing the end of our work this morning. With respect I have to honour to acknowledge your participation here this morning to all honourable members of Parliament. I acknowledge the presence of the Leader of the House, thanks for the self-confidence given and the patience in conducting our business this morning.

I also acknowledge the support of the Deputy Prime Minister, the dignity of the members, Ladies and Gentlemen of Cabinet. Thank you for the clarification of all aspects of our Bills, appreciation also for the preparations done and the patience given to responsibilities of this day. I acknowledge also the duties done by the Associate Ministers. I salute your work and tolerance. To the dignity of the chosen honourable members this morning I acknowledge your efforts and achievements, everything is clear now after having defined them properly. Thank you once again.

We cannot forget acknowledgement of the work done by the Chief Executives of Government Ministries and private companies, you have realised your worth in terms of responsibilities. I pray that the grace of God be with you while carrying out your duties, and may he gives you the advice needed by Government in order for them to perform their services to perfection. I also would like to acknowledge the support from Samoa, in every corner, thank you for listening in, now we have ended Parliament Session in good spirit due to your support.

To my constituency Gagaemauga No. 3 thank you for your support your children have done well here in Parliament. May God Bless you, and my this gathering depart with blessings upon them from the Lord. Thank you once again for our Session this morning now that we have ended things well.

This is why I humbly call on the honourable member for Falelatai and Samatau to close our Session with a prayer.

Proceedings of the Legislative Assembly were postponed at 12:40 pm until 9:00 am Tuesday, 30 May 2017 in accordance with Parliamentary Programme Session 2017/2018.