

TUESDAY, 8TH OCTOBER 2013

The Legislative Assembly met at 9.00am pursuant to the Parliamentary Sitting Program 2013.

Mr Speaker took the Chair at 9.00am.

Prayer.

MESSAGE FROM LE AO O LE MALO

Mr Speaker read the message from His Highness, the Head of State.

“MEMORANDUM for:

Mr Speaker:

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

1. Allied Health Professions Bill 2013.
2. Health Promotion Foundation Bill 2013.
3. Lands, Survey and Environment Amendment Bill 2013.
4. Police Offences Amendment Bill 2013.
5. Medical Practitioners Amendment Bill 2013.

GIVEN UNDER my Hand this 7th October in the year 2013.

(Signed): TuiAtuaTupuaTamaseseEfi
O LE AO O LE MALO”

7TH AUGUST 2013

**Agriculture Store Corporation Repeal Bill 2013
– third reading**

MR SPEAKER: We will now pray to the Lord for success upon the Ministry especially the Government in the enforcement of this Bill and the transferring of the Corporation.

Before the conclusion of our Meeting, I pray with all due respect to the esteemed member for Faasaleleaga No. 3 to stand and conclude our Proceeding with a closing prayer.

Prayer.

Proceedings of the Legislative Assembly were adjourned at 11:37am until 9:00am on Tuesday 8th October 2013 pursuant to the Parliamentary Sitting Program 2013.

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OPENING STATEMENT BY MR SPEAKER

MR SPEAKER: I foremost thank the God Almighty for this new day, because I believe His love and kindness is like rain filled clouds which has allowed us to be present this morning. I believe that the presence of the Members signifies the importance of the House and I greet you all; Leader of the Government and your Cabinet, Leader of the Opposition and your Deputy and to all the Members of the House. I also acknowledge the Heads of the Government Ministries and Corporations, high chiefs and orators, representatives of womens committees for your support of the various villages in which you serve.

I welcome you all to the proceedings. I believe it is Gods love and guidance that has brought us safely to this morning since our last Parliamentary meeting. I thank you Lord for your guidance that has enabled us to be present on this new day.

I acknowledge and greet Samoa for the support. I believe our duties cannot be fulfilled without your support, you are the standing post in which the lower post relies on and I believe your praises and prayers gives us warmth while we carry out our duties.

I also express gratitude to the distinguished clergies for your prayers upon our country especially the blessings from the Lord. I welcome our Parliament and I announce that we will now proceed with the orders of the day.

OTHER ANNOUNCEMENTS BY MR SPEAKER - 1

WOMENS PARLIAMENTARY PROGRAM

MR SPEAKER: As perceived within the House this morning, we are in the company of the esteemed women participants of our country for the parliamentary program to prioritize the contribution of Women in State Affairs.

The main goal of the program is to clarify the Parliamentary codes and ethics so as to better clarify parliamentary policies especially in regards to Parliamentary procedures. The outcome of the program will be monitored, so as to implement a structure for future programs to assist potential women candidates for the upcoming General Elections.

This program was done in partnership with the United Nations, the Australian Government and the Parliament of Samoa. I believe this is a great opportunity to welcome the participants with respect, with hopes that you will all achieve something from the program. I pray that your aspirations be filled for today and for the next two days.

I beseech the House to put your hands together in applause of our honored guests present this morning.

Parliament showed their respects with applause to officially welcome the Women of the Country within the House.

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MINISTERIAL STATEMENT BY THE HON PRIME MINISTER
(S.O.56)

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: I believe there is no other time for me to take the floor as a representative of the House. I concur with the praises given unto the Lord this morning for his sincere love is renewed daily.

I also welcome all our members of the House for your attendance to carry out our duties; as the words of the EFKS hymn goes, “All things are good in Christ”, and the Methodist hymn sings, “God is good, He is good.”

Mr Speaker I rise to add to your welcoming remarks this morning in greeting the women present today in all their honorific salutations.

I do not want to repeat the statement made by the Chair. I only wish to clarify that the Government supports the role of women in all sectors of our country as seen in the many women that are CEO’s of some Government Ministries and Organizations, because these are some of the well educated women of the country.

Not long ago, the Parliament passed the Bill that provides for 10% of the seats in this House to be held by women. The fact of the matter is that this could be done regardless because of the will of Samoan women as depicted in myths and legends and their services within Government Ministries and Organizations. Parliament is the only institution in which there is a small percentage of women and I strongly believe that this will change in 2016.

The important thing that needs to be understood is the increase of women members within the Chamber relies on the willingness to be a part of the decision making in Samoa. It is not to say that your normal duties in nurturing children and developing your family will be taken lightly. Parliament is not asking you to leave your duties behind, if it comes first then make it your first priority because if rejected it is a sin before God.

For those who are willingly because your children have grown up, or you no longer have the responsibility of child rearing or you are not lucky in attaining a husband; the only thing left to do is to serve your country and use the gifts God has given you.

The 10% is an incentive by the Government for women to strive for something better because it is no doubt that your participation is important in the decisions made for Samoa. There is no question that men need your assistance in decisions regarding matters they may not acknowledge.

I stand to encourage those who wish to run during the 2016 General Elections. The truth is that it will not be easy because your family will be affected by what people say, but these are the challenges of becoming a leader. These are not to discourage but rather to encourage because serving Samoa is not for the faint hearted but for the strong willed. Remember that the calling is from God and not all are chosen.

In conclusion, I wish you well on the program and I hope that some of you attending today will become strong members of our future Parliament. Good day and be blessed.

MR SPEAKER: Thank you for the speech Hon Prime Minister.

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**Ministerial Statement by the Hon Prime Minister
(S.O.56)**

Afioga Hon Palusalue Faapo II (Leader of the Opposition): Mr Speaker, I rise with utmost respect.

MR SPEAKER: I beg tolerance of the Leader of Opposition, I will not allow debate on the matter.

Afioga Hon Palusalue Faapo II: I second the speech made by the Hon Prime Minister.

MR SPEAKER: Leader of the Opposition I will give you the opportunity when appropriate.

I beg leniency of the Leader of the Opposition, be mindful that we have guests in the House and hopefully they will observe that you are obedient to the Chair. It is not appropriate to make them think that our Proceedings are being misled.

OTHER ANNOUNCEMENTS BY THE SPEAKER – 2

COURT DECISION ON CASE BETWEEN POLICE AND AFIGA TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER AND THE VILLAGE OF SATAPUALA.

MR SPEAKER: For the information of the Assembly, the court has ruled on the charges against the Member for Aana Alofi No. 3 and the charges have been proven.

The policies of the House are clear on these matters. Despite our relationship we cannot avoid the issue. Good governance, transparency and accountability should be upheld as per the provisions of our Orders in regards to this matter for as the Leaders of Samoa we should emanate integrity.

It is clearly stated under Standing Orders 14 (4), Code of Parliamentary Ethics; “Breaches of this Code may be dealt with by the Privileges and Ethics Committee or as determined by Parliament.”

Therefore the Chair believes that because there are no guidelines for the investigations by the Privileges and Ethics Committee within the Code of Ethics on the breach, I confer the matter to the Legislative Assembly.

I give the opportunity to the member of Aana Alofi No. 3.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER (Aana Alofi No. 3): Thank you Mr Speaker for the opportunity.

Mr Speaker and dignitaries of the Assembly, I thank our Heavenly Father for our good health and His guidance because even though we were apart to carry out our chores and duties, He has guided us here by His love.

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Other Announcements by the Speaker - 2

Mr Speaker, I wish I could undo the events however I am afraid I cannot because Samoa is much dignified, like the saying, we seek after the pigeon but we are afraid of the snake; we desire the yam and yet we are afraid of the rock. Nevertheless it is with Gods love that our actions are forgiven.

Mr Speaker, Hon Prime Minister and Cabinet, Leader of the Opposition, especially to all members of the House, His Highness the Head of State, the member for the Council of Deputies and also the whole of Samoa. Chief Justice and the Judiciary, honored guests present, I greet you all.

Mr Speaker, I humbly plead leniency from the Hon Prime Minister, the Cabinet, and the Members of the House, especially to the whole of Samoa listening in. I believe that we are all aware of my disorderly behavior which is an indication of my weakness as a leader in the performance of my duties and as a Member of this House. The truth is there is nothing I can say that can eradicate the actions. The cup is split and it is only through the grace of the Almighty God that those who have been affected will forgive what has been done however our bond as prominent chiefs is still intact.

I appease the leader of our country; as God is my witness I had no intention of putting you and your Government in jeopardy. I also take this opportunity Mr Speaker to ask forgiveness for the reckless actions made before Samoa. As the sayings of our elders go, if west is at fault, may east hold steadfast to the truth. I sincerely wish that we be comforted by love and kindness.

Mr Speaker this is my sincere apology before you all, and may the spirit of the Lord be a part of the decision made by the Members of the House and for the future of Samoa, thank you.

MR SPEAKER: I believe the Chamber and Samoa are now clearly aware of the apologies officially made by the member for Aana Alofi No. 3. Most importantly his constituency has heard the apology for the disagreements and events that occurred. The Chair therefore takes this matter into grave consideration especially in regards to the effects upon the country and the Government. This is why I present the matter to the Table for your consideration. I call upon the Hon Prime Minister and Government for your decision.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker and members of the House, I believe the Chair has clarified the matter, especially the policies by which our duties are guided.

I thank you Mr Speaker for upholding the standards and duties laid upon you in relation to this matter, because the public is listening and witnessing the proceedings and whether we are following the Orders that we have passed in Parliament.

The members of the House have heard the apology made by the member. If there is anyone who recalls what I said in Parliament on the 21th August 2012 on this very matter.

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Other Announcements by the Speaker - 2

I clearly stated that, "Parliament cannot ignore by any means any member or members who leads any action that violates the peace of Samoa and attacks the image of this House occupied by Leaders of the country." I also greatly emphasized that morning that Parliament has the power to suspend Standing Orders and decide on the matter before the House. I need not mention that the majority of the House is on this side and are prepared to agree on a harsh decision towards the Member involved. However the matter was referred to the Attorney General and consequentially to the Courts.

Mr Speaker, the matter has reached the courts and this is proper as the intention is that they carry out their duty so that we will abide and live by the law. The Chair has expressed the need for the House to deliberate without conflict. I therefore take the floor with all due respect as a leader of the country and this Party to accept the apology of the member with good spirit and a forgiving heart. This is part of our cultural ways no matter how serious the offence, there is always room for forgiveness. Our culture and ethics are connected with the heart of Gods teachings of love and forgiveness. I believe that these words are applicable today and whoever says they love God but not their neighbor; he is a liar.

Mr Speaker, it is very important for these occurrences to take place so that we will be able to consider our actions and I feel this is enough. The decision of the Court has been made now let us abide by it. Whatever the lessons learned let us take them to empower ourselves in serving our country with praises unto our Heavenly Father. May God bless this Parliament and also the support of Samoa.

MR SPEAKER: Thank you Hon Prime Minister. Since the Leader of the Opposition is upstanding I give the opportunity.

Afioga Hon PALUSALUE FAAPO II: Mr Speaker and Members of Parliament, I acknowledge the presence of the dignitaries of women present. I concur with the comments by the Hon Prime Minister. I hope all goes well with the program and the future in relation to the Bill passed by Parliament for more women Members.

I will be straight to the point. As clarified by the Hon Prime Minister on the allegations against a member of this party from Aana Alofi No. 3. I will not try and even the edges of what occurred as you have said Hon Prime Minister you are the leader of the country and also the leader of the majority and therefore the sole decision maker. Fortunately this morning the prisoner is alive. As proclaimed from the word of God "Though I speak with the tongues of men and of angels, and have not charity, I am become as sounding brass or a tinkling cymbal". The gospel of Jesus Christ proclaims, "Love the Lord thy God with all thy heart...as you love yourself." And his last words on the cross were, "Let us be kind."

Thank you Hon Prime Minister for your words of kindness, I salute you in your duties. Thank you for your concern for the constituency and country. Samoa is founded on God; it is founded on our culture and traditions.

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Other Announcements by the Speaker - 2

This foundation maintains peace. These are the ideals in which problems can be resolved in Samoa with consultation and the respectful relationship with each other. Unfortunately the matter has been before court, and there is nothing more we can do. We must acknowledge the law and uphold it as an example to our villages, districts and Samoa. Therefore Mr Speaker I thank the Hon Prime Minister for his forgiveness especially for keeping the peace of our country beginning with Parliament. Mr Speaker I pray that the Lord continue to bless you Hon Prime Minister with Godly principles.

Mr Speaker you are the authoritative voice of the House; the sole authority with the Lords assistance. I recall past occurrences when the Speakers ruling was the last word. With the General Elections on the horizon, there were Members from a by elections who were removed as a result of the Speakers ruling. As for this morning, your Christian values are to be praised for since you have taken the Chair, not one Member has been removed from the House. Why? It is because of your empathy in safeguarding the peace of Parliament. Mr Speaker, we pray that God blesses you and may his wisdom guide our Parliament. This is a remark of respect, to thank you Hon Prime Minister, especially Mr Speaker and the House for the decision made as per the issue that we face....

Tofa Hon Tolofuaivalelei Falemoe Leiataua (Minister of Women, Community & Social Development): Mr Speaker a point of order.

MR SPEAKER: The Leader of the Opposition will conclude his speech and then an opportunity will be given. (*refers to the Minister of Women, Community & Social Development*).

Afioga Hon PALUSALE FAAPO II: That is all with due respect. If there has been any word that has caused any offence upon this Parliament and the whole of Samoa, may it be disregarded for it is the house of the Lord in which all things are forgiven. With respect, God bless our proceedings.

MR SPEAKER: Thank you for the speech Leader of Opposition. Since the Minister of Women, Community and Social Development has been upstanding, I will give the opportunity.

Tofa Hon Tolofuaivalelei Falemoe Leiataua: Mr Speaker I will not repeat the matters mentioned by the Hon Prime Minister and the Leader of Opposition has completed his speech. I recall a former leader of Opposition saying, "To smear your food with your fingers results in your hair becoming oily" meaning that with every action there is a consequence.

However, I raise a point of order on the comment made by the Leader of the Opposition on the last words of Jesus on the cross. It is evident that he is a lay preacher that has limited understanding on the words of our Saviour.

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Other Announcements by the Speaker - 2

It was the time when there was barely any clouds in the sky, when he looked down upon his disciples and said “May you be kind unto one another.” That was the time he spoke these words and not on the cross, with respect.

Afioga Hon Palusalue Faapo II: Mr Speaker a point of order....

MR SPEAKER: It is not to say that you are an elder assistant preacher. We are steering off from our proceedings and commenting on irrelevant matters. You are both deacons and lay preachers.

Afioga Hon Palusalue Faapo II: Mr Speaker, my position is elderly compared to the Hon Ministers.

MR SPEAKER: Thank you for the speech. I believe the proceedings are in order this morning with the speeches that were made. Even though we have been hard pressed paddling in Puava, we are at rest in Fagalele, and we have arrived at an agreeable end. So let us praise the Lord for he has made things possible for our country. It is His guidance that has turned the storm into soothing winds and His holy spirit has filled us with forgiveness. The Lords time is not our time; one day is a thousand years to Him.

Thank you Hon Prime Minister for the words of hope and wisdom. Thank you for your forgiving heart. If East is at fault may West hold steadfast to the truth. The Chair understands that it is not easy to lead Samoa especially when such events take place. I thank the Lord for your decision.

I also thank the Leader of Opposition. Once the House is unstable we must work together in stabilizing it and this is for the benefit of our country. I believe we cannot leave such matters unresolved.

Thank you Afioga Toeolesulusulu Cedric Pose Salesa Schuster especially your constituency of Satapuala in all your honorific salutations. I believe we do not have to lay out welcoming mats or words because we are all related through various lineages. We are one with each other from the ties with Tuiaana Tamaalelagi and the family of Satuala. The Hon Prime Minister is the holder of the Aiono title who is of the royal family of Aana of which was born the ancestors of Tuiaana Tamaalelagi and the family of Satuala.

The Chief Justice who ruled on the matter is a kin of the Tauaana family. I am a descendant of Falelatai who serves the Tuiaana. The dignity of the Cabinet and also the Elder of the District of Leulumoega are all related and *these are the honorifics and traditional setup and we should learn from the occurrences of today to guide us for the future.*

Our hope is that these events will not repeat itself within our country. Let this be a lesson in guiding the future of Samoa so we will follow the laws and ethics to maintain the peace of Samoa.

My advice to the member of Aana Alofi No. 3, if you need theological guidance, ask one of the members for Salega; Tofa Tapuai Toese Ah Sam beside you or ask the member of Faasaleleaga No. 3.

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Other Announcements by the Speaker - 2

Do not listen to the member of Faleata West and Gagaemauga No. 2 because this is the reason why problems occur. If you want to be a long standing member, ask the member of Falealupo or the Leader of the Opposition.

This concludes the matter and I hope we will gain something from today. The penalty will be for the member to provide food for the Parliament sitting in December. I leave that with you to use your common sense. As the words of a man from Safata, 'if you want to understand, ask the Leader of the Opposition.' Be careful, be very careful. I hope this incident will never ever happen again, in my opinion you are one of the best members of the House, and I hope the constituency will always allow you to represent them without end.

That is the announcement of the Legislative Assembly by way of the Chair to conclude the matter for today.

PRESENTATION OF PAPERS

Clerk read out Papers presented pursuant to Standing Order 48:

1. S.R. 2013/7, Attorney General's Office Act 2013- Notice of Commencement.
2. P.P. 2013/2014 No. 39, Annual Report of the Scientific Research Organization of Samoa for the Financial Year 2011-2012.
3. P.P. 2013/2014 No. 40, Annual Report of the Samoa Tourism Authority for July 2011-June 2012.
4. P.P. 2013/2014 No. 41, Government Responses to P.P. 2013/2014 No. 31, Report of the Primary Production, Commerce, Industry and Labor Committee on P.P. 2011/2012 No. 97, Annual Report of the Development Bank of Samoa for the Financial Year ending 30 June 2011.
5. P.P. 2013/2014 No. 42, National Health Service Annual Report for 2009/2010.

PRESENTATION OF SELECT COMMITTEES REPORTS

Clerk read out Select Committee Reports presented pursuant to Standing Order 51 (5).

1. P.P. 2013/2014 No. 43, Report of the Finance and Expenditure Committee on P.P. 2012/2013 No.18, Annual Report of the Accident Compensation Corporation for the Financial Year 2011.

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ROAD TRAFFIC AMENDMENT BILL 2013
- third reading

MR SPEAKER: For clarification of the Parliament the Road Traffic Amendment Bill 2013 was considered in detail on 7th August 2013.

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

Afioga Hon MANUALESAGALALA ENOKATI POSALA (Minister of Works, Transport & Infrastructure): Mr Speaker I move the motion, *That the Road Traffic Amendment Bill 2013 be read a third time.*

Seconded by the Deputy Prime Minister, Minister of Communications and Information Technology, Minister of Women, Community and Social Development and the Minister of Health.

Motion approved and the Road Traffic Amendment Bill 2013 was read a third time and passed the Legislative Assembly.

AUDIT BILL 2013 – third reading

MR SPEAKER: For the information of Parliament the Audit Bill 2013 was considered in detail on 7th August 2013.

I call upon the Hon Minister of Commerce Industry and Labor, Deputy Prime Minister.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO (Deputy Prime Minister, Minister of Commerce, Industry and Labor): Mr Speaker I move a motion, *That the Audit Bill 2013 be read a third time.*

Seconded by the Minister of Revenue, Minister of Communications and Information Technology and the Minister of Women Community and Social Development.

Motion approved and the Audit Bill 2013 was read a third time and passed the Legislative Assembly.

NATIONAL PAYMENT SYSTEM BILL 2013
– second reading

MR SPEAKER: For the information of Parliament the National Payment System Bill 2013 was first read on 6th August 2013. In absence of the Hon Minister of Finance, I call on the Hon Prime Minister to take the floor.

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National Payment System Bill 2013
– second reading

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker in absence of the Hon Minister of Finance I move with respect, *That the National Payment System Bill 2013 be read a second time, and I wish to comment on it.*

Seconded by Deputy Prime Minister and Minister of Justice, Courts Administration.

MR SPEAKER: I call upon the Hon Prime Minister.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker the Bill proposed seeks to provide an accessible, efficient and secure National Payment System that complies with international standards. The System is to facilitate a sound and stable financial environment in Samoa. The Bill will be implemented by the Central Bank of Samoa, as noted ever since 1983 we did not have a central bank and everything was managed by the Ministry of Finance which was tasked at allocating our foreign reserves for exports and administering of the services of other banks to make sure no problems occurred.

The main objectives of the Bill are, to ensure that transfer orders are final and will not be later revoked, reversed or set aside; to provide netting schemes for participants; to ensure that when an insolvency order is made against a service provider the service is to be suspended to protect collateral, and lastly to recognize electronic transfers and archives, such as presentation of electronic cheques, enforceability of electronic transfers, etc.

The National Payment System will provide the following - payment instruments to initiate and direct the transfer of funds between the account of payers and payees at financial institutions; payment infrastructures which are to transact and clear payment instruments, to process and communicate payment information and to transfer funds between the paying institution and the receiving institutions.

The third objective is for financial institutions to provide payment accounts, instruments and services to customers and to service providers that operate payment transaction, clearing and acquiring various payment instruments and services. Also arrangements for producing, pricing, delivering and acquiring various payments instruments and services and regulate the mechanics of the payment transfer process and the conduct of payment service.

Mr Speaker these are some of the major issues addressed in the Bill. Note that there are many clauses and these are the norms of this kind of Bill. They are very extensive but the intention is that once it is considered it will be referred to a Committee so that those who wish to express their thoughts on the Bill can put forward their concerns on the Bill. Mr Speaker, that is an overview of the Bill.

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National Payment System Bill 2013
– second reading

MR SPEAKER: Thank you Hon Prime Minister for the thorough explanation. As usual I give the opportunity to a member who wants to take the floor, if not the question will be put.

Motion approved and the National Payment System Bill 2013 was read a second time.

MR SPEAKER: Pursuant to Standing Orders the Bill will be referred to the Finance & Expenditure Committee for consideration and to report back to the Legislative Assembly at a future sitting date.

APPRENTICESHIP BILL 2013 – second reading

MR SPEAKER: For the information of the Parliament the Apprenticeship Bill 2013 was first read on 6th August 2013. I call on the Hon Minister of Commerce, Industry & Labour.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker I move a motion, *That the Apprenticeship Bill 2013 be read a second time, and I wish to comment on it.*

Seconded by the Minister of Communication, Information Technology and the Minister of Women, Community and Social Development.

MR SPEAKER: I call on the Hon Minister for his explanation.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Mr Speaker the Bill introduces a new legal framework for apprenticeship in Samoa and repeals the Apprenticeship Act 1972.

This Bill introduces a modern framework for apprenticeship, which is part of technical-vocational education and training in Samoa. This sort of apprenticeship work involves electricians, plumbers, carpenters, welding and others. This Bill aims to up skill people (primarily youth), to integrate them into the work force and create skilled employees or qualified tradesmen and tradeswomen. This Bill will also address skills shortages in Samoa improving [the employability of Samoans in line with the aims of the Strategy for the Development of Samoa, 2012-2016, STS](#).

Apprenticeship combines work and part-time study which involves both practical skills and an understanding of theory in the apprentices chosen trade.

Employers or companies within certain trades provide practical workplace-based training to apprentices so that they can obtain skills during the apprenticeship arrangement.

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Apprenticeship Bill 2013 –second reading

Apprentices also attend formal training delivered by technical training providers to supplement their workplace training.

All this training Mr Speaker is administered by the Apprenticeship Council together with the support of the Ministry of Commerce, Industry and Labor.

At the moment Mr Speaker there are 140 participants in the program, and every year a graduation takes place and the latest graduation was in February 2013. This year there were 52 who graduated including a young woman who graduated as a plumber. The other graduation before that included about 50 graduates and a young woman graduated as an electrician. This is the reason why I am gratified to see young women take interest in such technical vocations. As seen long ago this type of work was much suited and taken up by men but today we have come to witness that young women are taking up such professions.

Mr Speaker, I have clarified the Bill, with respect.

MR SPEAKER: Thank you for the detailed explanation Deputy Prime Minister and also the responsible Minister, I believe there is a member who wishes to take the floor. I call on the member for Gagaemauga No. 2.

Tofa LEVAOPOLO TALATONU (Gagaemauga No. 2): Thank you Mr Speaker for the opportunity. I thank the Deputy Prime Minister for the Bill. The truth is Mr Speaker the program is important because it is liable in assisting the public with skills and knowledge. This is why the Government is trying to improve the program. I have been monitoring the program and with the change of the Bill it seems the program is implemented inefficiently.

I wish to ask the Deputy Prime Minister if there is a proper framework for the program to follow. It seems that the program is implemented by the private sector; companies such as electrical companies, car mechanics, carpenters and others. The issue I found was that there are not enough resources for companies to implement this program for the public and youths.

As you may see Mr Speaker the private sector has many binding obligations in the Bill. They are to keep records of the training and progress of the apprentices as well as ensuring their safety. It is also clearly stated in the Bill that the apprentices should be paid. I presume Mr Speaker that the companies in which the program is targeting are small and do not have the capital to carry out the program.

This is the matter I wish put forth for the consideration of the Deputy Prime Minister. Is there a way for the Ministry to grant funds to these businesses in order for them to carry out the apprenticeship program effectively? It seems this is the disadvantage and the reason why some companies are concerned.

My advice is to provide financial support for companies to acquire resources, because if a carpentry apprentice goes to the training, the company will be able to provide the timber and other things for them to learn and gain experience. This is just a brief opinion Mr Speaker, with utmost respect.

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Apprenticeship Bill 2013 –second reading

MR SPEAKER: I believe this is the only member. I beg leniency of the Deputy Prime Minister but there is a question from one of the members for Salega. I call upon the member for Salega; Afioga Afualo Wood Utu Salele.

Afioga AFUALO WOOD UTU SALELE (Salega): Thank you Mr Speaker. I want to thank the Deputy Prime Minister for the Bill. It is true that the Bill is thick but it must be considered to ensure that the vocational training needs of our youth are satisfied. I just want to clarify on the equal opportunities between young men and women. It has been a while but there has only been one female per year in the program. Therefore I advise the Hon Minister to look into the matter and perhaps have a set percentage of women for the program as an incentive. We have started with benchmarking the number of women in Parliament and there should also be a lot of women in these sorts of professions.

Although it may have been strength based professions but nowadays it is not. As seen in overseas countries it seems that there is now a balance between men and women within various vocational professions which is not an easy area of employment. Thank you Mr Speaker for the opportunity.

MR SPEAKER: I beg tolerance Deputy Prime Minister but there are members who are upstanding. I call on the member for Faleata West then you will be given the opportunity.

Tofa LEALAILOPULE RIMONI AIAFI (Faleata West): Thank you Mr Speaker for the opportunity to comment on the Bill.

I thank the Hon Minister and the Ministry. As we all know the apprenticeship trades are very important in every country including Samoa. The main focus of this program is employment; it is more job oriented. You do not really have to find work after as the normal perception is that if you do not have employment you can use the knowledge acquired within your villages.

This is the area in which we must greatly emphasize. I recall our visit with the former Speaker to Melbourne. In Australia once a student reaches year 10, the student is given grant to vocational training. The students will decide on what they want to pursue. There are schools that are not focused on academics but are looking at what students are particular and passionate about, and then they start to learn from there.

We have witnessed the efforts of some of the shipping companies and others to employ youth. Afterwards they are given a certificate and working papers. This is very decent and it is similar to the young women nurses who were on trial training at the hospital and afterwards they are offered employment.

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Apprenticeship Bill 2013 –second reading

I recall when the Bill that provided for the merging of NUS and Polytechnic was presented in the House. I was of the opinion that the separation was preferable to enable the students to be more focused on their academic life because their participation is very important.

The only disadvantage of the Bill is that it does not emphasize the health and safety of workers. As we see around the town area huge buildings are being constructed and the workers do not wear safety gear while laying the roof, also road workers wear sandals with no hats for safety and those who pick up the rubbish around town use their bare hands to pick up the rubbish. These are some of the areas that should be emphasized within this Bill.

The other matter Hon Minister concerns the age of those applicable under the apprenticeship which is 18 years. Why should it be 18? Many students complete year 12 when they are either 16 or 17. This is suitable because this is the class when compulsory education ceases, then they can go to these trainings to learn and work. It should not be 18 as strictly stated here.

The other issue Hon Minister and the Ministry is perhaps a mistype - there is an error with Clause 17. What is stated in section 7 is incorrect, where the Minister overrules requests given. Subsection 6 is incorrect as it should be subsection 9.

I am grateful that the Bill addresses a matter that has been a source of complaint since I was part of the workforce. This is regarding when the apprentices need to attend their classes but the employer would not allow it because it was busy. Now the Bill clearly states that a contract is signed, because it is important that the employer allows the students to go to school. Also when they receive their certificates, what are the conditions for the wages, will there be increments? Is there a minimum wage when you get an apprenticeship certificate? There should be a reward complimenting the certificate to encourage our people to learn more in these areas.

Thank you for the Bill. With respect.

MR SPEAKER: Thank you. I beg leniency of the Deputy Prime Minister but the Bill proposed is very important.

I call upon the member for Faasaleleaga No. 4 then the opportunity will be given to the member for Falelatai and Samatau.

Afioga PESETA VAIFOU TEVAGA (Faasaleleaga No. 4): Thank you Mr Speaker I believe the Bill proposed is very important. I thank you Deputy Prime Minister for this Bill. This is one of the most significant Bills for a successful future of the people, not only for the youths of Samoa but for employees and contractors working in our country.

In view of the Bill there are still important things that need to be added. The various trades and vocational trainings are clearly stated under the Bill, but Mr Speaker, there are many high rise buildings now being built in our country. As suggested by the member for Faleata regarding an issue that is not being emphasized within the country. It is seen that many accidents have occurred with casualties which is blamed on negligence.

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But I believe if safety is greatly emphasized in Apprentice trainings the people will be protected from such accidents.

Mr Speaker there should be trainings on road safety at the institution at Vaivase indicating and teaching the students and employees where and how to walk on elevated roads. Safety lines and safety boots can be used when in these areas.

Many accidents with EPC workers derive from the use of the wrong boots. In overseas countries, there are different kinds of boots for different types of work but I see that many EPC electricians here use the safety boots specific to engineers. Their work involves climbing up electricity poles and high buildings in which these sorts of boots are inappropriate. There is friction specific footwear to protect from slipping. I notice that many of the infrastructural work is unsafe. Many of the buildings being constructed do not have safety lines for the employees.

This is the matter I wanted to comment on Mr Speaker. Government funds are being spent on compensation for such incidents such as an employee falling from a building or an accident within the work place. I recall an accident that happened at the Apia Park where a load fell on a worker whom eventually died. The faulty machinery was blamed, but I believe the reason why this occurred is due to the lack of knowledge of these machinery. This is the case for all the machinery brought into the country. The graders that are shipped in....

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

MR SPEAKER: I beg tolerance of the member taking the floor, but the opportunity is given to the Hon Prime Minister for his explanation.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: There is only one point of order I wish to correct for my Associate Minister. The man who died at the reconstruction of the Apia Park prior to the 2007 South Pacific Games was a foreman for the Chinese company Shanghai Construction; he was the site manager. So he was aware of the health and safety rules to protect his life. The deceased was returned to his family overseas and he was very intelligent.

I presume that is also the reason why one of our planes crashed. The plane was piloted by an intelligent pilot who also trained other pilots. That is what happens to a person who is too intelligent. When they become too knowledgeable on safety, they become ignorant, thinking “I am smart in doing everything” and as a result accidents occur.

That is the minor correction because the Member is correct that apprentices should be taught on such matters to ensure safety but common sense should also be used. Once there is no common sense, all that knowledge is useless. As a result, accidents will occur because of carelessness. The advice from the Member is very important, but that was a minor addition to the matter.

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MR SPEAKER: Pardon the member taking the floor but I will give the opportunity to the Hon Minister of Women, Community & Social development.

Tofa Hon Tolofuaivalelei FalemoeLeiatua: I thank the honorable member for the speech. I rise to remind the member that the Apprenticeship Bill has a connection with the Principal Act of the Ministry of Commerce, Industry and Labour; the Labour and Employment Act which provides for workplace occupational health and safety. There are two aspects of labor provided for in this Act; Wages and Conditions and Occupational Safety and Health, which are for all public servants and the private sector. This is my assistance to the member in case much of his time is spent explaining the matter. Provisions are in the Principal Act for the employees safety as well as the ILO programs, to ensure that Samoa will be in line with international standards on health and safety for infrastructural works.

With respect.

MR SPEAKER: Thank you for the support. I beg tolerance of the member for Faasaleleaga No. 4, I know your opinion is important but the Hon Minister of Education, Sports and Culture will take the floor.

Afioga Hon Magele Mauiliu (Minister of Education, Sports and Culture): Mr Speaker because the member is emphasizing safety we must keep in mind that those who attend the apprenticeship program at the moment are those who have completed one or two years at University. When you look at the University curriculum, the first Unit is safety which is taught for 4 to 5 weeks. Until this is completed they will be able to move to the next Unit. I presume that currently, the University has arranged with the Agriculture Store for safety boots and overalls which the students will purchase.

There was a time when the University provided all the safety gear to emphasize the safety regulations. This does not mean that safety is not being taught but the problem is although safety is being taught, when the students enter the workplace, safety is not stressed. There are situations in which the student says “this is what I was taught on safety measures at University” and the employer will reply, “Leave that University knowledge behind it is not acceptable here.”

Therefore safety is the responsibility of the employer not the University. Thank you.

MR SPEAKER: I believe the member completely understands the safety issues that he has been trying to clarify. The Hon Minister of Women, Community and Social Development has clearly clarified legislations of the Ministry providing for safety. The Hon Minister of Education, Sports and Culture has elaborated that safety is taught in schools.

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I beg tolerance of the member but we are all aware now of safety. If there is anything else then you must conclude because we have to carry on with the orders of the day.

I call upon the member to continue his discussion.

Afioga PESETA VAIFOU TEVAGA: Thank you Mr Speaker. I believe that safety is a matter that must be greatly considered by Government to protect the lives and health of employees and ensure that the students in the apprenticeship program are aware of this.

The Hon Minister of Education Sports and Culture has also discussed the issue of the use of safety gear. I know what you are saying Hon Minister is true but there are different kinds of safety gears used for different professions.

Mr Speaker there is one more matter I wish to discuss regarding the machinery used for construction of huge buildings, such as cranes. I think that the constructors who are bringing in these machines do not have the knowledge to operate the machines. Therefore this issue must also be emphasized so that those who bring in these machines will be able to understand how to maintain and operate these machines because this is also a cause of problems. This is very important and needs to be addressed because overseas, the apprenticeship program also includes training on machine operations.

In overseas countries they use a signalman; he is a certified man from the apprenticeship. They are the workers who are taught how to signal the machine operator where to move. I notice that in Samoa when this sort of work is done the worker would yell to the driver, “set it east, set it west.” But for those who are well educated in the apprenticeship, they use their hands because there is literature on these skills. When a signal man goes to work he understands what he is doing, also when an operator goes to work he understands his duties. This is just a matter of concern Hon Minister in addition to the safety of workers. With respect, thank you.

MR SPEAKER: I call on the last member; the member for Falelatai and Samatau.

Afioga TAEFU LEMI (Falelatai and Samatau): Thank you for the opportunity Mr Speaker. This program had some problems in the past when I was working and I would like to thank the Hon Minister and the Ministry responsible for the Bill.

At the start of the Apprenticeship program there were a lot of difficulties. As we all know employees are under contract, so wherever they work they obtain practical skills, then they attend University to study the theoretical side of things.

At that time there was barely a fee to be paid, as I recall it was only \$10 for a term, and the students would pay their own fees. This meant the University had to manage financially to implement this program.

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It is ideal that if a student wishes to do welding, they would use a rod that eventually wears out, then when another student comes they will need another new rod because the same rod cannot be used twice. This is why these kinds of vocational schools are expensive; however Mr Speaker I am thankful that the Bill provides for changes in three areas; participation of youths, the workplace and the involvement of the Ministry and Government.

Hon Minister, I think that the changes are good, but I hope that you raise the standards a little so that the students will have the opportunity to be up skilled and specialized trainers are employed to teach the trades. This Mr Speaker is the nature of learning these trades. Also Hon Minister, once the apprenticeship program is completed a student receives a Due Completion certificate. While in the workplace they will move on to receive a Trade Certificate, and that is the end. I pray Hon Minister that when this Trade Certificate is received the students will still have the sensibility to learn, therefore I request that the Ministry prepare additional programs for more opportunities for the students to learn.

Mr Speaker, those are some of my comments, thank you.

MR SPEAKER: Thank you. I call upon the Deputy Prime Minister to respond to the comments.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: Thank you Mr Speaker, I believe the members have clearly stated that the Bill is much supported and appreciated. The new changes made are not only to the skills but also to the subjects taught and the role of companies in the implementation of their assistance.

That is the main objective, it seems that most of the companies in consultation with members of the Board requests opportunities for students to learn the practical skills within the workplace. This depends on the opportunities available and the needs of the company. This does not mean that companies are required to take interns to work without the capacity. I therefore thank the companies involved that have given the students an opportunity to be a part of their workforce, because it is not only for the benefit of the company but also for the students, to gain knowledge and work experience. As for equality there is an equal opportunity for all to attend, as I mentioned before these vocational studies were mostly taken up by men but today we now see that young women have graduated. I acknowledge these young women for their determination in these vocational fields which is mostly taken up by men, so there are no restrictive barriers. Also to young women who are eligible to take part in the program, you are free to participate; there is no sense of discrimination upon them because everybody is equal. These types of trades are very much needed in countries like Samoa, because when disasters like cyclones, flooding and tsunamis occur many buildings and homes are destroyed and therefore the help to rebuild these homes is much needed from such trades.

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This is why the Government and the Ministry are strengthening the program so that these professions are not scarce.

I presume there is not much more to elaborate on occupational safety and health, because other Members of the House have already clarified the matter. This matter is provided for in the Labour and Employment Relations Act that we passed recently.

New provisions have been made to improve and secure safety in these workplaces because appropriate clothing, such as vests are needed. As we see today many workers are using vests, hard hats and safety boots or steel capped boots which are the type of clothing for safety. As we all know there is a Corporation that deals with the safety of employees and that is the ACC. They enforce rules and regulations on safety within Ministries and Organizations and they also handle compensation for employees involved in accidents within the workplace. On the matter of operating machines, this is a taught skill. We all know that when a person owns a vehicle or a machine they have to have a special license to operate it. This license means that the driver has the skills to operate these machines; this special license is granted by LTA to confirm that the holder is able to operate the machine. As seen today we do not use signalmen as often as before, because they now have cameras and computers in the modern machines, unless it is an old model machine that still needs signalmen. For this Bill, it is useful for this kind of.....

MR SPEAKER: I beg tolerance of the Deputy Prime Minister. Is there another issue member for Faasaleleaga No. 4? The matter is now being clarified by.....

Afioga Peseta Vaifou Tevaga: Mr Speaker, to assist the Deputy Prime Minister, the machine that I mentioned was the crane. There are cranes that are very high and people cannot yell to instruct the driver, so the use of hands to signal the driver is appropriate and this is taught within Apprentice programs. This is the reason why I have emphasized the matter because we do not.....

MR SPEAKER: I understand the point made by the member. I beg tolerance Member for Faleata West but you cannot clarify the matter as the Hon Minister has responded.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker because the Deputy Prime Ministers is nearing the end of his speech.

MR SPEAKER: Continue.

Tofa Lealailepule Rimoni Aiafi: The speech by the member for Faasaleleaga No. 4 must be acknowledged by the Deputy Prime Minister.

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Because this is the only member who welded the Apollo XI with assistance of a crane, therefore I recommend that the advice of the member for Faasaleleaga No. 4 be used.

MR SPEAKER: Well that is the reason why Apollo did not reach its destination, because that was a problem. I call upon the Deputy Prime Minister.

Tofa Hon FONOTOE NUAFESILI PIERRE LAUOFO: I presume Mr Speaker this is the reason why Apollo did not land on the moon. I guess the cranes that I see today are still the old models and the new kind has not arrived but these cranes have cameras in the control box where the driver operates the machine.

Mr Speaker the Bill enhances the capacity of our Apprentices. The assistance given by the University as mentioned by the Associate Minister also the member for Falelatai and Samatau, I believe he has been working at the Polytech for many years and is aware of the current status of the University but these are proposals to satisfy the needed equipment for the students education in these fields

This Mr Speaker is the response to some of the queries made by the Members of the House.

MR SPEAKER: Thank you.

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

MR SPEAKER: In accordance with Standing Orders, the Bill will be referred to the Works, Transport & Environment Committee for consideration and to report back to the Legislative Assembly at a future sitting.

UNIT TITLES AMENDMENT BILL 2013

–second reading

MR SPEAKER: For the information of this Parliament the Unit Titles Amendment Bill 2013 was first read on 6th August 2013.

In absence of the Hon Minister of Natural Resources and Environment I call upon the Hon Prime Minister.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker in absence of the Hon Minister of Natural Resources and Environment, I move a motion, *That the Unit Titles Amendment Bill 2013 be read a second time, and I wish to comment on it.*

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Unit Titles Amendment Bill 2013
 –second reading

Seconded by the Deputy Prime Minister, Minister of Communications and Information Technology and the Minister of Women Community and Social Development.

MR SPEAKER: I believe we have now come to our normal recess Hon Prime Minister. When we return the opportunity will be given to clarify the Bill.

I announce that due to the poor conditions of the building behind us, we will be taking our tea in the tents prepared. Due to the heavy rainfall this morning we found it unsuitable to take our recess in the old building.

I beg tolerance of the members we will take our tea in the tents provided on our right.

I announce that the proceedings of the Legislative Assembly will be adjourned for our usual morning recess.

Proceedings of the Legislative Assembly were set aside for its morning recess at 10:42am and resumed at 11:21am.

MR SPEAKER: I announce that the proceedings of the Legislative Assembly have now resumed. I trust everyone has found strength during our recess. I also assume that we have experienced a new environment under the tents provided to feel the breeze of Tiafau. The services provided by the Clerk are also to our satisfaction. I believe we shall proceed with our orders of the day.

Before recess the Hon Prime Minister was to take the floor on behalf of the absent Hon Minister of Natural Resources and Environment to comment on the Unit Titles Amendment Bill 2013. I call upon the Hon Prime Minister for the clarification on the Bill.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I salute you because the members of the House have now found strength of mind and body to continue on with our orders of the day until we conclude our proceedings.

The Bill seeks to amend the Unit Titles Act 2009; to change “deposit of the plan under the Land Titles Registration Act 2008” to “approval of the plan under the Survey Act 2010”; and to change “computer folio” and “supplementary record sheet” to “folio of the Register.” It seems no one understands this Bill and the Hon Minister is not here to clarify it.

Mr Speaker, the main idea of the Bill is found in the translation of the terms ‘Unit Titles’, in Samoan which is Tulafono o le Pule o Vaega Fanaua. Therefore to elaborate, the Unit Titles Act is an initiative used by businesses to implement large scale developments which requires a large sum of money.

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For example, if we recall the start of the hotel at Taumeasina. The Act was tabled and passed in Parliament and the hotel would cost USD\$300million. It was passed by Cabinet with blessings and so the entrepreneurs went to find the capital. They ended up requesting to the Government when I was the Minister of Finance at the time. I sought assistance from financial organizations. It was a hopeless effort and now there is a deserted islet off the coast not generating any revenue. This is the norm with many developments nowadays. They cost more than \$100million, but the investors have no capital for the proposed investment.

Investors usually negotiate with the bank however now they are using Unit Titles for funds. To illustrate; if a hotel costs \$400 to \$500million the investor must seek financial assistance or an alternative to attempt to build a hotel that has 100 rooms. Interested tenants will then lease or buy the rooms inclusive of the land it is built on for say a million.

This is why the Bill provides for a division plan. The normal process for when a hotel is built with a hundred (100) rooms, a hundred (100) people would have invested in the rooms to lease or to own. If the investor who lives in England occupies the room for 7 days in December, at the end of their stay, the operation of the rooms will return to the hotel. At the years end, the accounts will be reviewed. The 7 days will be deducted from the revenue on the room which will be for example; \$1billion and expenses amounted to \$800million. The profit of \$200million will be divided amongst the unit title holders.

The objective of the Unit Titles Act is to allow for these types of investments. This is an initiative to encourage the development of hotels. The largest hotel was Tusitala built by the Government in 1972 with the intention that it would be successful. However, the hotel experienced losses from 1972 to 1989. When I was the Minister of Finance in 1989 the decision was made to privatize the hotel and if there are losses they would deal with it but the benefits for the country remains. Since that time there has not been another hotel with a hundred rooms built in Samoa. Contracts are made and each time they have failed. There have been determined investors but they are financially incapable however with Unit titles, this can be made into reality.

The main idea of the Bill is to simplify the unit plans, valuations and registering of mortgages and other matters between the parties involved.

Mr Speaker that is a brief explanation to clarify the matter. God bless our Meeting.

MR SPEAKER: Thank you Hon Prime Minister for the clarification. I notice that the Deputy Leader of the Opposition is upstanding; I call upon the member for Falealupo.

Afioga Hon AEAU PENIAMINA LEAVASEETA (Falealupo): Mr Speaker, thank you for the opportunity. There is a brief matter that I wish to comment on regarding the Bill.

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I believe that the House has heard the clarification from the Hon Prime Minister and it is appropriate that it is brief because the amendment is for the Principal Act which was passed in 2009 which to this day has not been enforced. However there are a few questions Mr Speaker; I do not understand the English title of the Bill; Unit Titles. I am aware that these are not the kind of things that we should debate because it has been passed by the Attorney General but why not change the Title to Land Unit? Because the term unit refers to block sand because the Samoan translation means land, why not use Land Units so that everyone will know what we are talking about?

Also, nearly 30 sections of the 2009 Act is to be amended. Therefore it is fitting to say that the Act was not prepared well because it has not been implemented. The Act was brought before the House urgently in 2009 and I can state that all the legislations that provide for “land lease” have not been prepared completely. Therefore the Government must look into these matters.

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

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

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: The member is good at manipulating and this should be ceased because the facts were presented. I am aware that the only perfect law is Gods commandments for He sees all. Us on the other hand are limited and there are changes and situations that occur throughout our lives. It is during these occurrences that we decide on aspects to omit or amend but this does not mean that the Bill is incorrect.

If an amendment to a legislation is an indication that the legislation is incorrect, then this would indicate also that the Constitution is incorrect. This is not the case, the Constitution was relevant during the time that it was passed and with the changes we find ways to adapt.

MR SPEAKER: I call upon the member. I believe the concerns on the Bill have been clarified.

Afioga Hon AEAU PENIAMINA LEAVAISEETA: The concern Mr Speaker is the leasing of customary lands. The country is at odds on this Bill. Why? Because every single Member will be affected once it is passed. It will affect families and their properties.

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

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Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: We are not deliberating on the Land Act. We are considering a very different matter; we are discussing unit titles not the Land Act which Parliament has already approved.

This is the clarification to assist the member.

MR SPEAKER: I call on the member for his final comments.

Afioga Hon AEAU PENIAMINA LEAVASEETA: I have already concluded on the issue thank you. I already commented on the title of the Bill which involves land. Land from where? It is customary land.

It seems that the Act was not prepared comprehensively because since 2009, there have been 28 Amendments.

Mr Speaker, I will leave it at that.

MR SPEAKER: I will give the opportunity for the Governments explanation.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Even when I am sleepy my antennas come alive when the member for Falealupo speaks, because the issue he is discussing and the matter before the House are two different matters.

The Bill that we are deliberating has the purpose of enabling the implementation of developments through the stated initiative which is different from the matter of customary land.

MR SPEAKER: I call upon the member to conclude, we now understand your remarks.

Afioga Hon Aeau Peniamina Leavaseeta: Point of order. The literal meaning of the Samoan title of the Bill is “Land Ownership” but the English title is Unit Titles, but I will leave that at your discretion. To conclude Mr Speaker, I would like to thank the Hon Prime Minister for his speech at the opening of the Taufusi market. It was wonderful. But do you think it was an encouragement for the country? I am sympathetic for them because I assumed you were going to offer a Government grant perhaps the \$ 1.9 million which has disappeared into thin air.

MR SPEAKER: I call upon the Hon Prime Minister.

Afioga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: I remind the Opposition that the last word is the Governments. Deliberation can never end with the Oppositions comments because this can mislead our opinions and records.

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The market, ownership of land and customary land are different matters from the Bill proposed. These are not in the Bill presented this morning. Our proceedings are prolonged because matters not officially before the House are being discussed. If I had known that the member that is constantly upstanding would not change, I would not have voted for him to become a Speaker in 1988-1990. To this day, the member must still be advised in regards to the inaccurate information that is misleading Parliament.

MR SPEAKER: I believe the comments by the Hon Prime Minister are understood. To the member for Falealupo, I am trying to settle the matter in respect for you. I am also trying to uphold the Standing Orders in consideration of our proceedings. The question will now be put.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker.

MR SPEAKER: I call upon the member.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you Mr Speaker for the opportunity.

Matters involving land are very fragile and everyone must be vigilant when discussing these issues so that opinions are expressed. Legislations are different. We need to consider both sides; the weaknesses and the strengths of these legislations.

I support the Bill discussed this morning because since I entered this Parliament I have been trying to propose such an initiative because it will not only benefit foreign investors but also develop our local businesses. I state this because there was an overseas investor that built the golf course at Mulifanua.

The main idea behind the construction of the golf course was to build units to increase tourist numbers and for our citizens. If you want to go golfing you can take a partner or your family and build your own house on the land and lease it as was clarified by the Hon Prime Minister.

Personally I am not worried about the loss of land because they are protected; this is why I support this Bill. The only problem is that the Act was passed but the golf course is now bankrupt. The Government should look into the matter because there are lands that are owned by different Government entities.

If it is stated under the Bill that Government lands are sanctioned under the Land Board, we must remember that there are lands legislated under the Airport Authority, Samoa Land Corporation and STEC. If it is stated under the Bill that lands can be leased for a period of ten (10) or twenty (20) years, such developments cannot be done on the lands of the mentioned entities. The Government must consider a single legislation that provides for all Government land.

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The Bill that was discussed yesterday which has not been tabled proposes a 5% increase for the lease of the Ministry's land especially those with tourism developments and now this Bill provides for land under the Land Board. This is why I recommend that the Government should have one governing legislation for all Government lands to develop businesses. Presently, there are many processes and legislations from different Government entities to comply with because there are many different legislations.

The other issue which is not stated in the Bill but concerns land is the sale of lands and the eligibility to purchase under the Land Alienation Act 1972. I believe this is a concern and the Attorney General's Office and the responsible Ministry should look into this matter. There are discrepancies in the legislations. I know within my constituency and around where I live, there are lands that are being sold to foreigners and it begs the question of how it is this occurred? I read the Act and there is a provision which allows non-citizens to purchase freehold land. I recommend that these areas must be looked into again. Parliament must look into it especially this matter, it is true that it is not included in the Bill but it is relevant to consider for the future.

MR SPEAKER: Thank you for the comments. I believe the Bill is understood. Hon Prime Minister is there anything further you wish to clarify? The members have concluded their remarks on the matter.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoui: Mr Speaker these are initiatives by the Ministry which is why there are many large scale businesses. To illustrate I mention car manufacturers. If the Parliament were to observe the manufacturing of a vehicle, there is an assembly line. Each person is specialized in a specific task on the assembly line. A car is not assembled by an individual but three hundred people. It goes through an assembly line and this is how a person in the line becomes specialized in this specific task and as a result the vehicle will be manufactured faster. This is an example of centralization vs. decentralization. If a task is implemented by one department, there will be many issues. That was the cause of the 1981 strike. The Public Service Commission was the only department dealing with one Ministry at a time and by the end of the year, only 3 Ministries would be covered and the following year, some Ministries would benefit twice while other Ministries were still waiting. This problem occurred because it should have been decentralized. This is why Government established the Salary Tribunal.

Mr Speaker this is why there are different entities governing the lands because we have decentralized it for rapid development and implementation. That is an addition to clarify the matter further.

MR SPEAKER: I believe the remarks on the Bill have been clarified.

Motion approved and the Unit Titles Amendment Bill 2013 was read a second time.

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Food Bill 2013 – second reading

MR SPEAKER: Pursuant to Standing Orders, the Bill will be referred to the Works, Transport & Environment Committee for consideration and to report back to the Legislative Assembly at a future sitting.

FOOD BILL 2013 – second reading

MR SPEAKER: For the information of this Parliament, the Food Bill 2013 was first read on the 6th August 2013. I call upon the Hon Minister of Health.

Afioga Hon TUITAMA TALALELEI TUITAMA (Minister of Health): Mr Speaker I move a motion, *That the Food Bill 2013 be read a second time and I wish to comment on it.*

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

MR SPEAKER: I call upon the Hon Minister of Health to clarify the Bill.

Afioga Hon TUITAMA TALALELEI TUITAMA: Mr Speaker and members of the House, the Bill has been in progress since 2009. The Food and Drugs Act 1967 currently regulates food health and safety. However now, it is appropriate to have separate legislations for food and drugs to be consistent with the changes.

It is noted that the Food and Drugs Act 1967 cannot regulate, manage and administer the changes in food handling and preparation and the risks of handling food therefore these should be provided for in a new Bill. As a result the Food Bill 2013 was drafted. The preparation of the Bill was an immense and elaborate task. The Bill was compiled by Allen & Clerk Consultants in New Zealand.

The drafting of the Bill was done in consideration of Samoa's involvement in the WTO and to ensure compliance with the guidelines given under the International Food Code or CODEX Alimentarius. There are eight parts of the Bill; part 1 states the Preliminary, Title, Interpretation and Purposes to ensure that food is safe and suitable for human consumption. The purpose of the Bill is also to prevent misleading conduct relating to the sale of food and to comply with Samoa's international obligations.

Part 2 deals with safe food, suitable food, and false descriptions of food, labeling requirements and expiry and best before dates. Also food for infants and children, imported and exported food and inspection of imported food brought into the country.

Part 3 provides for a food business and provides for certificates of health, operators of food businesses and operators to ensure that food can be traced back to food handlers.

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Food Bill 2013 – second reading

Part 4 provides for the responsibility of the Ministry in ensuring food safety. Part 5 has provisions for food inspection and analysis to ensure food is safe. Also provided for is the power of entry and search.

Part 6, provides for the offenses in relation to non compliance to food safety standards.

Part 7, consists of evidential presumptions and court orders.

Part 8, provides for the protection of the Minister and employees from personal liability. Also provided for is the transitional period of 12 months after the commencement date of the Act when a person may sell food. Also included in part 8 are consequential amendments to the Food and Drugs Act 1967. After the amendments are made to the 1967 Act, only provisions for drugs will remain. There will also be consequential amendments to the Business License Act 1988, the Consumer Information Act 1989, the Ministry of Health Act 2006, the Narcotics Act 1967 and the Poisons Act 1968.

Mr Speaker that is a short summary of the parts of the Bill with all due respect.

MR SPEAKER: Thank you for the clarification, Hon Minister of Health. Well it seems everybody understands the explanation of the Bill given by the Hon Minister. I thought everyone understood the explanation by the Hon Minister.

I call on the member for Faasaleleaga No. 2.

Susuga PAPANII FAAVAIVAIOMANU TAEU MASIPAU (Faasaleleaga No. 2): Thank you Mr Speaker for the opportunity. I also wish to thank the Hon Minister for such an important Bill.

The Food and Drugs Act will be separated and I think it is very important especially in light of the many different imported varieties of food products and food businesses now being set up. Thank you Hon Minister for the Bill, it is a rather immense Bill. So the question is; can the Bill guarantee food safety on food products that are health risks?

For example the faulty tinned herrings that are usually broadcast.... I thank the CEO of the Ministry for being vigilant on the matter. However, the question is whether the Bill provides for the power to ban these types of products from entering the country, because when the broadcast is made on these goods, they are already in the country. Not only for tinned herring but also food products that cause health risks. The Bill is thick but is it effective enough to provide for the food health and safety standards of the country. These are just some question on the matter Hon Minister. Thank you Mr Speaker.

MR SPEAKER: I beg tolerance of the Hon Minister but there are members who wish to comment on the matter.

I call on the member for Aana Alofi No. 3 to be followed by the member for Faleata West.

8TH OCTOBER 2013

Food Bill 2013 – second reading

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Thank you Mr Speaker for the opportunity. I also thank the Hon Minister for the preparation of the Bill in regards to food handling and consumption in our country.

The only matter of concern Mr Speaker which is not clearly stated in the Bill concerns the storage of the imported food products especially in butcheries. There are food products when placed beside another it can contaminate other food products. There is also the problem with packing food. Those who pack the food items pack the items together in one plastic bag. They should be taught how to pack food safely because it is a health risk.

That is my assistance on the matter Mr Speaker and I again thank the Hon Minister and the Ministry for the Bill.

MR SPEAKER: Thank you. I call upon the member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you for the opportunity. My opinion will be brief. I thank you Hon Minister and your Ministry for the Bill. I believe you have thoroughly prepared the Bill. Thank you also for the detailed speech on the various parts of the Bill. You have mentioned the overseas consultants and companies that contributed to drafting the Bill when I thought it was yourself and your Ministry that drafted the Bill. I was proud to think that you and the Ministry had drafted the Bill however your speech was ruined by mentioning the consultants.

Businesses operating restaurants receive their health certificates annually and the question is if there is a provision in the Bill that requires these businesses to showcase their business license in the front window so that customers will know that they have been approved to prepare and handle food. This will make it easier for not only the business but for the customers. The provision should also include small family businesses in rural areas who make taro chips and ice cakes to ensure food safety. It is true that these people are trying to start a business but the Ministry must look into it because these foods are sold in schools. We are all aware that the Ministrys awareness programs target diseases caused by food. I assumed that the Bill would include food sold in schools because it is very important for our children to learn about what is healthy to eat and drink so that when they grow up they would not be affected by many illnesses. I am grateful if this is proposed for the future.

One of the members mentioned importation but the importation certificate is issued from MCIL. Can the two Ministries cooperate to ensure that there is approval for the importation of food products before they arrive on our shores? People differentiate the tinned herrings as herring for consumption and herring for family obligations. Therefore, if it is for family commitments, is it unfit for consumption?

8TH OCTOBER 2013

Food Bill 2013 – second reading

This is a matter that must be looked into because there is a serious problem with the quality of the meat not only for the herring but also the corned beef. It is best to cease importation and return to eating off the land instead of allowing all these products to be imported.

On another matter, there are fines of 5,000 units provided for in the Bill. When converted to cash, it amounts to half a million. Penalties are appropriate for an offence but the units are inconsistent with the term of imprisonment. The fines are too harsh compared to the imprisonment term. There may be repeat offending because the imprisonment terms does not exceed 2 years which would be the option rather than paying half a million.

Furthermore, the Bill provides for separate clauses for safe food and suitable food. Therefore Hon Minister I want to ask whether there is a difference between safety food and suitable food. I would assume that once the food is safe it is also suitable. What is the difference? Whether the food we eat is safe but not suitable or whether it is suitable and not safe? This must be clarified Hon Minister. Thank you Mr Speaker.

MR SPEAKER: Thank you for the advice and comments on the Bill. I call upon the Hon Minister for the clarification. I beg tolerance Hon Minister; I give the last opportunity to the member for Aleipata Itupa i Lalo.

Afioga TAFUA MALUELUE TAFUA (Aleipata Itupa i Lalo): Thank you Mr Speaker.

Foremost, I thank and commend the Hon Minister and the Ministry for the work well done on the Food Bill 2013. It is important to address the handling of food, food businesses, food inspection and analysis and also the duties of inspection officers within the Bill.

Mr Speaker, a query on Clause 12 which provides for inspection of imported food. It is noted that not long ago there was a reported incident regarding imported cartons of herring that were unsafe which is why Clause 12 is very important. Equally important are Clauses 3, 14 and 15 which provides for the certificate of health, operators of food businesses and the assurance that food can be traced.

The reason for taking the floor with respect is whether there are any provisions to trace meat produce because some of the meat is from family commitments and they are sold to restaurants. The question is whether the meat sold and the owners are recorded so that when a customer becomes ill from the meat, those who sold the meat can be easily traced.

Mr Speaker, Clause 16 clearly provides for food handlers and part 2 provides for dealing with food.

The question with respect is who is responsible for monitoring whether those handling and preparing food are ill which can affect the health of the consumers? I see there is a heavy penalty fine but it is safety that is important. Our economy relies heavily on tourists and restaurants should be able to cater to them and also the local consumers.

8TH OCTOBER 2013

Food Bill 2013 – second reading

I prompted in the previous sitting on restaurants overseas which are categorized as A, E and I. Category A is top class, category E is good and category I is not very good yet still all right for eating. If we can implement this, when you have overseas visitors, you will know which categories the restaurants fall under. However for us restaurants in Category A would probably be too expensive. It is alright if it is expensive but we do not get sick from the food because overseas some category A restaurants are only top class on the piece of paper but once you have finished eating there you get sick.

That is the matter of concern with respect Hon Minister. Thank you, God bless this Bill and this meeting.

MR SPEAKER: Thank you. Pardon me Hon Minister of Health; I give the opportunity to the Hon Minister of Agriculture and Fisheries.

I call upon the Hon Minister.

Afioga Hon Le Mamea Ropati (Minister of Agriculture & Fisheries): Thank you Mr Speaker. For clarification and assistance on the matter mentioned by the member of Aleipata Itupa i Lalo on local meats. As of now the Ministry of Agriculture and Fisheries are planning to lay before Parliament a bill for slaughter houses and then the process will be clearly outlined. We are working together with the Ministry of Health especially concerning the Bill which is now being discussed. I assume once it is presented before Parliament we will understand more on the matter but this is an addition to the matter.

MR SPEAKER: Thank you Hon Minister of Agriculture and Fisheries for your assistance.

I call upon the Hon Minister of Health for his response on some of the questions from the members.

Afioga Hon TUITAMA TALALELEI TUITAMA: I salute and thank the members who have commented on the Bill. Perhaps the Bill was presented too soon because it has not been read thoroughly by some members. It seems that members want me to read the answers from within the Bill because the answers on every question asked are in the Bill. I recommend to those that asked questions that they should read the Bill thoroughly.

The member for Faasaleleaga No. 2 questioned the measures taken to guarantee food safety. Refer to Part 2; clauses 5, 6, 11 and 12; the answer to your question is there.

For the member of Aana Alofi No. 3, the answer is in Part 3; clauses 13 and 16. As for the question put forward by the member for Faleata West, the answer is also in the Bill. The Ministry of Commerce Industry and Labor and the Ministry of Health collaborate in regards to importation of food products to ensure that it is in compliance with international food standards otherwise known as the CODEX Alimentarius.

8TH OCTOBER 2013

Food Bill 2013 – second reading

It is also the duty of the Ministry of Health to approve food before it is sold, also...as questioned in the case that the food bought might cause illness to the consumer, under this Bill the restaurant or business owner must note down the date of purchase and the person the produce was purchased from. When the food is questioned the business owner will be able to trace the source of the produce and make known to the owner that the meat purchased caused illness to the member for Faleata West. This is provided for in the Bill. Also if the food is determined unfit for eating and it cannot be proven, it is within the Bill that the Ministry can use the questioned food as evidence in court as proof that the food was purchased from the restaurant being accused and not from another source in case there is wrongful blame.

MR SPEAKER: Pardon me Hon Minister, the cattle in question; was it from WSTEC or Vaitele.....

Tofa Lealailepule Rimoni Aiafi: The comments made were recommendations for a strategy to stop the importation before they reach our shores because most of these imports brought in are only inspected when it arrives. This is the advice Hon Minister. Perhaps samples can be brought first for testing. It is visible on the label that the can of herring is produced in South America but we do not really know which country the herring is from. I believe the Hon Minister is aware because I am not a farmer.

MR SPEAKER: I call upon the Hon Minister.

Afioga Hon TUITAMA TALALELEI TUITAMA: I believe the Hon Minister of Agriculture and Fisheries has clarified the matter of meat which was questioned by some members. It is the Ministry of Agriculture that guarantees the safety of meats. There are supermarkets such as Lucky Foodtown and other businesses that only purchases meat that have been approved by a vet before it is sold to the public.

That concludes my response, God bless our sitting.

MR SPEAKER: Thank you for the explanation on the matter, Hon Minister, I believe members are hesitant to question further because your thorough responses would last for four weeks.

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

MR SPEAKER: Pursuant to Standing Orders the Bill will be referred to the Health & Social Services, Internal Affairs, Community and Social Development Committee for consideration and report back to the Assembly in a future sitting.

8TH OCTOBER 2013

ALLIED HEALTH PROFESSIONS BILL 2013
- first reading

MR SPEAKER: I call upon the Hon Minister of Health.

Afioga Hon TUITAMA TALALELEI TUITAMA: Mr Speaker I move a motion, *That the Allied Health Professions Bill 2013 be read a first time.*

Seconded by the Minister of Communications and Information Technology, Minister of Revenue and Minister of Women, Community and Social Development.

Motion approved and the Allied Health Professions Bill 2013 was read for the first time.

MR SPEAKER: Pursuant to Standing Orders, the Bill will be second read on the third sitting day following.

HEALTH PROMOTION FOUNDATION BILL 2013
- first reading

MR SPEAKER: I call upon the Hon Minister of Health.

Afioga Hon TUITAMA TALALELEI TUITAMA: Mr Speaker I move a motion, *That the Health Promotion Foundation Bill 2013 be read a first time.*

Seconded by the Minister of Works, Transport and Infrastructure, Minister of Agriculture and Fisheries and Minister of Women Community and Social Development.

Motion approved and the Health Promotion Foundation Bill 2013 was read for the first time.

MR SPEAKER: Pursuant to Standing Orders, the Bill will be second read on the third sitting day following.

LANDS, SURVEY & ENVIRONMENT AMENDMENT BILL 2013
- first reading

MR SPEAKER: In the absence of the Hon Minister of Natural Resources and Environment, I call upon the Hon Prime Minister.

8TH OCTOBER 2013

Lands, Survey & Environment Amendment Bill 2013
– first reading

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, in absence of the Hon Minister of Natural Resources and Environment I move a motion, *That the Lands, Survey & Environment Amendment Bill 2013 be read a first time.*

Seconded by the Deputy Prime Minister, Minister of Communications Information Technology and Minister of Women, Community and Social Development.

Motion approved and the Lands, Survey & Environment Amendment Bill 2013 was read for the first time.

MR SPEAKER: Pursuant to Standing Orders, the Bill will be second read on the third sitting day following.

POLICE OFFENCES AMENDMENT BILL 2013
– first reading

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

Afioga Hon SALA FATA LISATI PINATI (Minister of Police, Prisons and Fire Services): Mr Speaker I move a motion, *That the Police Offences Amendment Bill 2013 be read a first time.*

Seconded by the Minister of Works, Transport and Infrastructure, Minister of Education, Sports and Culture and Minister of Women, Community and Social Development.

Motion approved and the Police Offences Amendment Bill 2013 was read for the first time.

MR SPEAKER: Pursuant to Standing Orders, the Bill will be second read on the third sitting day following.

MEDICAL PRACTITIONERS AMENDMENT BILL 2013
– first reading

MR SPEAKER: I call upon the Hon Minister of Health.

8TH OCTOBER 2013

Medical Practitioners Amendment Bill 2013
– first reading

Afioga Hon TUITAMA TALALELEI TUITAMA: Mr Speaker I move a motion, *That the Medical Practitioners Amendment Bill 2013 be read a first time.*

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

Motion approved and the Medical Practitioners Bill 2013 was read for the first time.

MR SPEAKER: Pursuant to Standing Orders, the Bill will be second read on the third sitting day following.

CONSIDERATION OF SELECT COMMITTEE REPORTS

**P. P. 2012/2013 NO. 32, REPORT OF THE PRIMARY PRODUCTION,
COMMERCE, INDUSTRY AND LABOUR ON P. P. 2011/2012 NO.
102, ANNUAL REPORT OF THE SAMOA TOURISM AUTHORITY
FOR THE FINANCIAL YEAR ENDED 30TH JUNE 2010
– CONSIDERATION**

MR SPEAKER: Recommendations and resolutions were read by the Committee Chairperson before the end of the proceedings on the 6th of August 2013.

The opportunity is open to any member that wishes to comment on the Report and if there is none, the question will be put.

Report approved.

MR SPEAKER: Pursuant to Standing Order 54, Government must, not more than 90 days after a select committee report has been adopted by the Assembly present a paper to the Legislative Assembly responding to any recommendations contained in the report which are addressed to it.

**P. P. 2012/2013 NO. 33, REPORT OF THE FINANCE AND
EXPENDITURE COMMITTEE ON P. P. 2011/2012 NO. 30, BETTING
(TOTALISATOR) AGENCY BOARD FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30TH JUNE 2010 - CONSIDERATION**

MR SPEAKER: I call upon the Chairperson of the Finance and Expenditure Committee.

8TH OCTOBER 2013

**P. P. 2012/2013 No. 33, Report of the Finance and Expenditure Committee on P. P. 2011/2012 No. 30, Betting (Totalisator) Agency Board Financial Statements for the Year Ended 30th June 2010
- Consideration**

Susuga Hon PAPALIITELE NIKO LEE HANG (Chairman of Finance & Expenditure Committee): Mr Speaker with respect I move a motion, *That the Legislative Assembly take note of the Finance & Expenditure Committee report with its findings, recommendations and resolutions.*

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

MR SPEAKER: I call upon the honorable Chairperson.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker:

“FINDINGS:

The Betting (Totalisator) Agency Board was established under the Betting (Totalisator) Agency Act approved by Parliament in 1990. The principal functions of the Agency are:-

- (i) *to conduct or provide in accordance with the Act totalisator betting facilities in respect of races within or outside of Samoa by operating its own totalisator or means of agreement under section 17 of the Principal Act;*
- (ii) *carry on the business or occupation of bookmarking and conduct the game of lotto in Samoa and to provide facilities whereby persons may participate in lotteries whether such lotteries are conducted within or outside of Samoa.*

The Committee noted that it has been almost 20 years since the establishment of the Samoa Betting Agency. In May 2005, the Betting (Totalisator) Agency Board took over the management of the Sportslotto operations in co-operation with an Australian Company TMS Global Services.

The Board has the authority to do all things necessary or convenient to be done in connection with or as in the performances of its functions. The Board over the years has donated a lot of funds mainly to sporting developments. Unfortunately the Board also has donated a lot of charities to Individuals, Societies and some schools across the country.

8TH OCTOBER 2013

**P. P. 2012/2013 No. 33, Report of the Finance and Expenditure
Committee on P. P. 2011/2012 No. 30, Betting (Totalisator) Agency
Board Financial Statements for the Year Ended 30th June 2010
- Consideration**

The Committee also noted that some of other charities include \$20,000 donated to the National Kidney Foundation (NFK) at Motootua and a sum of \$5,000 for the Loto Taumafai School, \$3,414 was donated to the Leauvaa Primary School other donations included churches and individuals who were affected with illnesses and accidents at that time.

ACKNOWLEDGEMENT:

The Committee wishes to acknowledge with gratitude the tremendous efforts by the Board and Directors of the Betting Agency for the support and charities given not only for the development of sports in the country, but for charities donated for Individuals, societies and various organizations in Samoa.

RECOMMENDATIONS:

Based on its Findings, the Committee resolved to recommend Government:- That the Board and management of the Betting (Totalisator) Agency Board provide an executive summary report for the Financial Year to which the Annual report is referred to, and working performance and goals achieved during Financial Year.

That management and Board of Directors to assess and affiliate in other possible avenues to invest in order to gain profit for sufficient funds to assist with the development of sports in Samoa.

That management and Board prioritize and consider disbursement of funds and financial assistance to be directed to the development of sports within the country.

RESOLUTION:

At the conclusion of its deliberations, the Committee resolved to recommend to the Assembly:-

To approve P.P.2011/2012 No.30, Betting Totalisator Agency Financial Statements for the Financial Year ended 30th June 2010.”

Thank you.

8TH OCTOBER 2013

**P. P. 2012/2013 No. 33, Report of the Finance and Expenditure Committee on P. P. 2011/2012 No. 30, Betting (Totalisator) Agency Board Financial Statements for the Year Ended 30th June 2010
- Consideration**

MR SPEAKER: Thank you Chairperson of the Finance and Expenditure Committee for the clarification. I give the opportunity to any member who wishes to speak on the report if not the question will be put.

Report approved.

MR SPEAKER: Pursuant to Standing Order 54, Government must, not more than 90 days after a select committee report has been adopted by the Assembly present a paper to the Legislative Assembly responding to any recommendations contained in the report which are addressed to it.

**P. P.2012/2013 NO. 34, REPORT OF THE JUSTICE, POLICE & PRISONS AND LAND AND TITLES COMMITTEE ON P. P.2011/2012 NO. 4, ANNUAL REPORT OF THE MINISTRY OF JUSTICE AND COURTS ADMINISTRATION FOR THE FINANCIAL YEAR ENDED 30TH JUNE 2009, AND P. P.2011/2012 NO. 38, ANNUAL REPORT OF THE MINISTRY OF JUSTICE AND COURTS ADMINISTRATION FOR THE FINANCIAL YEAR ENDED 30TH JUNE 2010
- CONSIDERATION**

MR SPEAKER: I call upon the Chairperson of the Justice, Police & Prisons and Land and Titles Committee.
It seems the Chairperson is not present, I call upon the Deputy Chairperson.

Afioga AFOAFOUVALE JOHN MOORS (Deputy Chairperson of Justice, Police & Prisons and Land and Titles Committee): Mr Speaker in absence of the Chairperson, I move a motion with respect, *That the Assembly take note of the Justice, Police & Prisons and Land and Titles Committee Report with its Findings, Recommendations and Resolutions.*
With utmost respect.

Seconded by member for Falelatai and Samatau and member for Aiga i le Tai.

MR SPEAKER: I call upon the Deputy Chairperson to read out the Committee recommendations and resolutions.

8TH OCTOBER 2013

P. P.2012/2013 No. 34, Report of the Justice, Police & Prisons and Land and Titles Committee on P. P.2011/2012 No. 4, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2009, and P. P.2011/2012 No. 38, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2010 – Consideration

Afioga AFOAFOUVALE JOHN MOORS: Mr Speaker:

“FINDINGS:

The Annual Reports of the Ministry of Justice and Courts Administration for the Financial Year ended 30th June 2009 and Financial Year ended 30th June 2010 outlined the Ministry’s performances and output achievements during the reported Financial Years.

The Committee noted that all operational of courts administration delivered by the Ministry were directed to meet its obligation to provide the best Court Administrator in the Pacific region. In addition, the Ministry committed to improve the efficiency and effectiveness of courts administration to safeguard and securing peoples’ rights in Samoa.

The Ministry of Justice during the 2008/2009 fiscal year implemented its Re-Structuring Process as part of its Institutional Strengthening Program. The Public Services Commission with its main objective to accommodate the needs not only towards the support services to the Judiciary Courts, but for the community as well. The Divisions of the Ministry of Justice include:

1. Legal, Policy Planning & Censor,
2. Civil and Criminal Courts,
3. Corrections, Enforcement & Maintenance,
4. Lands and Titles Court,
5. Mediation & Matai Registration Services,
6. Corporate Services
7. Tuasivi Courts.

Achievements.

The Ministry achieved significant changes during the fiscal years as planned. One of the greatest achievements by the Judiciary and the Ministry was the opening of its new Headquarters and Court House on 26th January 2012. The main complex at Mulinuu now accommodates all three courts i.e. the Supreme Court, District Court and the Land and Titles Court.

8TH OCTOBER 2013

P. P.2012/2013 No. 34, Report of the Justice, Police & Prisons and Land and Titles Committee on P. P.2011/2012 No. 4, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2009, and P. P.2011/2012 No. 38, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2010 – Consideration

The Ministry of Justice also conducted staff trainings and workshops with its main stakeholder which focused mainly on ways to improve case managements practices. The workshop trainings were funded by the Ministry's Institutional Strengthening Programme (ISP) and it provided assistance in various areas which aimed to develop capacity building of the staff and reviewing systems and processes that are required by each section. Some of those areas include:-

- Criminal Guide;
- Criminal Database Operating Guide; and
- Registrar Powers Guide.

There have been a lot of developments since the implementation of the Ministry's Institutional Strengthening Programme especially in the area of staff trainings.

The main objective for the implementation of the Institutional Strengthening Programme for the Ministry of Justice was to improve the efficiency of the administration of Courts. The Institutional Strengthening Programme for the Ministry of Justice was made possible through the assistance and funding from the New Zealand Government. (NZAID).

COMMITTEE VISIT – (MULINUU).

The Committee was invited to visit the main office headquarters at Mulinuu. This project is also included in the 2010 Annual Report and six (6) of the Ministry's main Divisions now operate and provide services for the three (3) Courts and for the general public.

CORPORATE SERVICES UNIT (CSU).

The Corporate Services Unit includes the Finance and Accounts Division, the Human Resource, the Information Technology and Records Division.

The Ministry approved that they requested the Public Services Commission (PSC) the need of employees before it was moved to its new location. Also through this arrangements were made for employees so that they can fill vacancies needed in order to work for the three courts.

8TH OCTOBER 2013

P.P.2012/2013 No. 34, Report of the Justice, Police & Prisons and Land and Titles Committee on P.P.2011/2012 No. 4, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2009, and P. P.2011/2012 No. 38, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2010 – Consideration

Unfortunately the Ministry of Finance has been awaiting this change, also the Ministry of Justice is still awaiting the decision by the Public Service Commission (PSC) at the time the annual report was submitted.

COMPUTERIZED SYSTEM.

The Ministry of Justice during the financial year 2008/2009 reviewed, consulted and implemented improvements to its case management practices as well as installing a back-up computerized system which stores all Court Decisions and References. It has been a normal practice over the years that whoever requests the Land & Titles Division to examine any particular land or title file, are permitted to access without supervision. As a result, some of the particulars within the files pertaining to Land and Titles documents were removed and have gone missing.

In order to provide effective and efficient administrative services to the Land and Titles Court the Land and Titles Division adopted a different system of accessing land and titles files. The Committee noted that permission has to be granted only from the Chief Executive Officer to allow any file to be withdrawn for the general public. An authorization form has been filled in by members of the public to be certified by the Assistant Chief Executive Officer of the Land and Titles Division, before it is forwarded for approval by the Chief Executive Officer or the Registrar.

The Committee also noted during its visit the implementation of the Digitization of all Land and Titles Court Records. This Project is funded by the Australian Government for a maximum term of three (3) years and it also includes four computers and scanners. The Government of Japan also assisted the Project through their JICA Agency in Samoa with the establishment of the software program that is now been used.

The Ministry confirmed that this project has been in the pipeline for quite some time but has delayed in several attempts due to financial constraints.

However, the Ministry is grateful that the project is finally underway hopefully it will manage to scan 30,000 files currently registered with the Land and Titles Division.

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P.P.2012/2013 No. 34, Report of the Justice, Police & Prisons and Land and Titles Committee on P.P.2011/2012 No. 4, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2009, and P. P.2011/2012 No. 38, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2010 – Consideration

The Committee also noted that Tuasivi Office is part of this project as well and the *Ministry have also requested Cabinet* for funding to sustain the project in order to:-

- i. *Include the Supreme Court cases in the digitization project;*
- ii. *Administering and funding the project once the Australian Aid expires Establishing a new Records and Digitize Information Division.*

The initiative by the Ministry of Justice was aimed for establishing an integrated land and titles registry as a single point for all court matters to be registered and identified under the digitized system. One of the major concerns is to have the system in place to secure all documents and files especially the very old files 1800s-1900s or before it gets destroyed by a natural disaster or an emergency fire but at least the Ministry can always rely on electronic back-up.

To be consistent and providing efficient and impartial services to the Judiciary and general public, the *Ministry has put in place policies* which provide:-

That the Chief Executive Officer for the Ministry of Justice or the Registrar of Land and Titles has the Authority to release any document for public information;

That all Records Officers are required to be screened before sign-off each day to ensure files are not withdrawn in any unlawful manner.

The Ministry confirmed that this strategy has been reviewed by the Policy Unit and is currently part of its corporate objective.

CORRECTIONS, ENFORCEMENT & MAINTENANCE:

The Committee noted that there are still programs (elei printing) been carried out by Young Offenders, some take part in community work which is 100 hours. Based on the information given by the Ministry the number of youth offenders today has declined, which is very good.

8TH OCTOBER 2013

P. P.2012/2013 No. 34, Report of the Justice, Police & Prisons and Land and Titles Committee on P. P.2011/2012 No. 4, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2009, and P. P.2011/2012 No. 38, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2010 – Consideration

LEGAL, POLICY & CENSOR:

Under this division is the Censoring Division which is headed by a woman lawyer. They are responsible in putting together Annual Reports and the Ministry's main reports; they are also responsible for trainings and collecting information and records from each division.

The Censor unit submits regular reports to the Film Control Board meetings which comprise of the Ministry of Revenue and a Representative from the Ministry of Police & Prisons. The Committee noted a staff shortage as there is only one Principal Officer and two (2) Officers currently employed.

The Committee noted, there is a need to make appointments to visit Upolu every week and two weeks in Savaii, unfortunately the problem is there is a shortage of staff. According to the information given to the Committee, the reason why some movie stores have closed is based on the fact that the censoring division cannot seem to censor movies in time before movies are given to the public.

CRIMINAL & CIVIL COURTS:

The Committee witnessed improvements of the court rooms for Criminal and Civil courts especially Judges chambers. The Committee also noticed that there was a library and fully equipped conferences rooms for the Chief Justice, Judges, President of the Land and Titles Court and the deputy Chief Justice. The library was donated by the Australian Government. According to information submitted to Committee some of the equipment and air conditions were paid for by the Ministry.

The Committee noted that court proceedings at the Supreme Court are running smoothly. At the moment it only takes two (2) months to await [consideration of a case by the Court which of course no other Pacific Island Judiciary does the same as Samoa's system, except for Appeals.](#)

The *problem* with the shortage of staff, at the moment the Ministry noted that they are still awaiting an answer from the Public Service Commission on the matter requested.

The Committee noticed that prison cells for offenders have not been used although the cells are new it cannot be used due to health conditions.

8TH OCTOBER 2013

P. P.2012/2013 No. 34, Report of the Justice, Police & Prisons and Land and Titles Committee on P. P.2011/2012 No. 4, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2009, and P. P.2011/2012 No. 38, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2010 – Consideration

LAND AND TITLES COURT:

The Committee noted that all land and titles enquires are directed to the Assistant Chief Executive Officer or Deputy Registrars. The Ministry confirmed that most of the Petitions received have been considered by the Land and Titles Court as of May last year (2011).

OVERVIEW:

The Ministry also confirmed:-

That priority is always given to provide quality support services for the Judiciary (Supreme Court, District Court and the Land and Titles Court) The new premises include four (4) Supreme Court rooms, four (4) District court rooms and four (4) Land and Titles court rooms. Most of the furniture's for the Administration and other Divisions were funded by local budget.

VISIT- TUASIVI HEADQUARTERS

After the Committee visit to the Mulinuu Headquarters they continued with their site visit to Savaii at the Tuasivi Headquarters. When they arrived there the Committee noted that only the District Court and Land and Titles Court were able carry out proceedings in Tuasivi.

The new Tuasivi office was officially opened in the financial year 2008/2009 as reported; it consists of four (4) Ministry divisions which include:

- Corporate Services;
- Maintenance;
- Research Services;
- Registration Services.

There is currently nineteen (19) staff members employed under the four (4) which include one (1) Assistant Chief Executive Officer, two (2) Assistant Registrars and one (1) Senior Officer.

The Justice Headquarters at Tuasivi experience the same *problem* of staff shortage. The need for staff includes the need for vacant positions for Senior Officers.

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P. P.2012/2013 No. 34, Report of the Justice, Police & Prisons and Land and Titles Committee on P. P.2011/2012 No. 4, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2009, and P. P.2011/2012 No. 38, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2010 – Consideration

The Committee also witnessed the limited space there is especially with the storage room to store Court files. The Committee also noted the putting together of the Land and Titles court proceedings in Tuasivi. (Digitization Project)

The Assistant Chief Executive Officer responsible for Savaii Office has a huge responsibility of ensuring the safe keeping and storage of all Courts Records. The Committee believes that there is a need to maintain some of the Offices being used by the Support Staff as well as the Samoan Judges presiding in the Tuasivi Courts.

The Ministry stated that there are plans for improving Samoan Judges residences. The Ministry also stated that these residences are under the supervision of the Ministry of Works, Transport and Infrastructure. The Committee recommends that these residences be transferred under the Ministry of Justice so that developments can be made especially for Judges.

RECOMMENDATIONS:

Based on its Findings, the Committee resolved to recommend the Government:-

To consider the Ministry of Justice proposal for developing more job opportunities for the Ministry. The Committee believes that there is a need for recruiting more staff particularly for the Land and Titles Division.

The Ministry of Justice with the assistance of the Youth Division of the Ministry of Women & Social Development, to strengthen and intensify awareness program and media campaign on Drugs and Alcohol awareness Programs. The Committee believes that the majority of offenders convicted and sentenced are directly related to the abuse of drugs and alcohol and the prevention should be targeting youth as they are the most common offenders over the years reported.

That all Government Houses occupied and rendered by Members of the Judiciary in Savaii be transferred and monitored by the Ministry of Justice.

That sufficient funds be appropriated in future Financial Year Estimates to cater for maintenance and refurbishment of Tuasivi Courts and Offices.

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P. P.2012/2013 No. 34, Report of the Justice, Police & Prisons and Land and Titles Committee on P. P.2011/2012 No. 4, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2009, and P. P.2011/2012 No. 38, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2010 – Consideration

RESOLUTION:

At the conclusion of its consideration the Committee resolved to recommend the Assembly to approve:-

P.P.2011/2012 No.4, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year 2008-2009;

P.P.2011/2012 No.38, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year 2009/2010.”

With utmost respect.

MR SPEAKER: Thank you Deputy Chairperson. I call upon the Hon Prime Minister.

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, I want to take this opportunity to thank the Committee for their recommendations. As I recall it was three (3) years ago when a recommendation was tabled before Parliament for these Government buildings to be refurbished and management of these buildings to be transferred from the previous Corporation to the Ministries. The purpose for these buildings being managed by the Samoa Housing Corporation was to improve the state of the buildings and to allow the rent on these buildings to be at market value. This will enable the Corporation to receive profit because the tenants are paying cheap rent and it should have been raised sooner to reflect the market value of the buildings. Mr Speaker, that issue has been addressed. As for one of the Committee recommendations, the Cabinet has considered it and the decision has been made to allocate one of the main houses to be refurbished for Judges who travel to Savaii for court hearings.

Mr Speaker, this is the reason for taking the floor because there were changes resulting from the recommendation which initiated the government policy reform regarding government housing.

Mr Speaker that is a clarification with respect.

MR SPEAKER: Thank you for the clarification Hon Prime Minister, I believe this answers some of the queries of recommendations and findings of the Committee. I call upon the member for Faleata West.

Tofa Lealailepule Rimoni Aiafi: Thank you Mr Speaker. I will not comment on the matter. However, I again take the floor to put forward the matter I mentioned previously concerning the clearing of our tables.

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P. P.2012/2013 No. 34, Report of the Justice, Police & Prisons and Land and Titles Committee on P. P.2011/2012 No. 4, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2009, and P. P.2011/2012 No. 38, Annual Report of the Ministry of Justice and Courts Administration for the Financial Year Ended 30th June 2010 – Consideration

None of our side have copies of the reports being read out and as a result, we cannot comment. I note that there are 50 Committee reports therefore they should all be read out and passed so we can have recess because we do not have any copies.

With respect.

MR SPEAKER: I call upon the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker, that is why it is important for the Opposition to leave the copies of the reports in the House and not take them home. You can see that we are reading our copies. It is appropriate that way because recommendations will be in depth and worthwhile. Our side is thirsty for worthwhile advice from your side.

MR SPEAKER: To the member for Faleata West, the Chair is aware that the report has been received. In case the Office is blamed for not distributing the reports, they were all distributed in our previous proceedings. Let it not be the reason for not reading the reports because of misplacement or neglect on your part.

I believe we now have an understanding on the matter, which need not be debated.

Tofa Lealailepule Rimoni Aiafi: Mr Speaker, I am not happy with the Hon Prime Ministers comments.

However.....

MR SPEAKER: Thank you.

Report approved.

MR SPEAKER: Pursuant to Standing Order 54, Government must, not more than 90 days after a select committee report has been adopted by the Assembly present a paper to the Legislative Assembly responding to any recommendations contained in the report which are addressed to it.

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P. P. 2012/2013 NO. 35, REPORT OF THE FOREIGN AFFAIRS, TRADE AND REVENUE COMMITTEE ON P. P.2011/2012 NO. 31, ANNUAL REPORT OF THE SAMOA INTERNATIONAL FINANCE AUTHORITY FOR THE FINANCIAL YEAR ENDED 30TH JUNE 2008 AND P. P.2011/2012 NO. 45, ANNUAL REPORT OF THE SAMOA INTERNATIONAL FINANCE AUTHORITY FOR THE FINANCIAL YEAR ENDED 30TH JUNE 2009 - Consideration

MR SPEAKER: I call upon the Chairperson of the Foreign Affairs, Trade and Revenue Committee.

It seems the Chairperson is not present; I call upon the Deputy Chairperson.

Afioga AFUALO WOOD UTI SALELE: Mr Speaker, I move a motion, *That the Assembly takes note of the Foreign Affairs, Trade and Revenue Committee report with its findings, recommendations and resolutions.*

Seconded by member for Faasaleleaga No. 2 and member for Faleata West.

MR SPEAKER: I call upon the Deputy Chairperson of the Committee for the to read out the recommendations and resolutions.

Afioga AFUALO WOOD UTI SALELE: Mr Speaker, after consideration on findings by the Committee we advise **government as:**

“FINDINGS:

Samoa International Finance Authority (SIFA) was established under the Samoa International Finance Authority Act 2005. The Act outlines the duties and functions of the Ministry as well powers given under this Act. One of the functions of the Authority is to monitor and supervise the conduct of international financial services provided within Samoa and to protect and maintain the good status of Samoa as a centre for international financial services.

Noted during the Committee investigations were the achievements as well as the obstacles faced by the Authority. Given also in these Annual Reports are the legislations which guide the Authority as well as financial statements on its operation.

The Committee noted from findings that the year 2008 towards 2009 shows an improvement with the Authority based on its revenue. Although it was during this period that the world had gone through recession but the Authority managed to increase its revenue. Recorded in 2009 is an increase to its revenue \$19.8 million from \$15.2 million in 2008.

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P. P. 2012/2013 No. 35, Report of the Foreign Affairs, Trade and Revenue Committee on P. P.2011/2012 No. 31, Annual Report of the Samoa International Finance Authority for the Financial Year Ended 30th June 2008 and P. P.2011/2012 No. 45, Annual Report of the Samoa International Finance Authority for the Financial Year Ended 30th June 2009 - Consideration

The Authority is divided into three Divisions for the clarity of staff duties and responsibilities and for offering the best quality service needed for the good reputation of the Authority as well as Samoa being marketed to its overseas stakeholders.

6.1 EXERCISE OF FUNCTIONS

The Authority as the registrar of international and foreign companies must ensure to sustain its reliability evidenced in active membership in various international forum:-

Founding member of the Corporate Registrar (CRF)
 Member of the Offshore Group of Insurance Supervisions (OGIS)
 Member of the International Tax Planning Association (ITPA)
 Member of the Offshore Group of Banking Supervisors (OGBS)

The Committee noted the Authority's intention to provide the best service to satisfy all the Companies and Groups legally registered under the Authority. To achieve this Authority is divided into three divisions:-

6.1.1 Registration Division

The Registration Division carries out the incorporation of International Companies, Long Term Companies, Limited Life Companies, International Trusts and other international products available within the Authority.

For the incorporation of companies, technology is used to simplify the registration especially during peak periods in January and February. The Authority believes that this process is very useful because it is timely and cost effective for the registration of companies.

Since establishment as part of the Central Bank of Samoa 42,228 companies were incorporated. 41,198 International Companies, 365 Long Term companies and 365 International Trusts. In the Financial Year ended 30 June 2009, the number of registered companies was 3,307 and the Financial Year ended 30th June 2010 4,204 registered companies were recorded which shows the increase in the number of companies registered under the Authority. Registration fee for each company is US\$ 300 and must be renewed yearly.

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P. P. 2012/2013 No. 35, Report of the Foreign Affairs, Trade and Revenue Committee on P. P.2011/2012 No. 31, Annual Report of the Samoa International Finance Authority for the Financial Year Ended 30th June 2008 and P. P.2011/2012 No. 45, Annual Report of the Samoa International Finance Authority for the Financial Year Ended 30th June 2009 - Consideration

The Committee noted that this Division of the Authority monitors and prevents money laundering or the registration of companies that earn money from illegal ways.

6.1.2 Accounts Division

This division deals with operating the Authority to ensure that the service is provided at the best level to uphold its recognition. The International Financial Reporting Standards (IFRS) are in place to guide the Authority.

The Committee noted this division looks after the incorporated companies; registered seven (7) trustee companies, eight (8) international banks, six (6) international mutual funds and six (6) international insurance companies.

6.1.3 Administration Division

This division is in charge of local issues and administering the staff. Matters within the office range from preparation of payroll as well as looking at policies and re-enforcement to improve the services provided.

6.2 Promotional Activities & Sponsorship

The Committee noted that the Authority utilize the forums as a way to promote the Authority and Samoa to overseas countries especially Asia where most of its stakeholders are based. SIFA through sponsoring some of Samoa's national sports team which participate in international tournaments sees that as an opportunity to promote the Authority and Samoa globally. These are some of teams sponsored by SIFA:-

Manu Samoa Rugby Team
 Samoa Rugby League Team (Toa Samoa)
 Women's Rugby League Team (Fetu Samoa)
 Samoa Tennis Association
 Softball Samoa Inc.

The Authority was the major sponsor for the Samoa Open Golf Tournament 2008 and the Samoa Rugby Union Sports Awards.

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P. P. 2012/2013 No. 35, Report of the Foreign Affairs, Trade and Revenue Committee on P. P.2011/2012 No. 31, Annual Report of the Samoa International Finance Authority for the Financial Year Ended 30th June 2008 and P. P.2011/2012 No. 45, Annual Report of the Samoa International Finance Authority for the Financial Year Ended 30th June 2009 - Consideration

The Committee noted the intention of the Authority to improve the skills of the staff and there are opportunities for them to participate in programs and vocational trainings overseas to broaden their knowledge and understanding of the work. The Authority on this case has incentives to maintain the staff from taking up job opportunities elsewhere. One of the incentives is the opportunity given to the staff to lend money from the Authority at a 6% interest.

The Committee with gratitude acknowledges the Authority for the achievements and for complying with international standards in which their services are based on.

RECOMMENDATION:

At the conclusion of its findings, the Committee recommends the Government:

To look at ways that can help attract the overseas Companies and Organizations to utilize the services provided by the Samoa International Financial Services.

For the Authority to thoroughly consider and ensure the safety of Samoa from money laundering.

To comply with reporting obligations as prescribed by Law submitting Annual Reports to Parliament as directed.

RESOLUTION:

At the conclusion of its findings, the Committee resolved to recommend the Assembly that the:-

P.P. 2011/2012 No. 31, Annual Report of the Samoa International Finance Authority (SIFA) for the Year 2008 & P.P.2011/2012 No.45, [Annual Report of the Samoa International Finance Authority \(SIFA\)](#) for the Year 2009 be approved.”

With respect.

MR SPEAKER: I call upon the member...I beg tolerance of the member, I believe we have come to the time for our recess for today....

Tofa Lealailepule Rimoni Aiafi: It will be brief Mr Speaker....

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P. P. 2012/2013 No. 35, Report of the Foreign Affairs, Trade and Revenue Committee on P. P.2011/2012 No. 31, Annual Report of the Samoa International Finance Authority for the Financial Year Ended 30th June 2008 and P. P.2011/2012 No. 45, Annual Report of the Samoa International Finance Authority for the Financial Year Ended 30th June 2009 - Consideration

MR SPEAKER: We cannot rush your opinions because your thoughts are profound. You will be the first to start off tomorrow's proceedings when we return. We have now arrived at our normal recess. I would like to thank the members of the House for your patience. I congratulate you in your duties, and recommendations during our proceedings today.

Before we adjourn I call upon the member for Falelatai and Samatau, to conclude our proceedings with a word of prayer.

Prayer.

Proceedings of the Legislative Assembly were adjourned at 1.00pm until 9.00am on Wednesday, 9th October 2013.