

8 OCTOBER 2019

TUESDAY, 8TH OCTOBER 2019

The Legislative Assembly met at 9:16 am, pursuant to Parliamentary Sitting Program 2019/2020.

Prayer.

MR SPEAKER: I announce that Proceedings of the Legislative Assembly resumed.

I would like to take this opportunity to respectfully greet the Hon Prime Minister, members of Cabinet and the respectable members of Parliament, and members who were absent because they were attending international meetings abroad. Words are not enough to describe the depth and breadth of God's goodness and mercy, yet, with Gods abundant love, life is a blessing for us to be able to meet this morning. *O lupe lava sa vao eseese a o lenei ua fuifui faatasi*, at the start of our work this new morning. I believe it is a blessing to have the support of his Excellency *O le Ao o le Malo* and Members of the Council of Deputies especially the pubic, Church Leaders and the Servants of God.

I also would like to acknowledge the presence of the Heads of Government Ministries and Corporations.

MESSAGE FROM LE AO O LE MALO

“MEMORANDUM to:

Mr Speaker:

Pursuant to Article 59 of the Constitution of the Independent State of Samoa, consent is hereby, given to the Legislative Assembly to consider the following Bill:

1. Tax Administration Amendment Bill 2019.

2 JULY 2019

Motion for Adjournment

MR SPEAKER: I trust the statement of the Hon Prime Minister will suffice to conclude this complicated matter. We are fortunate to have come across serious matters like this during our time for anything is possible with God who helps us. God grants us good thoughts so that we can reach something better in the end according to His will.

The Prime Minister has also shown gratitude towards the member that is also my sentiment. Congratulations on your part and participaton in the past two to three weeks, which was not easy. I also extend the same to the Heads of Government Ministries contributed alongside the works of Parliament. I further applaud the Clerk and staff of the Office of the Legislative Assembly.

I also acknowledge the public tuning in and their prayerful support. I salute you. Your Parliament puts everything before God.

If words have been alarming to the hearing or thought, there is always hope that everything relies on God to plead forgiveness upon our part. The main objective and feeling is for us to fight for the best, for the future welfare of Samoa and her future.

I also take this opportunity as we dive on to another new week as hosts of the Pacific games, may God bear His love, although we plan and organize, the Divine fulfills all things. Let us lend our hope to God to shield us in His Loving arms, protect and bless our local athletes so that this event will end with a high note, and may all glory remain unto God.

This is our explanation to end our Sittng this afternoon. I announce that there are water bottles for members provided by the Deputy Prime Minister and the Ministry of Natural Resources and Environment, to promote a clean environment. Well done and may this good development and initiative continue for the good health of the nation.

Before we adjourn I call the honorable Speaker, pardon me, to conclude our Sitting with a prayer.

Proceedings of the Legislative Assembly adjourned at 1.56pm until Tuesday, 8th October 2019 at 9.00am.

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Notice from the Leader of the House**GIVEN UNDER** my own hand on this day 4th October 2019**(Signed) Tuimalealiifano Vaaletoa Sualauvi II**
O LE AO O LE MALO**NOTICE FROM THE LEADER OF THE HOUSE**

Pursuant to Standing Orders 76 of Parliament, Notice is hereby given to the Legislative Assembly for consideration of the following Bills:

1. Teachers Amendment Bill 2019.
2. Fabric of Laws Miscellaneous Repeal Bill 2019

GIVEN on this day 7th October 2019**Hon TUILAEPA Dr. Sailele Malielegaoi**
LEADER OF THE HOUSE**OBITUARY SPEECHES**

Mr Speaker officially announced the passing of the former Members of Parliament for Samoa.

1. Afioga **VAATIUOLA Lautolo Misi**, was a Member of Parliament for the Constituency of Aiga i le Tai, for the Parliamentary term of 1996-2001.

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Obituary Speeches

VAATIUOLA Lautolo Misi was elected on the 14th May 1996, and was sworn in on the 16th May 1996.

VAATIUOLA Lautolo Misi was a member of the Bills, Petition, Commonwealth Parliamentary Association, Police and Prisons, Lands and Titles Committee and the Primary Production and Commerce, Industry and Labour Committee.

He was a member of the Human Rights Protection Party or HRPP.

2. Afioga *Hon FAAMOETAULOA Ulaitino Faale Tumalii*, was a member of the Parliament of Samoa for the Constituency of Gagaemauga No.3, in the 2011-2016 Parliamentary term,.

Afioga *Hon FAAMOETAULOA Ulaitino Faale Tumalii* was the Minister for the Ministry of Natural Resources and Environment, including the Samoa Trust Estate, the Natural Disaster Management Division, and the Meteorological Office.

Afioga *Hon FAAMOETAULOA Ulaitino Faale Tumalii* was elected on the 14th March 2011, and is a member of the HRPP Political Party.

I would like to take this opportunity on behalf of the Parliament to extend our condolences to the respected Constituencies, especially Families, the Wives and children of respectable members who have passed away given God's calling.

The House was upstanding for a minute to pay respects to the passing members as God has ended their services.

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PRESENTATION OF PAPERS

The Clerk read out the Papers tabled in accordance with S.O.49 (2).

1. P.P.2019/2020 No.90, Annual Report of the Ministry of Justice and Courts Administration 2017-2018.
2. P.P.2019/2020 No.91, Annual Report of the Office of the Attorney General, 2017-2018.
3. P.P.2019/2020 No.92, Annual Report of the Ministry of Foreign Affairs and Trade 2017-2018.
4. P.P.2019/2020 No.93, Annual Report of the Accident Compensation Corporation 2012.
5. P.P.2019/2020 No.94, Annual Report of the Accident Compensation Corporation 2013.
6. P.P.2019/2020 No.95, Annual Report of the Accident Compensation Corporation 2014.
7. P.P.2019/2020 No.96, Annual Report of the Accident Compensation Corporation 2015.
8. P.P.2019/2020 No.97, Annual Report of the Accident Compensation Corporation 2016.
9. P.P.2019/2020 No.109, Report of the Ombudsman Office on the State of Human Rights, June 2019.
10. P.P.2019/2020 No.111, Report of the Office of the Electoral Commission on the Faasaleleaga No.2 By-Election 2019.
11. P.P.2019/2020 No.112, Audit Office Report on the Operations of the Samoa Audit Office July 2018-June 2019.
12. P.P.2019/2020 No.113, Samoa Audit Office Report on Irregularities July 2018-June 2019.

PRESENTATION OF PARLIAMENTARY COMMITTEES REPORTS

The Clerk read out the Reports of the Parliamentary Committees tabled in accordance with S.O.52 (5).

1. P.P.2019/2020 No.98, Report of the Finance and Expenditure Committee on P.P.2019/2020 No.7, Annual Report of the Ministry of Finance 2016/2017 & P.P.2019/2020 No.8, Annual Report of the Ministry of Finance 2017/2018.

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Presentation of Parliamentary Committees Reports

2. P.P.2019/2020 No.99, Report of the Finance and Expenditure Committee on P.P.2019/2020 No.14, Annual Report of the Samoa Post 2018.
3. P.P.2019/2020 No.100, Report of the Finance and Expenditure Committee on P.P.2019/2020 No.19, Public Accounts of the Government of Samoa 2018.
4. P.P.2019/2020 No.101, Report of the Economic Sector Committee on P.P.2019/2020 No.9, Annual Report of the Bureau of Statistics 2017/2018.
5. P.P.2019/2020 No.102, Report of the Economic Sector Committee on P.P.2019/2020 No.68, Annual Report of the Ministry of Agriculture and Fisheries 2017/2018.
6. P.P.2019/2020 No.103, Report of the Social Sector Committee on P.P.2019/2020 No.3, Annual Report of the National Health Services 2017/2018.
7. P.P.2019/2020 No.104, Report of the Social Sector Committee on P.P.2019/2020 No.4, Annual Report of the Ministry of Police 2017/2018.
8. P.P.2019/2020 No.105, Report of the Social Sector Committee on P.P.2019/2020 No.10, Annual Report of the Prisons and Correctional Services 2018.
9. P.P.2019/2020 No.106, Report of the Social Sector Committee on P.P.2019/2020 No.12, Annual Report of the Ministry of Women, Community and Social Development 2017/2018.
10. P.P.2019/2020 No.107, Report of the Standing Orders Committee on P.P.2018/2019 No.167, Report of the Controller and Auditor General to the Legislative Assembly July 2015 – June 2016 & P.P.2018/2019 No.168. Report of the Controller and Auditor General to the Legislative Assembly July 2016- June 2017.
11. P.P.2019/2020 No.108, Report of the Standing Orders Committee on P.P.2018/2019 No.165, Report of the Samoa Audit Office on Irregularities 2016-2017 & P.P.2018/2019 No.166, Report of the Samoa Audit Office on Irregularities 2017-2018.
12. P.P.2019/2020 No.110, Report of the Economics Sector Committee on P.P.2019/2020 No.6 & P.P.2019/2020 No.89, Annual Report of the Accident Compensation Corporation for financial years 2017 & 2018.

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**FABRIC OF LAWS MISCELLANEOUS REPEAL
BILL 2019 – first reading**

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETEELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: I respectfully rise to offer solemn Greetings to the attendance of the House, as well as the country listening in all honorary salutations. I stand with respect to move a motion, *That the Fabric of Laws Miscellaneous Repeal Bill 2019 be read a first time.*

Seconded by the Deputy Prime Minister, Minister of Agriculture and Fisheries and the Minister of Works, Transport and Infrastructure.

Motion approved and the Fabric of Laws Miscellaneous Repeal Bill 2019 was read a first time.

**TEACHERS AMENDMENT BILL 2019
– first reading**

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

Afioga Hon LOAU SOLAMALEMALO KENETI SIO (Minister of Educations, Sports and Culture): Mr Speaker, I respectfully rise this morning, to acknowledge the presence of members of the House to carry out Proceedings.

I stand Mr Speaker to move a motion, *That the Teachers Amendment Bill 2019 be read a first time.*

Seconded by the Minister of Finance and the Minister of Justice and Courts Administration

Motion approved and the Teachers Amendment Bill 2019 was read a first time.

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TAX ADMINISTRATION AMENDMENT BILL 2019
– first reading

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

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT (Minister of Revenue): Firstly I humbly greet Mr Speaker especially the Hon Prime Minister, Cabinet and all members of the House and to the country listening.

Mr Speaker, I move a motion, *That the Tax Administration Amendment Bill 2019 be read a first time.*

Seconded by the Minister of Finance, Minister of Education, Sport and Culture and the Minister of Health.

Motion approved and the Tax Administration Amendment Bill 2019 was read a first time.

MOTION TO SET ASIDE STANDING ORDERS 101 (1)

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker I move a motion, *To set aside Standing Orders 101 (1) to allow for the second reading of Bills that have been first read this Sitting day.*

The motion was not seconded.

The motion was approved.

FABRIC OF LAWS MISCELLANEOUS REPEAL
BILL 2019 – second reading

MR SPEAKER: A motion for the suspension of Standing Orders, I respectfully call upon the Hon Prime Minister.

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Fabric of Laws Miscellaneous Repeal Bill 2019
– second reading

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETEELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker, I stand to move a motion, *That the Fabric of Laws Miscellaneous Repeal Bill 2019 be read a second time.*

Mr Speaker, I was cut off due to the interruption from the Clerk. I will start again.

Mr Speaker, I move a motion, *That the Fabric of Laws Miscellaneous Repeal Bill 2019 be read a second time.*

MR SPEAKER: Thank you, the motion has been moved for the Bill to be read a second time, as stated by the Hon Prime Minister.

This is the opportunity to clarify the significance of this Bill.

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETEELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker, this is the result due to the defeat of our rugby team. Mr Speaker, I move a motion, *that the Fabric of Laws Miscellaneous Repeal Bill 2019 be read a second time, and I want to make a clarification.*

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

MR SPEAKER: Thank you. There is a sense that it is not easy, as you have just arrived yesterday in the evening. I commend your unflinching strength. That is the love of God, like the words spoken in Fasitoo, Muliaumasealii, it is by the compassion of God that protects and watches over you while you attend Meetings and support our national team abroad. Well done.

Regarding the Bill, yesterday was Parliament's Pre-Sitting and seminar. Most of the Bills have already been clarified. It is also clear what the implications of this Bill are for the benefit of the country and future development. Therefore, you can convey a clarification or whether the one made yesterday is enough while we give the opportunity to members of Parliament.

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Fabric of Laws Miscellaneous Repeal Bill 2019
 – second reading

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker, I was not present during the meeting yesterday, as I was in between Japan and New Zealand. So I did not attend, but it would be better if I clarify it again so I can understand the Bill.

This Bill, Mr Speaker and members of the House, has 3 Clauses. Clause 1 is the Short Title and Commencement. Clause 2, Repeal of Acts and Ordinances. Clause 3 Savings and transitional.

Clause 1 is the Short Title and Commencement, Fabric of Laws Miscellaneous Repeal Bill 2019, and commences on the date of assent by the Head of State.

17 Acts will be repealed, because of the advice and work done and its interpretation, I will now explain.

From 2017 to 2018, the Law Reform Commission worked to determine the number of Acts for Parliament, with 287 Acts as of December 2018. It means that it has increased since that time. As of December 2018, there are 287 different Acts guiding Government in implementing legislations pertaining to each Ministry.

It was investigated and monitored, to determine which Government Ministry or Corporation or even Office that were legally established that specifically pertains the implementation of each Law, in terms of statutory authority.

Section 3, the Ministries, Corporations or Offices must identify and confirm what laws are under their supervision. It is too late and long overdue. That said, a recommendation is made to repeal or better yet, to fully review them for improvement. Consultations and investigation was conducted on several Acts for 15 Government Ministries, 5 Constitutional Offices, 5 Legal Offices, and 33 Corporations. In total, the Samoa Law Reform Commission was able to conduct public consultations with 58 Ministries with the various Public Enterprises and Agencies.

The Cabinet has approved the final report from the Commission providing the results and recommendations, which had the approval of Parliament later on. Therefore, Parliament has received this in its earlier Sitzings.

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Fabric of Laws Miscellaneous Repeal Bill 2019
– second reading

This Bill stemmed from the review of the Samoa Law Reform Commission. A repeal for it is required, this is the overview as these Acts are no longer applicable and have been void in the implementation of projects and developments. Whether there have been the insertion of provisions in other existing Government Acts which ceases the use of these outdated Acts, henceforth, the 17 Acts are overstay.

17 Acts have been put forth to be repealed in this Bill. In general, most of these 17 Acts have enabled Samoa to obtain loans from other countries. Therefore, if for instance the loan was implemented in 1972, there is a requirement to obtain the Act for that to happen. However, 1972 is long gone and the provisions for that particular Act is no longer applicable and there is no need to keep it in the Government law register as it should have been repealed a long time ago. Another outdated Act is the Samoa Market Ordinance 1927, since there is no longer an old market situated beside the present Fire Department where the Polo Cinema used to be. The Salelologa market is now under supervision of the Samoa Land Corporation whilst the Accident Compensation Corporation oversees the market in Savalalo. The rest of the outdated Acts are now repealed and should no longer be in the Samoan Book of Laws.

Clause 3 has savings and transitional provisions; this section does not affect any rights or liabilities under the provisions of the repealed Acts, as should remain in force until they have been completed or ended.

The repealed Acts continue and must remain in force for the purpose of continuing and perfecting under the repealed Acts an act, matter, or thing, or any proceedings commenced or in progress under them. This section is in line with the provisions of the Interpretation Act 2015 passed in 2015 in relation to any repealed Act even part of the repealed Acts. This is the initial time to implement such a huge task like this, although there is high hope that this effort will go through periodically so that Samoa can make its own decisions and policies and the Judiciary to be able to carry out its works and to guide the Laws passed from Samoa's Parliament. This is based on the Fabric of Laws, which is relevant to Samoa today.

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Fabric of Laws Miscellaneous Repeal Bill 2019
– second reading

Mr Speaker that is a detailed explanation of this Bill tabled. I heard the clarification for it took almost the whole day yesterday so I will be surprised if any member stands to question it, except for Levaopolo Talatonu who will soon rise.

That is a clear clarification Mr Speaker.

MR SPEAKER: Thank you for the statement. The statement made by the Prime Minister has now further clarified the Bill. I call on the member for Salega East.

Tofa OLO FITI AFOA VAAI (Salega East): Thank you Mr Speaker. It is not a question, but it is an extended clarification in addition to the clarification of the Prime Minister. Well Mr Speaker, our statement on the Bill is not long. However, I feel for the Prime Minister, as he did not have enough rest. Well, you have already made our statement, but in due time we will meet with the Hon Prime Minister. The member for Salega supports the Bill and terms presented. It is true that we have many Laws, our country is small but there is an abundance of Laws. Now it is good to remove some of these Laws, as most of them pertain to the Pacific Games and Project Developments. Mr Speaker, there is a matter in the Bill to repeal the Acts before Independence.

We have noted that these are the Acts before 1962. However, there is the latest 2011 Act to repeal, although the wording of the Bill is what I am concerned about. Our request and an example the South Pacific Games Act after the event why not give it another 12 months to balance out the accounts before these Laws are repealed, rather than putting them aside, resulting in a collection of Laws that are no longer applicable.

Another matter your honour, these Laws are now here to be repealed and will still be used. It is not clear to this member, how about drafting a bylaw similar to the one used for the reshuffle and be drafted by Cabinet, include all these Acts for cases that were set aside or matters that use these old Acts.

Furthermore, Mr Speaker, perhaps this is the last point, in terms of Bad Debts Act. This is a 1990 Act, which writes off debt. Hon Prime Minister, can you please clarify this matter and state any new provisions of the Act, which is the release, and write-off of the debts of Government.

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Fabric of Laws Miscellaneous Repeal Bill 2019
 – second reading

Most of this is baffling for our country, but if it is understood, then it does not matter in the case of writing off debts. Well as long as people and companies are moving around, and there are companies that have these debts while the write off is underway. I would like to know how the process works. Is it 5 years unpaid then it is written off, how is this done, for us to understand. With respect, thank you.

MR SPEAKER: I call upon the Hon Prime Minister.

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETEELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker, there is nothing new noted in the questions asked, I have already answered what is clearly stated in the Act. There are Acts passed before Independence and other Acts passed after Independence, which are no longer valid, these mention loans from international banks for our developments. This is the same for Acts implemented for sports development and preparations in future.

The matter raised for ongoing effects, I have made clear the consistency of these plans to be in line with legislations passed in this House, and the clarification of a Bill is the Interpretation Act. I already explained that remaining liabilities of the repealed Acts are to continue until the responsibilities of our Government are completed.

This is the third section and the legalities that these Amendments will follow. These are the debts of the people to the Government, let me give you an example, as these are debts for the payment of duties, there are times when the men of our constituencies will go and purchase a new car from overseas, the duty is \$3,000, and a bargain is made to make weekly payments. Some will not even make these payments after they receive the car, these kinds of things are associated with us here in Parliament. Recently someone came to me with a request, but the Minister and Customs are doing their job, the advice is not given to me, you yourself must speak to the Ministry. How can your children get the money to bring an expensive car, which is over \$20,000, but cannot pay for the small duty fee of our Government?

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Fabric of Laws Miscellaneous Repeal Bill 2019
– second reading

These are the attitudes we are faced with nonetheless we show kindness to our people who ask for help, but when they are given help, they run away and never return to make payments. Such matters can lead to a decision, they keep chasing the people, and yet it has been 2, 3, 4, 5 years, this is time consuming. Once 5 years have elapsed, these actions should be taken, rather than prolonging and ruining Government documents. This is usually what they do, sometimes it is brought in and then kicked out by the Cabinet, and then they try again. Do not be dependent on the Act but instead go after these people to follow up payments, which they owe the Government.

Mr Speaker, that is the case, but it is good reminder to those who do such things however, I am glad it has been mentioned. The importance of raising the issue makes people of the listening constituency aware, as the election is approaching, such matters will not be used for campaigns. The only thing is as soon as they come in the Ministry should take payments, because once it is brought up during campaign, Government will no longer be able to receive that money. This is very difficult in Samoa, but it must be done.

Mr Speaker, that is the difficult situation that our Government is currently facing in trying to implement developments, the problem is that the Government is not receiving the full payments needed, not only for duty but those who have a lot of money but refuse to pay taxes to carry out the work of our Government. This is the reason for drafting the following Bill to give the Minister for Revenue the opportunity to access information of companies that do not pay their taxes, at the end of the year they do not have any accounts, bank statements to confirm their income and tax due. The Ministry of Customs and Revenue is trying to enforce this issue based on the member's concern. There are companies that are still active, and have built multiple branches, but they have yet to pay their taxes. However, it is no different with the hotel business. They are still paying off their loans at ANZ Bank, but not to the Development Bank of Samoa. They are incompetent and dishonest in the performance of their obligations to pay taxes and pay duties to the Government.

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Teachers Amendment Bill 2019
– second reading

Therefore, once we have the approval for this Bill, such decisions is necessary, as they are unable to contact them for their payments, and the time limit by the Act has expired. We will still be able to pursue those who are indebted to our Government.

Mr Speaker, I want to thank the member for mentioning these issues, but I have already clarified this matter, the information is provided within the Bill.

MR SPEAKER: Well done. The matter has been clearly clarified, and the Government has also responded to the query asked by the member.

Motion approved and the Fabric of Law Miscellaneous Repeal Act 2019 was read a second time.

MR SPEAKER: Pursuant to Standing Orders, the Bill will be referred to the Standing Orders, Electoral, Petition and Constitutional Offices Committee for consideration and report back in the next Sitting.

TEACHERS AMENDMENT BILL 2019
– second reading

MR SPEAKER: I call upon the Minister for Education, Sports and Culture.

Afioga Hon LOAU SOLAMALEMALO KENETI SIO: Mr Speaker, I rise to move a motion, *That, the Teachers Amendment Bill 2019 be read a second time and I do not think I want to make further statement, as the clarification was already given yesterday, but if there are members who still want an explanation I will not hesitate to do so.*

With respect.

Seconded by the Minister of Finance and Minister of Revenue.

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Teachers Amendment Bill 2019
– second reading

MR SPEAKER: I believe this is also the Chairs view. I guess this is the only member wanting to speak. I call upon the member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI (Faleata West):
Thank you for the opportunity. I extend greetings to you Mr Speaker on this fine morning and the many years of your wellbeing is remarkable. May your health continue to restore blessing from God, and I wish the same for the Hon Prime Minister and Parliament. Our Sittings are quite favourable as we do not often gather, and there is only one year left in this term so members should voice their thoughts. The other thing that members and this Parliament should realise is the fact that our digital television is now up and running, courtesy of the Government, the 2AP and... it is now very clear for our constituencies to see and hear what we are doing here.

I thank Government for re-establishing our national TV, we need to publicise Government projects, which we are reliant on. Commercial stations need not be bothered as they have numerous avenues to make money but with Government programmes, they are important. I am grateful to the Hon Minister, Associate Minister and the Chief Executive Officer for this astonishing achievement. I understand the Hon Minister had introduced this Act in 2016. There were many submissions, so I appreciate the seminar yesterday, which has enlightened us that the Bill contains flaws. Congratulations also to the Hon Minister of Education, Sports and Culture, with all due respect to his Ministerial status for the South Pacific Games, what you did Hon Loau Keneti Sio is simply outstanding. The Associate Minister does not rest, he goes back and forth yet he does not do anything for the games. Therefore, I commend the Associate Minister.

The Amendment in the Legislation indicates a slight shift from its initial objective. The legislation when introduced proposed the establishing of a council and registrar to register all teachers in Samoa. The money from registrations, fees and licenses goes to the council to develop teachers and their own programmes to enhance the knowledge of teachers but it does not go to the Treasury fund.

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Teachers Amendment Bill 2019
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Mr Speaker, after hearing the clarification from the Ministry yesterday, it sounds as if the Government is placing a burden on teachers requiring them to pay this money, but what is ridiculous is that it does not apply to all the teachers, it does not cover the teachers in secondary schools and universities. I do not know about you, but a teacher is a teacher. Why are we imposing registrations and licences for teachers in primary levels and not the ones in high education levels? My initial thoughts were that the legislation only applies to teachers in the Government but it covers every teacher in private and church schools. If teachers get registered and I heard it is once a year, my question is, why do they need to renew their license after every three years? If we are to consider other professions like doctors, nurses, lawyers and accountants, if we put them together, they will not make up half the number of teachers.

Remember the Ministry explained that teachers have to renew their license after every three years, to allow the Ministry to review their performance whether it is up to standards. If they are good personally, I think this is necessary, give them a stamp to continue. Although the reality now is when they show up doing well, they have to pay another \$50 charge to continue their service for another 3 years. I do not think this is appropriate. If so, everyone in the Government is required to report and pay \$50 to continue for another 3 years. It is just not relevant, and I must remind you of certain people that have been going from one place to another, and turn up and tell the Government, to remove school inspectors, as they are useless.

Later on another group turns up and say to revive it for it is necessary to boost the performance of teachers and students. The Government are again supporting this idea. What I am trying to convey is that, there are people overseeing these duties, there are School Principals and School Inspectors that monitor the performance of teachers even though we are imposing another term of 3 years, which will have them go back and forth, taking up their time and money. Now, if private schools are also paying this fee, it is true the Government is providing assistance but the Bill is proposing that this money go into the Treasury fund, it puzzles me.

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Teachers Amendment Bill 2019
 – second reading

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker, the Bill is clearly becoming misinterpreted by the Associate Ministers speech, he should have asked his Minister to properly clarify the legislation which was also explained yesterday.

This is a very simple Legislation. Ever since the Act was passed the issue of financial security had been constantly raised. Mr Speaker, you do recall that the provision of the Bill stipulates that whatever funds collected must go into the Ministry of Finance to provide a proper allocation of these funds upon the requirements of the Council from time to time to avoid problems. The objective of Cabinet when this issue came before us was to create an account to deposit your own funds given your own discretion. The state of things now with money and organisations is such that there is so much controversy around it. So many people have integrity but when handling money they become dishonest.

Mr Speaker, there was a story relayed to me by a local senior man who said that no matter how great organisations are with sound management and all. Once you decide to break them up, just hand them \$200,000. Once you do that they will proceed to misuse that money and the organisation breaks up. In saying that, it is the desire of Government, that the Council and the teachers' organisation be well organised so that no member of the Council is tempted. Whatever their needs are, they will have to put forth a request to the Ministry of Finance for money as there are internal auditors and external auditors at the Chief Auditors Office, whom will closely look into these matters whether they are relevant particularly with organisations, as these members are only teachers. Therefore, when it comes to money matters questions will arise. It is happening with our Rugby Union and our sports organisations. Despite their smooth operations when it comes to money, problems arise.

Mr Speaker, the Bill is very simple. This is why I hastily got up, the member was present during our discussions all day yesterday, it is very simple yet you are misinterpreting the legislation therefore missing the objective of the Bill. It is the safekeeping of funds and appropriate spending and being transparent about it instead of focusing on a single avenue.

Mr Speaker that is my clarification of the matter.

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Teachers Amendment Bill 2019
– second reading

MR SPEAKER: Thank you, I call upon the Minister of Education, Sports and Culture.

Tofa LEALAILEPULE RIMONI AIAFI: The Prime Minister has clarified this matter.

Afioga Hon Loau Solamalemalo Keneti Sio: Mr Speaker, it is best that I cut in to assist since the member is getting up again after the clarification from the Prime Minister, which has put things in perspective. The legislation is rather short and brief, yes. My Chief Executive Officer whom is a professor, yes, explained it yesterday. So the member should really have understood since the public are listening in and it will cause provocation in some teachers with this kind of remarks on money being paid.

The main objective of the Principal Act is recognising the work of teachers as a profession. Therefore is the emphasis to protect it by registering and having licenses to get recognition and to be on the same par as other professions like lawyers, accountants, doctors. Therefore, our teachers will feel that their work is valued. This is the objective.

Secondly, our teachers should be well educated and competent enough to educate our children, so that we know the quality of teachers and qualified ones to teach our children. This is the reason for this plan. The Principal Act was drafted in 2016 and we are still in the process of implementing its provisions with the purpose of arming teachers for their role of teaching children. It is the objective of the Principal Act hence there are only 4 minor Amendments. The Council and the Ministry are of the view that further Amendments should be made to consolidate the Act. With respect.

MR SPEAKER: Thank you.

Tofa Olo Fiti Afoa Vaai: Mr Speaker, a Point of Order.

MR SPEAKER: Yes, what do you want to correct...it is not permissible, that will not be allowed.

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Tofa Olo Fiti Afoa Vaai: No, it is a Point of Order in relation to the statement by the Minister.

MR SPEAKER: But a member cannot raise a point of order against another member's statement.

Tofa Lealailepule Rimoni Aiafi: A member cannot rectify another member's statement.

Tofa Olo Fiti Afoa Vaai: Mr Speaker our Standing Orders provides for the opportunity to raise a Point of Clarification and a Point of Order, which is why I am taking the floor. It is very brief.

MR SPEAKER: I beg tolerance of the member but the member is upstanding to continue his remarks.

Tofa Olo Fiti Afoa Vaai: Mr Speaker, it is clear from the Minister's statement that his Act clarifies money for licensing and registration of teachers which goes directly to the Government. The country is listening in and the Prime Minister has clearly stated that the money will be handled by the Teachers Council just like how the Engineers Association are collecting funds to go into their organisation. My question is, which one of you is lying to the people on this particular part of the legislation? With respect.

Afioga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker, it is no wonder we are mistaken. Let me read to you the Legislation. Clause 1. If the Amendment of the Teachers Registration Act is passed. 2. Section 27 amended by substituting the word Council with Ministry. 3. Insert new section 44a to provide for the following, all prescribed fees to be collected under this Act are to be paid to the Treasury Fund. 4. Section 46 amended to provide for the Council shall propose Fees and is subject to the approval and consideration of the National Revenue Board.

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Mr Speaker that is the legislation on the state of fees. This was the recommendation to the Committee, to consider all provisions whether appropriate or not and report back to this Assembly. Mr Speaker such is the vital factor on this Bill. No one is lying; we all understand that with compiling budgets, every cent coming into the Government goes to one place only. It goes into the Ministry of Finance before it is submitted to this Assembly; they regulate and plan the expenditure for each appropriation. This means it should not be brought here rather, pay it like this and leave it to those in charge, as this is why problems occur. Mr Speaker, I must remind you of the strong force of money for even our Lord himself was sold for money by one of His disciples. He has seen with his eyes the numerous miracles done by our Lord. However, what happened? He went and sold our Lord for money, dirty money.

Mr Speaker, that is the danger of money which is the reason our Government carefully plans its laws, the funds brought in are laid out and calculated but spending is allocated by the Ministry based on plans of our teachers. The main responsibility of teachers is teaching, as the Minister stated, their time is devoted to the role of teaching the children. Nevertheless, do not tread over to this field, which is not in their profession. It will only result with a lot of mess to be cleaned up. Mr Speaker the Bill is very simple; the reason why it is complex is that the members are making it difficult. Thus, there you have it; for the record of our constituencies that voted us in this House, I have just gone through the entire Bill, we are here to do our work.

Mr Speaker that is my clarification.

MR SPEAKER: Thank you. The matter is now clear in its entirety. I beg tolerance of the member for Faleata West, the Associate Minister but I will give the opportunity to the Minister of Works, Transport and Infrastructure.

Susuga Hon Papali'itele Niko Lee Hang (Minister of Works, Transport and Infrastructure): Mr Speaker, I rise to correct the member for Salega since he has mentioned our Institute of Accountants and the Institute of Engineers that should be in line with...

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The member should remember that these establishments are statutory. They have been registered and have their own legislations to operate on and they have authority over their own accounts. Nevertheless, with the Ministry of Education, it is operated under the Government budget that is the difference, with respect.

Tofa Olo Fiti Afoa Vaai: Mr Speaker.

MR SPEAKER: The clarification from the Hon Minister is clear. You saw the Minister throwing his arms about and almost hitting the Minister of Finance and the Minister of Justice, as he is eager to enlighten you on the matter. The Prime Minister has taken the floor again to speak and as far as I am concerned, this legislation is understood.

Is there anything else so as to avoid...the Associate Minister may conclude.

Tofa LEALAILEPULE RIMONI AIAFI: I thank the Hon Prime Minister and the Hon Minister for the clarification. You will remember from yesterday that I asked this very question. I was seeking an understanding about these funds since mission and private schools are included. The clarification from the Ministry was on developments. If an explanation was relayed that the funds would go to Treasury for them to manage properly, no one would have asked any question.

The Hon Minister has repeated talks, which seem to be on development, which is exactly what we were discussing yesterday. If the money from teachers will go back to them for their development, then so be it. I thank the Hon Prime Minister for I have understood, also my colleague the Hon Minister. My apologies and I must say that the Minister has a lot of responsibilities and he has the most beautiful lemon orchard where we always drink lemonade at in the evening.

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My last question is on registration, who exactly is responsible for funding this? Whether the Government will fund this or will it come out of the funds that will be collected from the councils registration or will it be funded by the PSC, if you have time to address it. However, thank you. I now understand if teachers are to pay for their licenses, all teachers are included as well. With respect, thank you.

MR SPEAKER: I call upon the Hon Minister.

Afioga Hon Loau Solamalemalo Keneti Sio: I believe this matter is understood, the member has indicated his view. The registration needs to be done; it must be paid and secured.

MR SPEAKER: My apologies, I will allow the opportunity to the three upstanding members. I call upon the member for Alataua West.

Afioga ALIIMALEMANU ALOFA TUUAU (Alataua West): I extend greetings to you Mr Speaker and thank you for the opportunity accorded to Alataua West. I am taking the floor because we have many teachers from our constituency. I do support the legislation for the reason that it will be in line with other Government Ministries. For your information, nurses do have a registration, as stated in the Budget. This registration is paid to the Ministry of Finance. It is a one off payment, for you or the certificate mentioned here which confirms your title as nurse. That is the purpose of the registration presented here with the one off payment of \$100, which is for life. The license renewal after every three years is \$50; a review is conducted to see whether a teacher is doing its job properly. Therefore, it is necessary to pay this money to the Ministry of Finance as Government is paying both the teachers and the nurses. I support the view of the Minister for Works that they cannot be in the same category as accountants and lawyers as this group are different. They are under Corporations, feeding the minority group serving Government. That is the difference of these professions. You cannot combine this minority group serving the Government and the service funded by the Government.

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Mr Speaker I support the Bill, which should be in line with our Fees Laws that was enacted last year so that all Fees are approved from the Revenue Board before applying any Fees to the various services. Bless this Sitting, thank you for the opportunity.

MR SPEAKER: I call upon the member for Gagaifomauga No 3.

Afioga FAAULUSAU ROSA DUFFY STOWERS (Gagaifomauga No 3): Thank you Mr Speaker for this opportunity. My greetings to the Hon Prime Minister and that side of Chamber and the representatives of Samoa gathered here, furthermore, I acknowledge the country at large tuning in. This representative also supports the Bill tabled before us. I wish now to present my humble views with hope that it will support this Bill. Teachers must be accorded all the appropriate protection to encourage and enhance the teaching profession, as this is where the children of Samoa are nurtured for the prosperity of Samoa and intellect. However, I do question the legislation since it covers all the teachers within Samoa.

Unfortunately, some schools like church and private schools are not involved in the payment of teachers' salaries. Private and church schools are able to afford teachers. Now everyone will be included here, this is something that should be carried out.

Another reason for supporting this Bill, if I am an accountant I am not obliged to register for the Institute of Accountants. Nevertheless, with teachers, they must have this ticket to be recognised as a teacher. I can be an accountant but do not need to be in the Institute of Accountants. It is for that reason that we must support this Bill to take action and the Government must exercise the same actions towards private and mission schools when it comes to paying teachers' wages or perhaps propose a compromise or subsidise. It is a mere suggestion to the Hon Minister and the Hon Prime Minister and Cabinet for the future of the Ministry of Education. With respect, thank you.

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MR SPEAKER: I will allow the Hon Prime Minister to go first.

Afioga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: It is a must to further elaborate the difference between the Organisations. The set ups that was mentioned on lawyers and accountants are not under the Government. But doctors and teachers are Associations that serve the Government and are therefore included under the State. This is because the Government is also monitoring the progress of their work and doctors should bear in mind to do their work properly. Observations of the Doctors Council, there have been a lot of issues, which focuses on the work that they do. I can see that the Council of Doctors also have many problems when it comes to monitoring the service of doctors. Do not talk about other things that are not appropriate because some of the doctors who are in the council were also involved in politics here. It is imperative for doctors to appoint people into their council who are not involved in politics, to keep their focus on further enhancing the service of doctors for the public who are in the trend of going overseas for treatment. It is an embarrassing reality, which I do not know when it will end as we have our own doctors.

The Minister and the Ministry are therefore striving to improve the standard with our overseas partners who are assisting us for the benefit of our people. The situation with teachers in the rural areas, the mission schools are unable to accommodate them. There are constant visits made to the Government regarding the salaries of teachers and the need for better teachers. If good teachers are needed, then funding is needed to pay teachers in order to standardize the quality of teaching for children in mission schools. The Government cannot take this issue lightly as we must take into account the children of Samoa who are educated in public schools and those taught in church schools because it is their adage to learn the principles of faith. It is the reason why churches will never disregard education for children since it is associated with spiritual teachings.

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Such is reason why the Government does not abandon this undertaking and the initiation of assistance program by the State, which started in 1984, whereby only \$50,000 was donated to mission schools. Although that may seem petty but that was the only funding, the Government was able to get at that time. Because the truth of the matter is, when the HRPP became the Government the country was in a dire financial state with no money at all. We then began to revive the financial state of the Government in order to give back this type of assistance. In the meantime, we now have \$6 million and the State assistance should increase for rural schools, this is a reprieve for church schools.

If you would recall the hiccup that shocked us all 7 years ago with the results of students on science subjects, it was only a matter of time before we realised the decision made by the Pacific teachers in altering marks by increasing it from low to high. Therefore, when they went abroad with higher marks in science they fail and are sent back because of this decision made by the Pacific School Committee. Therefore, the Government challenged our authorities, the administration to put in place a program for the better education of Samoan children in science. This was brought before Parliament where we passed new programmes for the Government to bring back 60 former teachers to study science. This has eventuated and have all graduated and we have given approval for another 60 which is practised by Ministries of Education in the Pacific when they were all found to be doing the same thing. The USP was sorted for a solution; their response was to follow Samoa's lead, which is spending money to upskill, these teachers as quickly as possible so the 60 former teachers can arm themselves with degrees. It is a costly programme and silly for it reflects the very low standards of the long-term plans of the Ministry of Education.

Mr Speaker all these plans have been completely overhauled which has improved students results in science. They are the ones that will build Samoa and emerge as a country of high economic development, on things such as infrastructure, which depends on engineering skills.

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These are the issues, which the Government does not miss, as we are providing solutions to them and it is also, why we emphasise the importance of seminars because planning pays close attention to teachers. If there are 7 hours of classroom time, we must ensure that the 7 hours is fully utilised by teaching children. Teachers are also human beings. I do not know how many teachers travelling from Savaii have approached me for assistance with loans for family funerals, church offerings and others. Then I think to myself, they have left their roles in Savaii and some of them come from the Itu Asau.

In this case, the Ministry of Education should really look into the appointment of Principals for primary schools and colleges in rural areas, to ensure whether school hours for teaching children is strictly adhered. There is a possibility that a teacher would just sit around and do different programmes which results in children failing.

It will foresee the same thing that occurred 7 or 8 years ago, it was not just Samoa but all of the Pacific was affected, marks of students were raised to make it look as if they are being well taught, this includes our University. Our University must focus on students learning so that when they do go overseas there is high caliber. It is the reason why New Zealand hesitated to accept our engineering and medical students, now only one student is goes to New Zealand. The reason being they get high marks here but when they go overseas, they fail. Why is that? It stems from the methods applied when teaching students right from primary level through to secondary school. Education for students is vital in Primary level if it is not done right there will be problems right through and it will be too late.

It is why the Government places emphasis on early childhood education; it is the foundation of learning for children all the way to higher education. Once this fails it will affect them long term resulting to increase in criminals like burglary and marijuana addiction in the future, because they were not properly educated in their early childhood period.

Mr Speaker it is the reason behind the Hon Minister and the Ministry's efforts to raise the level of education of the children of Samoa. Soifua and God bless.

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MR SPEAKER: Well done. I guess no one else wants to speak as the matter should be understood...

Afioga Faumuina Asi Pauli Wayne Fong (Urban West): Mr Speaker my query is a brief one.

MR SPEAKER: Could it be something that will prolong our Sitting?

Afioga FAUMUINA ASI PAULI WAYNE FONG: Thank you for the opportunity. I will be brief. I also wish to accord the support of this constituency for this important Bill. There is just one thing Mr Speaker, it is request made to the Ministry of Finance it is recorded that they will be collecting this money from teachers. The only trouble is when wanting to apply to the Ministry for Finance to withdraw some of this money. If an application has been submitted, it will take time for their response due to consultations and the Ministry of Finance policies in place. Mr Speaker since I have the opportunity to voice an opinion, is there no other way to speed up the release of this money. This is not only about teachers but it is also generally the same with everything else where a Cabinet Directive is required.

MR SPEAKER: All right. Your concern will now be addressed.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker, with situations such as been alluded to, it will only prolong if a matter presented to Cabinet is unclear. Yet as long as it is understood, it will be simple and easy. Even when a Cabinet decision is circulated, as in the case of patients, when patients are brought in, there is no need to wait for a Cabinet meeting. As long as it is an important and clear issue, a decision is not made hastily because there are issues presented then that is the case why it is delayed.

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Mr Speaker, that is another tactic used by people who plan to break the law, rushing something but it is not fully prepared. This is a very difficult situation, these are not fools running the Government, matters are submitted before the Cabinet made up of 13 brain power. This Cabinet has long been in the business of making decisions, where reports are submitted and deliberated on what needs to be done. Mr Speaker that is my assistance. Decisions are made quickly as long as a matter is presented in a clear and thorough manner, the reason for it being unclear is because there are tricks behind it.

MR SPEAKER: The member for Urban West has been responded to, I call upon the member for Safata.

Afioga FAUMUINA ASI PAULI WAYNE FONG: Mr Speaker, Cabinet are not suspected of anything like that, we all understand that the experts are there and that has been confirmed today. It is the case of approval the Cabinet Directive, it is presented to the Ministry and it is circulated within the Ministry. I am not questioning the decisions of Cabinet. When we ask they say the Cabinet Directive is different, hence our role is different as well. This is what I am bringing to your attention. Despite of doing everything that must be done, it seems there is still a bit of a wait for those needing money. With respect. Mr Speaker thank you for the opportunity.

Afioga Hon Sili Epa Tuioti (Minister of Finance): Mr Speaker a Point of Order.

MR SPEAKER: My apologies to the Hon Minister, but the member has concluded his remarks, I think the response by the Hon Prime Minister is ample. There was a seminar yesterday but we have allowed him an opportunity and it has been clarified and he understands as well as the members who indicated their desire to speak.

There are two more members, both will continue when we come back from recess. Proceedings of the Legislative Assembly will be set aside for its usual recess then we will commence with the two remaining members.

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Proceedings of the Legislative Assembly was set aside for its usual recess at 10:45 and resumed at 11:28am.

Proceedings commenced on the second reading of the Teachers Amendment Bill 2019.

MR SPEAKER: I hope strength has been renewed for the Hon Prime Minister and Cabinet also members so we can continue with our Orders today.

Before recess the member for Safata West and one of the members for Falealili were taking the floor. I believe the work is nearly complete with Government already responding to some queries from members. Nonetheless I will give the opportunity to the members who have heard and understand the matter discussed.

I call upon the member for Safata West.

Afioga LEAANA RONNIE POSINI (Safata West): Mr Speaker thank you for the opportunity. I have noted the Chair and members of the House have regained strength from refreshments provided this morning, thus I now want to speak upon the Bill.

First, I want to thank the Hon Minister for the Bill tabled before Parliament. I am grateful and support the Bill in the manner it is presented.

Hon Minister I have noted a clarification made on registration and licensing. The licence that was mentioned in discussions yesterday that is renewed every three years. It is very clear from the renewal of license that there are qualifications and requirements needed by a teacher before a licence is reissued. The purpose is for teachers to improve their skills and maintain competence and integrity, as the Hon Prime Minister stated the goal is to educate our children especially in Pre School and Primary level. After a three years period the teacher is scrutinized for their work and performance then be approved a license.

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The only request Hon Minister I ask for consideration on our Principals who are under contract. It is also for three years, it is the same with this ever three years and it is reviewed like the license, whether it be a license or contract, it looks like they are constrained with both. Why not just apply the license since it is the same. Honorable Minister this is my take on the matter, others have mentioned salary.

It is good since it will now include all schools, the Hon Minister and Government have indicated that payments will be made for Private and Church schools as well, for consistency of the Bill, with respect, thank you.

MR SPEAKER: Very well thank you, I call upon the member for Falealili East.

Afioga FUIMAONO TEO SAMUELU TEO (Falealili East): Thank you Mr Speaker for the opportunity. I will not take much of your time but I want to take this opportunity to acknowledge the Chair hence my absence I pray the Lord give you strength to carry out his work. I pray for blessings upon you especially in fulfilling your duties.

I acknowledge the Hon Prime Minister, in his absence to attend overseas meetings especially a word of encouragement made to our Manu Samoa, I also commend our boys for their efforts. Perhaps, this is an opportunity to review aspects that need improvement for our rugby union, as we start preparing for future games. Two or three months is not enough time to prepare for major teams who have been training for 2 years. I commend our boys for their efforts in representing the flag of our country in such tournaments.

A brief overview first the member for Falealili East supports the Bill. The only downside to this as mentioned by the Hon Minister, is to register individuals so teachers can be recognized for their services. The Chief Executive stated yesterday that these are the steps need be taken to monitor the performance of teachers which are later evaluated during performance appraisals.

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The only concern seen in the Bill, it now clearly states the terms of registration, which is done for improvement. The question I now want to ask, is there a part of the Bill that mentions what will happen if after a three years evaluation is done and the person does not get it again? Will they be let go? What are the terms imposed? It is not clarified within the Bill if a person fails what is done.

This is the only recommendation Hon Minister to overlook perhaps it will be an important part to include in the Bill, with respect bless our proceedings.

MR SPEAKER: I thank members who spoke on the Bill. I call upon the Hon Minister of Education, Sports and Culture.

Afioga Hon LOAU SOLAMALEMALO KENETI SIO (Minister of Education, Sports and Culture): Thank you Mr Speaker for the opportunity. I have noted that members have shown support on the Bill tabled. This morning the Amendments are implemented to improve services, there are four Amendments however I have noted further recommendations have been made on the matter.

Since the implementation of the Bill in 2016 we are still making Amendments for further improvement especially to have competent teachers to teach our children. I am grateful for the recommendations made, the Ministry and council will consider and perhaps in future other Amendments will be tabled. I thank the Chair and members for the support given towards the progress of the Bill. With respect.

MR SPEAKER: I call upon the Leader of Government, Hon Prime Minister.

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETEELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker the Hon Minister has clarified matters raised by members, however I just want to remind the House that the Bill will be referred to Committee for further consideration.

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The Bill will be tabled again in future with more Amendments, I advice members there are other opinions that can improve the Bill and the Committee in charge of the Bill is always available for feedback. As for the quality of education seen today it has completely changed from the old days. The methods used to teach children have improved. There is advancement of knowledge and skills used to educate children.

There was an English program that was aired by an old man from Malifa, to cover the shortage of teachers and the improvement of the English language. It was broadcasted on radio but has since been stopped due to a lot of improvements which have been made, in the past there were only 3 or 4 schools that had secondary and college level, today, I think there is 25 that have now spread out across the country and the rural areas.

The students do not have to live apart from their parents anymore, because in the old days there were hostels in Colleges like Avele and Samoa College, there is no need for it anymore. Rural areas now have their own colleges and there is no need to travel all the way here, they also have computers to use for such learning.

This is the initiative of Government for our children have access to quality education and for them to learn like those living in Britain, China, Japan and America, ensure that we are aligned with them. When someone goes overseas for school, they will have the same level of education.

Our University was not established lightly, it was to be of good use if students could not go to overseas Universities. This is the reason why Government established the National University in 1984, there were second thoughts on the matter since there was the University of the South Pacific, it started with \$5. This is what HRPP implemented starting with \$5 but later a big development was accomplished.

Now we also have the University of Medicine, this is something significant, the Oceania University of Medicine. It is managed by someone from America, many people have graduated this includes our students as well. The standard of the University is very high; you must have a science degree to be enrolled there. It means you are halfway through and it will make it easier for you to get a pass in this University, now we have a University for our children to start learning.

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– second reading

This is the Government program since the beginning from 1982 with the improvement of education system, in every level especially in the development of our country. This is why Government has paid much attention on the improvement of teachers in Primary, Secondary and University, for our children not to be disappointed in studying higher degrees overseas.

Mr Speaker this is further clarification on the matter hence the Ministry of Education have taken measures to improve the education system of the children of Samoa.

MR SPEAKER: Thank you.

Motion approved and the Teachers Amendment Bill 2019 was read a second time.

MR SPEAKER: Pursuant to Standing Orders, the Bill will be referred to the Social Sector Committee for consideration, and must report back in the next Sitting.

This will be an opportunity for members of Parliament to have their say in Committee.

TAX ADMINISTRATION AMENDMENT BILL 2019
– second reading

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT (Minister for Revenue): Mr Speaker I move a motion, *That the Tax Administration Amendment Bill 2019 be read a second time and I want to make a clarification.*

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

MR SPEAKER: I call upon the Hon Minister for his clarification.

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Tax Administration Amendment Bill 2019
– second reading

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Mr Speaker I was not present yesterday because I had to attend to other duties at the prison. Although I believe, members took their time to discuss and clarify the matter yesterday. With reference to the Sitting at the start of the year, I have received questions but could not answer since it was information protected under the Revenue legislation, which cannot be disclosed. The power of the Act still stands, at that time information was submitted as figures the total of taxes not collected. Nevertheless, each name could not be revealed.

The Bill tabled amends Section 9 of the Tax Administration Act to allow the Minister to access this information. This is for the Minister to understand the matter and consult with Management. To look at some methods to assist companies who are not paying taxes. As mentioned by the Hon Prime Minister earlier majority of businesses are not being recorded. Although once this Bill is passed, I will be able to get all of that information. They are seen changing new cars, getting new shipment yet they refuse to pay tax, this is not all businesses. Everyone is aware that the Customs office at the wharf is in charge of duty for vehicles brought into the country. Some of the public have brought in members of their constituencies and have also come to my office for my assistance on duty fees.

The Bill now needs two guarantors. I assume almost all public servants have guaranteed in duty to pay half. I advised the Ministry in the past, to leave the guarantee to the person and put the other half on the car. This is important and will be easier for the public, even after 3 months not half has been paid...the car will still be there and not been sold if it is registered under Customs and the person owning the car under Land Transport Authority.

I am not sure if we have signed a MOU with LTA to carry out this matter. The car is guaranteed by the Customs office and kept for three months, when people come to take it, it is still new and not sold. Compared to what is done now, when we try to find guarantors they have either moved overseas or the car has been sold. This is a way for the Customs office to get the duty for the vehicle and assist the public as well.

Everyone is aware that no one does not come there crying from each constituency.

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This new method will be implemented soon. Once LTA agrees we will initiate this, only the car is guaranteed. Three months will be allocated meaning the car will still be in good condition and will also be sold by the Customs office later on.

This is the Amendment made in the Bill, even with part 56 of the Customs Act. The purpose of the Bill is to allow the Minister to have access to tax and customs information, in order to advise the Ministry on related matters. This is a brief clarification on the Bill.

MR SPEAKER: Very well. I note that no one wants to speak on the Bill, perhaps the clarification given by the Hon Minister is clear.

Pardon the member for Salega East, first I will give the opportunity to this side. I call upon the member for Aleipata Itupa i Lalo.

Afioga TAFUA MALUELUE TAFUA (Aleipata Itupa i Lalo): Thank you Mr Speaker I am grateful you are in good health to administer our proceedings today. I acknowledge as well the Hon Prime Minister and others for their safe return. Mr Speaker I will be brief, since there are only two parts amended. The Amendment in section 9 and additional part 56a.

Before I speak upon the Bill, first I want to inform the Hon Minister that I do not have any objections. I support the Bill henceforth; this is a recommendation to resolve any issues that may occur. Whatever problems we may encounter.

First, Part 2 is very clear, it is stated here, the Minister to have access to information for the purposes of the Act. A matter of concern, I asked the Chief Executive and the matter was precisely clarified to all present members, unfortunately, you were not present. I questioned the information that was disclosed. Most of the information should be known by the Minister especially in following up the debts of those who have duty arrears. This is one of the main sources of revenue of our Government earning us \$500+million. I want to thank the Ministry.

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I was concerned and I asked the Chief Executive yesterday, what was the process used by the Ministry in the past? It is now more than fifty years, what was the policy followed by the Ministry. It seems the inserted part 56a will change the whole Act. This means there are methods we are already used to in the past, although there was no such thing as this Hon Minister.

I convey respects on the matter, which has been clearly discussed by the Chief Executive, but I am just concerned that it might affect our constituency if this confidential information is leaked. I am aware Government has trust in you. If it is a matter that will affect Government, then I am worried. Such circumstance can occur especially in a small country like ours. This does not mean you Hon Minister but a precaution to the future Ministers, with respect Mr Speaker bless our proceedings.

MR SPEAKER: Thank you. I call upon the member for Salega East.

Tofa OLO FITI AFOA VAAI: Thank you Mr Speaker for the opportunity given on such important Bill. The truth is Mr Speaker Salega East is not swayed by the calmness of the sea. I have been listening to the clarification given by the Hon Minister and I have noted that he is not addressing the main purpose of the Bill. What the Bill states is for the Minister to have access to the information mentioned by the previous member, which is confidential information. In Clause 3(2), it clearly states two things, access to information and disclose of information, which are two different things. It would have been best if the Bill says the information can be disclosed to the Minister for clarification. Otherwise, it states the Minister can access information meaning any type of information. This means he will have access to the system used by the Ministry. It can also mean that he can alter the information accessed.

Another concern Mr Speaker most of the Ministers have their own businesses. The Minister for Revenue has his own business, and the public may have complaints on such situations. I just want to say that I do not accept the Minister having access to this information. I do support information being disclosed that is required by the Minister.

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– second reading

Second Mr Speaker I thought the Hon Minister would make use of the countrys taxes. However, I see that \$20 million has been allocated to the building of the prison yet more prisoners escaped. The Hon Minister should concentrate on these matters. This is a concern; I know the Hon Minister will make a clarification on the matter questioned later on.

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Mr Speaker... the matter must be put into order.

MR SPEAKER: Since we are to apply our Standing Orders, the Minister has a point of order and a matter of clarification. Pardon the member.

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Since the member mentioned the Ministry of Prisons and Corrections, it is very different from the Ministry of Customs and Revenue. Mr Speaker if the member wants clarification, no matter how safe and secure a building is, it is up to the person who has the keys to the gate. No matter how many trainings they have at the Ministry there is always the possibility of insecurity. No one can break out from prison, it is left open and this is the fault of the employees. As for accessed information, I believe there is no other way to rephrase the released information to me. In Part 3 of the Bill, it states the Ministry gave the information to the Minister. The Minister does not go and find it, the Ministry is told about it then they disclose it. Even if the Minister's term is over, they will be affected if they disclose the information. Even if this Parliamentary term finishes in 2021, the information can never be disclosed. The Management will use this information to consult new methods as once they look at the Law they implement it straight away. As for Parliament we look into its entirety, this is the difference between the two views. It does not mean you have access to all the information; it is provided by the Ministry unfortunately we do not have that now. If I ask for all the information, they cannot release it. Therefore, a decision cannot be made on the entire information. This is a clarification.

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MR SPEAKER: I call upon the Hon Prime Minister. Pardon the member.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoloai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker the important aspect mentioned by Tofa Olo Fiti is that he also owns a business. This means he is scared that the Minister will look into his affairs. This means his speech is insignificant. It is a matter related to him. The Minister is one of the Apostles. I am sure he will not look into it unless the member is using corrupt practices. In not paying his taxes. Only matters related to taxes. There is a saying used in the House, "*O le aitu lava le moomu.*" Whether you say there is a difference between disclose and access, the usual sayings of Maota is *o le aitu, o le aitu a o le moomu.* The work cannot be carried out if the Minister does not know the status of each company. This is the member that usually complains about big companies being unable to pay their taxes, which should be monitored. How can it be when it is safeguarded and cannot be accessed?

Mr Speaker we are a small country therefore we need the Ministry to perform their duties well, because once there is a problem, who is blamed? The Minister, he is then criticized but he cannot respond since the information is safeguarded and cannot be accessed. Even under this legislation. I remember this other time during a court hearing the police needed information from the Ministry, since the person prosecuted was lying saying the business is now bankrupt. When the Ministry of Revenue was asked they said the information cannot be released, even Government cannot access it. Mr Speaker this is the only Government that sets boundaries to withhold information from the Minister who needs it to fulfill his duties. It is only a Government that is mentally retarded that puts in place measures to restrict information needed to establish justice.

Mr Speaker this is assistance on this matter, also the speech made by Tofa Olo Vaai is now irrelevant since has brought up the matter meaning he is afraid his business affairs will be overlooked by the Minister.

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MR SPEAKER: Very well. I call upon the member, the Hon Prime Minister has advised the Minister not to interfere with your matters.

Tofa OLO FITI AFOA VAAI: Mr Speaker the truth is most of my businesses has been closed by Government. This is a point of order, I do not have to pay taxes since I do not have anymore businesses. The Minister has shut down all of my businesses. I am happy that the Hon Prime Minister mentioned if there is a problem the Minister is blamed. This is the reason why there is a problem with the prison. At least the Hon Prime Minister has clarified this matter. The only matter that is clear is the access to information but it is too general. The former Act was alright, also the Chief Executive and staff have the knowledge and skills to overlook these matters if the Hon Minister needs it then information can be disclosed to him. But do not allow him to access all the information in case he might deduct his taxes. Thank you for the opportunity.

MR SPEAKER: Thank you. I call upon the member for Vaimauga East.

Afioga SULAMANAIA FETAIAI TAUILIILI TUIVASA (Vaimauga East): Perhaps it is time for this constituency to have their say on the matter, first I greet respectable members of Parliament. I greet this side of Chamber for the safe arrival of the Hon Prime Minister in his travels. I have noted your good health this morning.

I thank the Chair and members of the House together with the support of Le Ao o le Malo of Samoa. I want to convey an opinion on the matter discussed, this is an important issue. We all know a Bill is drafted in order to make the work carried out easier especially for public safety. This is a reason why Bills are drafted and amended, like the previous Bill we did not speak upon it since I gave my support. Therefore I want to thank the Hon Minister on the matter previously discussed. As for this matter giving the Minister access to information I do not support.

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The matter concerning tax and duty in the Tax Administration Act 1974 there is no such authority given to the Minister even in the Amendments of the 2012 Bill. Why? Because the Government back then was protecting tax related information within the Ministry. Although the Hon Minister has the authority to ask the Chief Executive for information if needed. I was surprised by this change. If we think of this Parliamentary term this is the sixteenth. What did the previous Ministers use, especially the previous Minister who was a well known Auditor and Minister of Revenue also a member of Council of Deputies. This authority was not questioned because it was protected...

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker a point of order. Have you heard about the Leader of the United States of America? He is undergoing investigation on taxes. This is why this matter is very important. Do not worry too much about the situation where you think he might be looking into...the Minister will not look into anyones taxes if it is right. Whatever business the Minister is only doing his work. I am tired of the frequent complaints seen in the newspaper and television on taxes imposed on church Ministers but not looking at the many businesses who have arrears. The Minister cannot speak on this since there is a process to follow. Nonetheless there will come a time when the person will end up in front of the Minister and receive the blame for everything.

Mr Speaker the Hon Minister is trying to be well prepared together with the Ministry to assist the work of the Chief Executive. the Chief Executive believes in their lawyers, but during the court case they were circumvent. Mr Speaker such instances occur not everything can be perfect. There will be a time when the Minister should be prepared to stand up for the Ministry and the protection of Government and Revenue especially with the issues raised in the House. How will it be carried out? How will we implement the requests made to construct new roads and others when this is the funding it is depedent on? The constituencies listening in as well.

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Mr Speaker we were chosen here to assess the old laws and renew it. There are other matters as well that Government has already been criticized with the Amendment of the Constitution. The Constitution has been amended since the old provisions does not apply to us now, since there are parties. The name Samoa has been changed from the former one of Western Samoa. How is this change, is it bad? It is good. These changes are made for the improvement of us here, to have enough funds to implement what our constituencies voted us here to do. They chose us here to make just decisions and to ensure their support will not be in vain.

Mr Speaker this is a clarification.

MR SPEAKER: This is a recommendation of the Chair, there are those who speak and others who take note of Government matters, therefore I am concerned for the future plans of our country...

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: Thank you for the clarification. When my constituency chose me as a candidate under HRPP, we were questioned by the elders. Where is this candidate going when there is already a Senior Minister in this same position? My supporters then told them. Let the member *aiaili* dance behind, let him have a say in Government. I have noticed the stand of the Hon Prime Minister this morning, the recommendations made are for the improvement of our Government. The Chief Executive is doing the work together with the Ministry, but the Hon Minister being involved I cannot accept. If the previous method is applied the Minister can easily ask the Chief Executive to get the list of those who have arrears. If they get involved what will the Chief Executive be doing? So the Minister also want to be the Chief Executive officer?

MR SPEAKER: I ask for your patience.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker, the member is talking about the *aiuli*. When defining this term, it means you have to dance carefully and behind the *taupou*. Although the dance performed by the member is jumping up and tearing down the coconut leaves, this is being reckless.

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Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: Mr Speaker this is the nature of the *aiuli*, it outlines everything mentioned. It is the nature of this constituency that I voice our concerns not to tax church Ministers. What now? What will happen to the advice given?

MR SPEAKER: Let me remind you that is your own personal view. Yes, you are speaking in a very aggressive manner and so close to hitting the face of the member for Siumu. Do not project yourself with anger. You are a member with very good thoughts but when you present your view in an angry manner your speech and opinion becomes murky...I beg tolerance of you, wait until you become a Minister.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker, all I want to say to the member, when this term began you were young and fragile and now you have become matured and senior. The longer you become a member in this Assembly, the more wisdom you gain. Once this House passes a Law all member adheres to it including the person who objected. When Parliament passes a Law unanimously, it is a disgrace for someone from this Party to invoke a curse against a Law. You do know that Paul's words were well understood, "Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God." Therefore, all things including the Laws they pass, are the Laws of God. Why? Well because the God, which Samoa is founded on, whispered this matter to them. Whoever rejects the Law is also rejecting the plans of God. It is why I suggest the member to read the Bible, which contains the guidelines. The Law on Tax, which you reject means you have sinned before the Lord.

Mr Speaker that is why I am upstanding so that Laws passed by this House is not regarded as trivial. Once passed by this House, that Law shall be the directive for the whole country, be it the Prime Minister or the Head of State or whomever, the Speaker, we all abide and respect the Law deliberated and passed by the kings and orators of Samoa in this House.

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Mr Speaker that is my further statement to the member.

MR SPEAKER: I politely advice the member to change the subject, move on and do not befriend argument for it will become a fight so be tolerant...

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: Mr Speaker the Prime Minister is not aware that I hold the position of Leader for the Word and the Distribution of God's Holy Body in the Catholic Church. I am also a consecrated servant of God in....

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker a point of order, there is also an appointed person for the Church I attend. Well it turned out that it was a leader of good things and worse off, he also did some very bad things.

Mr Speaker, such is life we are living in a world where the wheat and tares grow together.

MR SPEAKER: I beg tolerance of the member....

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: I will no longer speak of the Law, since the Prime Minister has spoken; well this is also the senior leader for this Church.

The purpose of my submission is the Legislation. Pardon the Hon Minister, the more recommendations given the more the beauty.

MR SPEAKER: If I may assist, it is my duty to inform you that when you do not accept the Speaker's suggestion in relation to a matter which create stir in Parliament debate, the Speaker has the power and authority to stop a member's speech. I see that you are one other... you have been transformed from small to senior age, and for that, you must act like one, move on to something else and conclude your remarks.

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Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: I will now conclude, whenever Pulemagafa speaks, everything is complete. Mr Speaker you are correct, this is not in the Legislation. The power held by the Minister can direct the staff to retrieve records. As some members have touched on the concern, the Ministry for Revenue aims to secure revenue records gained through tax for the country. Such is the purpose for protection upon the Ministries.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker...

MR SPEAKER: The Prime Minister will have the floor.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Let me say this. You can never expect a 100% effort from employees, since there are times when the Chief Executive Officer will direct someone to work on an issue. It is prepared and when the work is incomplete and the CEO suddenly passes it to the Minister without reading it thoroughly.

Under the Audit profession, the auditors and accountants regard this as very important, never put your whole trust in the information submitted to you, you must go through it carefully. Nothing will go wrong when you do a proper check.

For that, I strongly recommend the Cabinet to try to make rounds around the country every now to observe instead of relying on information coming in. It is not just rocking in your chair at your office, but let us go and see since that is the most prominent rule of Auditors, do not rely fully on submitted information but stand up and go check to see the real thing that is happening.

MR SPEAKER: Thank you.

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Mr Speaker...

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MR SPEAKER: May I remind you that the Government will not take lightly a point of order on an issue. I call upon the Minister for Revenue.

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Thank you Mr Speaker. I also applaud the member giving recommendation; he used to be a senior member for the Revenue Office before he became a representative.

Mr Speaker my CEO is a real expert. It is why I am rather sceptical and the CEO understands me well too. It is very difficult to lure me into accepting any information that comes before me only until I have the confirmation from three people then I accept it.

If I did not want to...Section 3 would not be in the Legislation. It is why I am in a gridlock, I use to present records to individual businesses, since I uplift them, and under my discretion, I can elaborate on it. According to Section 3, the information is passed from the CEO and Executive to me, it stays with me, a recommendation can be made from to the CEO and Ministry on what we can discuss and the result shall be final.

The CEO and the Ministry are confident with the decisions we make every year. The amount we collected in the last three months resulted in a surplus of \$11million. How does this come about? It is through the collaboration of the Minister and the Ministry. Whatever they recommend I accept and vice versa. I do not remain in my office but I surprise them by just turning up and going around, as I am suspicious. I have a bad demeanour of being suspicious so that all money comes in.

That is the intention of the Ministry, to collect all the money needed even in cents. That is heaps for the country. Whom is the Ministry collecting money for? It is for the country. That is the meaning of the explanation, if I wanted this information to be publicised, I would not have inserted Section 3 into the Legislation, I would have opposed.

MR SPEAKER: Well done, apologies to the member for Salega....

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Tofa Olo Fiti Afoa Vaai: Mr Speaker a point of order. If the Minister is suspicious, we too are suspicious of him. If he has access to this information, please stop this he should not be editing this information, with respect.

MR SPEAKER: Pardon the member; let us put our trust in the Government. You must remember that the final say comes from the Government in terms of the strategy they apply to the normal operations of Cabinet. Therefore, I beg tolerance to the member for that is his own view but have faith in them.

You now understand from the Minister's statement that \$10+ million they received was from the works of the Hon Minister, Directors, CEO and the Ministry. Let us have confidence in them.

To the member for Vaimauga, I feel that...please...

Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA: I will conclude our contribution.

Mr Speaker, those are the aspirations of my constituency. Despite our desire to safeguard records that even the Minister cannot...my concern before this Parliament is the records security. Even with the information that the auditors access, there should also be a limited level to it. Regardless, my concern stems also from the possibility that our Government could be probed by the Private Sector because the Minister has browse Companies information inside here.

On that note, the concern is that the Minister is not involved here, he even said himself, this Parliament does not need Ministers that are suspicious. We need Ministers who can trust his staff and his CEO. Because he is saying he is suspicious, he ends up doing the job of the Ministry, and...what he must do is to bring the job before him.

I approve, rather the release of names and debts for whatever company is upon the approval of the Minister without having any protection according to the Legislation.

MR SPEAKER: This clarification was given yesterday, it only affects the people who are not complying; this excludes us as we are doing the right thing.

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Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: Mr Speaker it is not that I am sceptical of the staff, no. The feeling is to ensure the submission of full and accurate information.

It is not about gaining trust instantly upon receiving information; the Ministry knows it well too from our discussion, after you left. This also went well during your time there. Thank you.

MR SPEAKER: Thank you.

Afioga Sulamanaia Fetaiai Tauilili Tuivasa: Mr Speaker I wonder whether the Minister saw the records on the person with the most tax collection, \$5 million tax payment in one day, did you see that...

Afioga Hon TIALAVEA FEA LENIU TIONISIO HUNT: This was when Solia topped the records by \$16 million.

MR SPEAKER: Very well. There are only 2 members with Faumuina being the third. Is there anyone else other than the member for Falealili and Faumuina Liuga. I see the Chairperson of the Finance is upstanding, I allow you 2 minutes each so that the State can respond.

Afioga ALIIMALEMANU ALOFA TUUAU: Very well Mr Speaker I will be brief. I support the Legislation for the following reasons, considering the views of some of the Finance Committee.

I appreciate your acceptance of our recommendation to allow the Minister of Revenue to make these proposals as we place emphasis on the Chief and Auditor General, stated in the financial reports over the last 4 years. This includes unrecovered debts where the Ministry of Revenue is required to complete.

It is reason for my support since it is something that is long overdue. Which brings me to a suggestion for the Minister, whether chance is possible for the Chief and Auditor General as he is experiencing the same thing.

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It would also eliminate the suspicion that the Minister may be editing information presented to him. I stand before you on behalf of the Accountants Society and Auditors to see whether possible to incorporate this Section of the Legislation to allow a Chief and Auditor General to audit accounts, with respect thank you.

MR SPEAKER: Your point is noted, thank you. Faumuina may take the floor.

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA (Palauli Le Falefa): Thank you for the opportunity, the Chairperson for the Finance Committee has addressed this matter. It is the cause of my appreciation to the Hon Minister and Cabinet for proposing this amendment as this is the concern of the Finance Committee.

During the financial year in 2017, a total of \$92.7 million was not reported and up until last year, a sum of \$91 million was recorded. The normal growth every year should be \$5 million; nonetheless, it is now reduced. This Amendment is practical and I appreciate the fact that the Minister is allowed to look into this. Should there be any unresolved debts that should be written off, that is the importance of the Minister, to advice Cabinet and Parliament about it with respect, thank you.

MR SPEAKER: Thank you, I call upon the member for Falealili East, Fuimaono.

Afioga FUIMAONO TEO SAMUELU TEO (Falealili East): My submission is rather short Mr Speaker. I understand that yesterday there were many members. I know that if the Minister was present yesterday, the many questions would have been explained. Today, it seems that some of the members are supporting these issues, which they objected yesterday, whilst I only wanted to ask.

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Concerning Checks and Balances, the CEO deals with the staff, whilst the Minister deals with the CEO in terms of checking. In query, what is the extent of your authority when checking the staff members? Is there such a thing? Do I take it then that an application is submitted and the Chief and Auditor General has permission to view it if there is also the opportunity for yourself to this area?

Secondly, since the statement seems general regarding opening information. I know that it would have been simpler if the legislation said to allow the opportunity to the Minister to access the systems used by the Tax Office. According to clarifications made yesterday, confirmation has it that your honour is accessing information when the CEO is required to provide it together with your queries. The only thing you are not permitted to access is the current system being used. That is my observation from yesterday, how far is the extent of your power Hon Minister.

MR SPEAKER: The member's statement is done.

Afioga TIALAVEA FEA LENIU TIONISIO HUNT: Thank you for the opportunity. The access I have ends with the final count. The information given to me in the summary of total amounts in debt whereas, the details for that information, I do not access it and neither do I access computers, the information I get from them is it.

MR SPEAKER: The member has concluded and the clarification from the Government has been said. I will now put the question...Lealailepule, make it short to a minute.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you. There is one aspect. The vitality of the Legislation brings in totality of what I would like to talk about which is summed up in the word trustworthy. The legislation seems to indicate that the Minister is not trustworthy.

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Now that we have the extent to this Legislation, if I was a Minister, I would have done the same thing. You will remember that when entering here we would firstly swear our Oath of Allegiance. In my belief, it is long overdue...every Law contains provisions and immunity. The protection of the Minister is also stated herein if the Law is breached. The Minister is the Figure Head of the Ministry but he will not be in a position to understand the Legislation and what is going on and therefore, he will not be able to give a response that will satisfy a person seeking assistance. The Minister will only say one thing, go down, that is not my role. Then the person will say, why did you become a Minister?

MR SPEAKER: So to sum up your view, you object the Legislation.

Tofa LEALAILEPULE RIMONI AIAFI: That is what I am saying, it is an insult...as far as I am concerned, I do not accept that I am a Minister of a Ministry without overseeing a situation that is brewing in order to offer solution. At the same time, there is a provision to protect me if I breach the Law. Do not be afraid to prosecute. This will protect the Minister from the Law although the right decision must be done, with due respect.

MR SPEAKER: Thank you and that is a wrap. I call the Hon Prime Minister.

Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker, I will say these final words on behalf of the Government to conclude our response, it is almost 1.00pm. There is a statement, which contradicts the belief of the country, doubting is a sin. There is a common adage we are familiar with, “*E asa le faiva ae le asa le masalo*”, “the fishing expedition can be unsuccessful but your suspicion is always correct.” That means it is not a sin but a terminology of another Church. It is known as v-cookie, it is a virtue, which is a good thing.

Mr Speaker that wraps up the response from the Government.

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Afioga Faumuina Asi Pauli Wayne Fong: Mr Speaker, please as I have been trying during my speech. I will be short on this one matter. Can I get a chance.

MR SPEAKER: Are you undermining the Speaker's rule?

Afioga Faumuina Asi Pauli Wayne Fong: You do know your honour that no one is above you...

MR SPEAKER: No, answer me directly. Are you undermining the Speaker's ruling?

Afioga Faumuina Asi Pauli Wayne Fong: No your honor.

MR SPEAKER: I beg tolerance, comes December you will get another opportunity. The other thing is...

Afioga Faumuina Asi Pauli Wayne Fong: No, It's really short. That is my plea.

MR SPEAKER: Have a heart and make it brief. I will allow you the opportunity as the country is tuning in and they might say I am taking the Authorities side. However, this political game operates on mutual respect. I tend to assist you lest the State will criticize me, I have given my ruling yet you continue to be upstanding. I am familiar with our game, as certain members have no opinions whilst the views of others can build us ideas. Abruptly that member may chatter using someone else's thoughts. Yes. Wrap up your thoughts.

Afioga FAUMUINA ASI PAULI WAYNE FONG: Thank you, well no this is different. I do not get my ideas from elsewhere. The only thing is that Ministers should all be on the same par. My suggestion to you Mr Speaker is to enact a law to cover all Ministers to allow them access to the operations of Ministries. Since what a Minister does on its own will affect another Minister. Loau also would like to see what his Ministry are doing and it will save us time.

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Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi: Mr Speaker, I was concluding and the Government will no longer respond. However, the problem is you have given him another opportunity. Therefore, I will have to respond again. The Ministry for Tax and Excise Duty, it is not a Ministry of Health where this sort of thing happens. You cannot apply tax principles to health ones. Those are tax issues, which is very different. That is my final response. I will not address any further comment that may arise.

MR SPEAKER: Will you have some sense of consideration for my health condition may only get worse because of you. My commendations Samoa for your prayerful support, this is the nature of our forums by the prominent chiefs of the country.

Motion approved and the Tax Administration Amendment Bill 2019 was read a second time.

MR SPEAKER: Pursuant to Standing Orders, the Bill will be referred to the Economic Committee for consideration and report back to the Legislative Assembly in the next Sitting.

My congratulations and appreciations. In the course to reaching a desired outcome, for the sake of Samoa following our Proceedings. It is circumstances like this whereby Legislations are referred to Parliamentary Committees for consideration and report back to this Parliament. This provides another opportunity for members and the public to attend and submit their recommendations before it comes back here for further consideration. Just look at our task, we should feel fortunate in our time. When I first entered Parliament, there were no pre-sittings nor seminar. There was the tabling of Legislations during Sitting days and the Leader of the State or someone from the Opposition would take the floor and speak for half an hour whilst the young new members like us would start reading through these Legislations to gain us some thoughts. We are fortunate to receive these seminars like yesterday to discuss. The Minister even gave clarification yet you are still like that. Anyhow, I am reminding you of how fortunate we are during these times to have countless opportunities. The country is following our heated debate.

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Motion for Adjournment

Even though some recommendations are unacceptable to the Government sometimes, they are opinions submitted to the Hon Prime Minister and Cabinet for reconsideration, whether constructive or not but to build a progressive Samoa. Therefore, we have come to the end of our orders for today. I respectfully call upon the Hon Prime Minister for a motion to adjourn our Proceedings.

MOTION FOR ADJOURNMENT

Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI: Mr Speaker what I will say will not override your statement and that is my intention and Cabinet. We congratulate you for your patience. You are alone in conducting our Orders in this Forum whilst there is plenty of us here. Some of us are difficult to control at times. Although, our fervour should not end us bringing disorder to the House.

I also commend both sides of this Parliament for the show down of ideas. If all meetings are like this, oh how wonderful that would be. We do it in a fun manner with spells of laughter and exchanging opinions continuing our discussion with wisdom and judgement. Which has enabled us to make decisions without denying the truth as God is in our presence and in accordance to the truthful words spoken by our Lord, "When two or three are gathered together in My name, I am there in the midst of them to bring good thoughts and whispering upon your views in consideration of matters. The 3 Legislations we have just considered was no easy feat for it affects the lives of our working people and children in schools who are the future leaders of Samoa.

You have also reminded us of other opportunities available when these Bills are referred to Committees who have that task to invite the public to attend and to express their thoughts whenever amendments is necessary whilst you members have already voiced your opinions in this House on some of the issues which the Legislation should cover.

8 OCTOBER 2019

Motion for Adjournment

I wish you well in your deliberations and may God guide your wisdom and arm you in consideration of Legislations, which will dictate our people in the areas discussed.

Mr Speaker I move the motion, *That Proceedings of the Legislative Assembly adjourned until Tuesday 17th December 2019.*

Seconded by the Deputy Prime Minister, Minister for Women, Community and Social Development, and the Minister for Works, Transport and Infrastructure.

Motion approved.

MR SPEAKER: The Hon Prime Minister has given his statement and I too am obliged to express apologies to the public tuning in. The nature of our deliberations is such that we do share moments of laughter now and then. For it does maintain good relationship amongst members for the sake of the public support which is the source of a successful forum.

I will speak on behalf of the Hon Prime Minister and Cabinet, Associate Ministers and Chairpersons of Parliamentary Committees and respectable Members. Whilst the Chief Executive Officers of Ministries and Organisations are present to say this, since the upcoming Sunday will commemorate White Sunday for the children of our country. May the grace of our good Lord grant us the wellbeing to see us through to that day. Make sure your preparations are well prepared so it will please the audience of parents while you take the centre stage on your special day.

Before we adjourn, I will conclude this meeting with a prayer.

Proceedings of the Legislative Assembly was adjourned at 12.44pm until Tuesday, the 17th December 2019 at 9.00am in accordance with Parliamentary Sitting Program 2019/2020.

17 DECEMBER 2019

TUESDAY, 17 DECEMBER 2019

The Legislative Assembly met at 9:07am pursuant to the Parliamentary Sitting Program 2019/2020.

Prayer.

MR SPEAKER: I announce that the Proceedings of the Legislative Assembly resumed.

I would like to take this opportunity to pay my respects to the Hon Leader of the House, the Hon Prime Minister and the Deputy Prime Minister as well as the Cabinet especially the Chairpersons, honourable members of Parliament who are able to continue our Work today, adjourning from last month.

I also acknowledge the Chief Executive Officers and CEOs of Government Ministries and Corporations as well as the support of the country listening in.

MESSAGE FROM THE HEAD OF STATE

Mr Speaker delivered the Message from His Excellency the Head of State.

“MEMORANDUM to:

Mr Speaker:

Pursuant to Article 59 of the Constitution of the Independent State of Samoa, I hereby give consent to the Legislative Assembly to consider the Bills as follows:

1. Supplementary Appropriation Bill (No.1) 2019/2020.
2. Public Finance Management Amendment Bill 2019.
3. Tax Administration (Electronic Program) Amendment Bill 2019