

12 AUGUST 2015

WEDNESDAY, 12TH AUGUST 2015

ANNOUNCEMENT BY THE CLERK

CLERK: Pursuant to Standing Orders 26, I announce that in the absence of the Speaker, I request with great respect the Deputy Speaker to reside the Speaker's Seat.

The Deputy Speaker took the Chair at 9.00am.

Prayers.

OPENING SPEECH BY THE SPEAKER

DEPUTY SPEAKER: I wish to announce the Proceedings of the Legislative Assembly now resumed.

We have supplicated everything to God by prayer for His magnifying love and mercy that has enabled us to reconvene and resume our work this morning.

I greet the Hon Prime Minister and Cabinet, the respectable Members of the House gathered this morning to resume our business from yesterday.

I also greet the support of His Highness, O Le Ao o le Malo o Samoa and His Good Lady, the Council of Deputies and Samoa from significant statuses to children.

Greetings also to the Clerk and the Deputy Clerk of the Legislative Assembly and the Heads of Government Ministries joined here today.

PRESENTATION OF SELECT COMMITTEE REPORTS

The Clerk read out the tabling Reports of the Selected Committee pursuant to Standing Orders 51.

1. P.P. 2015/2016 No. 40, Works, Transport and Environment Committee Report on the Road Traffic Amendment Bill 2015.

**ELECTORAL AMENDMENT BILL (NO.3) 2015
– debate resumed over second reading – Day 2**

DEPUTY SPEAKER: During adjournment yesterday the member for Sagaga le Usoga was speaking.

Electoral Amendment Bill (No.3) 2015 – debate resumed over

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I call the member to resume his speech.

Tofa TUISA TASI PATEA (Sagaga le Falefa): Respectfully to the Speaker, perhaps the... Thank you.

Afioga MAUALAIVAO PAT AH HIM (Individual Voters):Mr Speaker.....

DEPUTY SPEAKER: I call one of the members for Individual Voters.

Afioga MAUALAIVAO PAT AH HIM: Thank you Mr Speaker.
I thank God for rejuvenated health received this morning by the Leader of the Government and all respectable members.

Respectfully, recalling from where I left of yesterday.... I beg tolerance to the interjection of the Leader of the Opposition, in respect I would like to make a statement in regards to this Legislation.

With all due respect.

DEPUTY SPEAKER: I call AfiogaMaulaivao Pat Ah Him to resume.

Afioga MAUALAIVAO PAT AH HIM: Thank you Mr Speaker for the opportunity.

I rise with deepest respect to the message by the Chairperson, because I am one of the members for the Urban Seat....anyhow thank you in accordance to....

AfiogaToeolesulusulu Cedric Pose Salesa Schuster (AanaAlofi No. 3): Mr Speaker point of clarification please Mr Speaker.

DEPUTY SPEAKER: What is there to clarify?

AfiogaToeolesulusulu Cedric Pose Salesa Schuster: Please this member is still regarded as the member for Individual Voters when an election has not yet been done thank you.

Tofa Lealailepule Rimoni Aiafi (FaleataWest): Mr Speaker point of order. The present process is that the Urban Seats is now repealed, they should have rested long time ago from Parliament.

Respectfully.

DEPUTY SPEAKER: I advise that we maintain our business orders. Your statement is correct, I affirm that he is the member for Individual Voter. Resume your speech.

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Afioga MAUALAIVAO PAT AH HIM: Thank you for your statement Mr Speaker, we shall proceed accordingly. I wish not to torn blinds at the back of the house, *ta i le pola e motu i tua*...gathering here once again, though we began by attacking each other nonetheless we must resume peacefully as that is the norm of our meeting.

Mr Speaker and the dignity of the Parliament, several exchanges took place in regards to this Electoral Amendment (No.3) Bill 2015 and its amendments. By observation, nothing is perfect at the beginning but I thank the Minister responsible for this Bill that has my support on sections that regulate, guide and complied with so we do not breach the law. Similarly with statements given yesterday on tautua, comments and wordings by all respectable members on tautua were wonderful and colorful. As for me I say that the concept of tautua or service refers to a village lived and served by the matai. Briefly and respectfully, the word tautua means that you set good standards today. Because if we go back to the initial stages of tautua, it is immense....right now, we are inclined to ask what to do about it. What service are we providing? We must not look back at the service by our forefathers, pardon me, in true essence, this is our time, our service and set good standards such as what the Bill is saying, yes that is it. We sit in the village council and make decisions through service that is appropriate especially for the church, community and the various areas. I believe one of the sections of the Bill refers to registered voters for the Urban Seat, though it is true that the list of villages under this new Urban Seat Constituency is now confirmed. The reason why I speak specifically of our Constituency is because a lot of submissions have been made on it. The significance of this Bill states that you can vote at the place of residence without having any restrictions on one's matai title. Furthermore, this Bill aims to provide and improve security for one's place of residence and finding a suitable candidate for each specific Constituency.

As reiterated, these Parliamentary works states that once the Bill is clarified we must ensure and know well the purpose of the Bill then we must share the same explanation with our Constituencies. Such is the statement by other members affirms that other members are providing false information, however I believe in this hour the main intention is that we must do what is appropriate whilst other Constituencies are tuning in and paying interest in this Bill, urban seats must be registered, the works involves awareness of electoral procedures to all regardless, we say if we have not provided full information for your sake, at least we are still conducting awareness programs which is a transparent way to avoid any confusion.

Before we conclude, we extend appreciation to everyone who have contributed their submissions that involves this Constituency. At the time where the snake was snared pardon me. Well never mind that was then, as of now we shall prepare ourselves for the Elections.

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You have in your hands your vote for the Leaders of the Samoan Government. Hence, I render sincere gratitude for proving and highlighting the conditions of this Bill with regards to the Urban Seats Constituencies.

Mr Speaker the registration system amendments will improve the current system. Respectfully.

Have a blessed meeting and pray for far sighted wisdom upon the Chairperson and the respectable members of Parliament. Have a blessed day.

DEPUTY SPEAKER: Well done to one of the members for Individual Voters. We still have time for another member.

I call the member for Aana Alofi No.1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI (Aana Alofi No.1): Very well thank you. Thank you for the chance Mr Speaker. I rise with respect to make a brief comment on this Bill. I support the prayer of offering this morning. God's divine mercy has brought wonderous upon the dignity of this Parliament this morning.

In my opinion, I thought there are additional amendments which we had expected but are not included, perhaps due to the fact the Ministry did not find them appropriate for the upcoming General Elections regardless, God's days are abundant.

In terms of tautua, service begins during one's adolescence resulting in a bestowal of a matai title. I wish to make a comment on tautua that the majority of the members commented on yesterday. I do not intend to go against other members opinions as members are entitled to their own opinions through this Parliament but for the public's information and given the current affairs at present. In essence, the proposed amendments to be made to the Electoral Act will result in an increase in the number of women representatives in Parliament.

We all have our own interpretation of the Bill. This is how I interpret it, you are required to reside in the Urban Seat for 6 months. Whereas 3 years states the candidature eligibility should extend to those matai who were bestowed with matai titles 2.5 years before general election and ensure that the tautua was rendered.

Well that is my belief, I support this Bill and its amendments and its consistency for all candidates under the 3 years requirement by providing permanent service which is also applicable to candidates of the Urban Roll. To clear any concern, tautua starts from the youth age until you become employed, the same with the male youths. That is the village tautua stipulated in this Bill. Though the parents are rendering their tautua, however the Samoan male and female youths are also rendering their tautua as well.

Otherwise, the family will then decide the one to take the matai title two or three years early before the Elections. In my opinion, he or she is eligible to run in the election because he or she has rendered a tautua for several years.

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This is called matai service, village service that is the Samoan custom. A matai service is similar to village service because he or she is a Samoan matai

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not an European matai. That is my interpretation of three years which should be equal to the candidates of the Urban Roll and the candidates of the Territorial Constituency. Why differentiate it when both are matais.

That is my own personal view of this Bill otherwise I pray for women candidates in the upcoming Elections....

Afioga Hon Palusalua Faapo II (Leader of the Opposition): Mr Speaker, point of order. Let him rest....

Afioga Hon LEAUEPE TOLEAFOA APULU FAAFISI: I am in awe that the man of the village is giving a speech yet you upstand...that is intolerable in the Samoan way. Anyhow, I will sit down.

DEPUTY SPEAKER: Your view is that you must sit down. Under the Standing Orders if you don't sit down, it is permissible to resume your speech. I call the Leader of the Opposition.

Afioga Hon Palusalua Faapo II: It seems that I am being mentioned in this comment. This is why I stood up yesterday, the Constitution Amendment was only passed at the end of 2003 for 10% women representation in Parliament. Yet if we look at the women taking the initiative in encouraging an increasing number of women they are those who live in Apia and are hardly found in villages. Your statement on women is true that they lived and grew up in the village. Yet they now have the chance to run in the elections for the Constitution to be amended. However the provision of the 3 year village service appears to be an attempt to discourage women from running for elections.

DEPUTY SPEAKER: I call the Hon Prime Minister.

Susuga Hon Tuilaepa Aualo Fa'aoa Tuiasotofa (Prime Minister): Mr Speaker point of order, I allude the statement by the member for Aana Alofi Nu.1, Afioga Toleafoa or Leaupepe. I see that your statement on women refer to those who are matai whilst some (women) now make their own decisions without rendering any tautua. I am shocked with these kinds of statements. I allude to the fact that all women who live in villages perform tautua and monotaga, however there are women who do not do either. Where as it is now confirmed by the winner of the Lotto, Palusalua whilst roaming around and all of a sudden run for elections and made it instead of attending Malua where you intended to become a pastor. What he becomes now is mistaken, he should have taken the pastoral role as his calling, whereas (of choosing) money for campaigns.

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That is the statement in support of the member for Aana Alofi Nu.1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi, we are above the line, women, matai....

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Afioga Hon Palusalue Faapo II: Mr Speaker, do you tolerate these kind of statement?

DEPUTY SPEAKER: Sit down member....

Afioga Hon PalusalueFaapo II: Being a Prime Minister does not mean that he can endure freedom....

Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Neioti Aiono Sailele Malielegaoi: The (women's) service is still performed such as what Toleafoa said, Toleafoa and Aiono ought to be served by the in laws however it is dreadful to hear back chatting from an in law to the men of the village.

DEPUTY SPEAKER: I call the Leader of the Opposition as your name was mentioned....

Afioga Hon Palusalue Faapo II: The Hon Prime Minister seems to be digging up old history as a means of diverting attention from the Bill at hand, which, in is to deter women from running for elections....

DEPUTY SPEAKER: Let me say something to the Leader of the Opposition. Sit down and allow me to say something,

Afioga Hon Palusalue Faapo II: You now instruct me and what about the Prime Minister.

DEPUTY SPEAKER: You are making similar statement you made yesterday by rejecting the Bill that everyone in the House and Samoa is aware of. What else do you object to when you have state your case. I ask Toleafoa to continue your statement. I have already granted you the chance as your name was mentioned by the Prime Minister yesterday.

I call the Leader of the Opposition.

Afioga Hon Palusalue Faapo II: Mr Speaker, I had reason for bringing this up, because Leapepe's statement was directly at my statement given yesterday. That is the reason for my explanation, yet you accuse that I objected yesterday. I pity the women candidates who are running for Parliament.

DEPUTY SPEAKER: Patience let me say something before I grant the interjection of the Hon Minister. I observed the member for AanaAlofi No.1 made a mention of your name.

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It does not mean that you are the subject of the matter. I too intend the same however that is not it. I beg your pardon but your name was never mentioned. You queried the same yesterday. Your time has not yet arrived. I confirm that your chance has not yet been given, except for our query.

I ask the Minister of Women, Community and Social Development, please be upstanding.

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Tofa Hon Tolofuaivalelei Falemoe Leiataua (Minister of Women, Community and Social Development): Thank you Mr Speaker for the opportunity, pardon the country tuning in. Just as I got in, the Prime Minister was speaking and the Opposition Leader should've become a pastor as it is correct that he made it to Malua except it would've been better if...

Afioga Hon Palusalua Faapo II: Mr Speaker now see, what kind of statement is this? Do not be rude...instruct...he too was a Speaker when yet he lacks insight.

DEPUTY SPEAKER: Pardon the Hon Minister, leave it. Sit down and let me say something. Leave aside his failure to Malua and the Lotto win neither lost. I instruct the Minister pursuant to Standing Orders. Pardon me, lay the matter to rest. This is why our meeting prolongs yet we are heeding our time. I call the member for AanaAlofi No 1.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: I will leave that matter aside. Pardon me your Honor, the reason why I look at the Leader of the Opposition sometimes is because he seems to.... this means my statement is set hundred percent. I now am mistaken, as he is now angry.

DEPUTY SPEAKER: Do not make signs with your hands that could lead to mistake and in consequence a bad environment.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: Very well thank you. I see that the member is angry never mind, I beg tolerance.

The intention is through service as I reaffirm as this is our custom. Let us leave it to the public for their decision. Pardon the dignity of Parliament, it is the public who decides on whether we will come back or not.

Samoa, well all the best with the upcoming Election and may we reach it in the best of health and strength. That is it from me with great respect and in support of this 3 years clause in the Bill. Thank you.

DEPUTY SPEAKER: Well done member for Aana Alofi No.1. There is still a chance for one more member.

I call the member for Siumu followed by you and the old man next to you.

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Tofa Hon TUUU ANASII LEOTA (Siumu): Thank you Mr Speaker for the opportunity. I rise with respect to support this Electoral Amendment Bill. Despite the various Select Committee recommendations not being included in the Bill, I fully support the Bill. One such recommendation was that Members should be liable to 5 years imprisonment if found guilty of a criminal offence. Although the Courts impose imprisonment sentences for Members found guilty of electoral crimes, I am of the opinion that vacating that Member's seat in Parliament would suffice. I acknowledge the various difficulties the

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public have faced in registering for the voters roll particularly for those who reside in areas which do not have a Pulenu'u such as Vailima. This land is approximately 30 acres offered by the New Zealand Government to Siumu and is used specifically by the people of Siumu. This portion was called Siumu. Secondly, it attempts to bring forth boundaries for Siumu. However what happened was when we had voters that needed to be registered, a Pulenu'u was sought. And if the Pulenu'u of Vailima and Vaoala were approached, they affirmed the registered voter is not from Siumu. It is depressing. A request is before the Hon Minister of Women for a Pulenu'u for this part of the village. Possibly, we have had settlers along this area which adds up thousands plus. For the information of the Electoral Office, bear your assistance in this matter....if I can confirm them as rightful settlers of....

Tofa Hon Tolofuaivalelei Falemoe Leiatua: Mr Speaker....

DEPUTY SPEAKER: Pardon the speaking member, I give the Minister of Women, Community and Social Development the chance.

Tofa Hon Tolofuaivalelei Falemoe Leiatua: Thank you Mr Speaker. Respectfully and regarding the matter on Pulenuu, the Bill is specific on the Electoral Amendment Bill. Lest the old man has high blood pressure do not be alarmed the Ministry is reviewing on issues like this, the Ministry will address this issue for those villages without Pulenuu. With due respect.

DEPUTY SPEAKER: Thank you. I call the member to conclude his speech.

Tofa Hon TUUU ANASII LEOTA: Thank you Hon Lady Minister. I too am assisting with the role of Pulenuu a lot. If at the end of this sitting we do not find a Pulenuu, I ask to appoint myself as the Pulenuu on account of the fact that most of the people affected are from Siumu. Then, I can confirm the voters for Vailima villagers.

Land stretching from Malolelei to Siumu is settled by the people of Siumu. Yet it is quite difficult to get voters. I am unsure as to where...pardon one of the members for Vaimauga West and the member for Individual Voters; you do not have to bring forth the people of Siumu. That is my personal intention, the people of my Constituency (Siumu) are just settling in these areas.

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DEPUTY SPEAKER: Pardon the member; we have an interjection by the member for Vaimauga Sisifo.

Susuga Hon Papaliitele Niko Lee Hang (Individual Voter): Thank you Mr Speaker for the opportunity. I beg the pardon of the current speaker. Because you have mentioned the villages of our....

DEPUTY SPEAKER: Pardon me Papaliitele, I give the chance to one of the members for Vaimauga West, Tofa Lefau Harry Schuster.

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Tofa Hon TUUU ANASHI LEOTA: Thank you Mr Speaker. I only wish to remind once again that...Itutolu o Sagaga, o Sagaga le Ailaoa, Sagaga le Vaimauga and Sagaga le Palalaua in fact all parts of Tuamasaga. Sincere appreciation Hon Minister, the boundaries of Vaimauga and Paeis well known. The Constituency is of the opinion that these lands be registered as freehold land in order for residents to vote for the Urban Constituency. As such, we seek to find a way to amend this section in the Bill. I suggest this be taken into consideration for future amendments. That is it. The only thing is that we must try and make it back in the next Election. Have a blessed Meeting and gratitude to the support of Samoa.

DEPUTY SPEAKER: Well done to the member. Well bear us your comment the Hon Minister responsible with this Bill is listening. Any other member who wishes to speak?

I call one of the members for Faasaleleaga No.1

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW (Faasaleleaga No.1): Thank you Mr Speaker for the opportunity. I greet the dignity of the House, from the Prime Minister and the notable Cabinet, Opposition Side and the entire Parliament, and Samoa tuning in.

Mr Speaker, I suggest that this Bill is being impartial especially in relation to tautua or service. It states that anyone who wishes to run must bear eligibility before the event. My initial concern over suggestions made upon this Bill seems to discourage women candidates from running in the elections. However upon hearing the various submissions made I am confident that everyone supports the increase in women membership in Parliament.

That is the intention hence I thank the Hon Minister and the Ministry for the legislation which endures impartiality thus building confidence for women to become representatives of villages and Constituencies. I am confident that women should meet the 10% threshold and surpass it.

That is the explanation Mr Speaker, I fully support this Bill. Have a blessed Meeting.

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DEPUTY SPEAKER: Thank you for your speech member for Faasaleleaga No.1. I mean it the women are concerned however the men are. Anybody else wants to speak whilst we have the chance.

I call the member for Vaisigano No.1.

Afioga TUFUGA GAFOALEATA FAITUA (Vaisigano No.1): Thank you for the chance Mr Speaker. I state that Parliament has refilled good energy from last night, I also support the prayer offered this morning.

I agree with the tabling Bill. The only comment I wish to make is in regards to eligibility of 2 years and 4 years in terms of service as everyone is aware of it because he/she was brought up in the village. I believe that service rendered starts from youth age until my matai title is conferred near elections except for

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a village of your mother or your father's where your matai title is bestowed whereby your service is counted starting from the time you were given the title.

As for the two and four year period, that is my concern. It is like referring to a leopard and its spot that remains unchanged. Similar to this situation, once you are imprisoned, once you are a convict, you are a... I am concerned in case this Bill allows such events to go through which could result in more prisoners. As such, it is essential that such cases must be considered in depth by the Minister for the future of this country.

That is the brief comment moving forward for Samoa's prosperity as we head towards the upcoming elections. Have a blessed meeting.

DEPUTY SPEAKER: Well done member. The submission you made is not the intention of this Amendment Bill.

As per normal practice whether support or reject well at least you've made your points, now the member for Gagaifomauga No.1 now wants a turn. I give the Lady member the chance before we have the Government Response. Respectfully.

I call the member for Gagaifomauga No.1.

Tofa FAIMALOTOA KIKA IEMAIMA STOWERS (Gagaifomauga No.1): Thank you Mr Speaker for the chance. I greet the Prime Minister and the Cabinet, Leader of the Opposition and the Deputy Leader and all respectable Members of Parliament of Samoa.

I also greet the dignity of Samoa tuning in today. I wish to make a submission on this Bill, I do not intend to repeat the former submissions from yesterday and the start of today as our Meeting is well received by village communities tuning in. The heart is therefore comfortable like the normal saying we hear, "works speaks louder than words." Noting our discussions from yesterday until today, why be concerned at regaining our seats when we have the full support of the alii and faipule?

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Thank you to the Government for taking the initiative to increase the number of women in Parliament for their voice to be heard, a word of encouragement to the women, be supportive to the works of your respective villages particularly those who hold matai titles and have interest in running for the upcoming elections.

All hard working women for the Government in Apia should not be concerned as their tautua is still rendered in the village. That is my observation of the Bill.

The only submission I plead the Hon Minister to note to take into consideration is equal human rights...

Deliberations were suspended for normal recess at 10:10am due to power cut.

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Proceedings of the Legislative Assembly resumed at 11:04am.

OTHER ANNOUNCEMENT BY THE SPEAKER

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

I appreciate everyone for your patience and perseverance; it is observable that we must adjourn due to power outage, so we leave it to the works of the Electric Power Corporation.

It is confirmed that our final sitting will be held in this House this week before its demolition this Friday given the run down building that is visible both for exterior and interior. This also goes for those responsible for the media and Standby Power as per usual.

I beg forbearance to the House this morning for this call, despite I offer sincere thanks to the Deputy Speaker for managing our meeting this morning. Given the unforeseen circumstances, we give the chance to the Electric Power Corporation to proceed with their works starting today until tomorrow morning. For health and safety purposes, the air conditions are also out according to our talks with the Prime Minister, therefore we shall leave it as that. Hence we shall adjourn until tomorrow.

We shall proceed as that, whatever hour we make for tomorrow's sitting according to our Order Paper that is it. Because our Order Paper is in schedule hence, we must heed all Bills and its first, second readings as set out in our Standing Orders. We shall proceed until the completion of our works tomorrow.

Other Announcement by the Speaker

That is the notices to the Dignity House – with hope that you will recognize in accordance to the agenda this morning.

Before we adjourn, I ask the Deputy Speaker to conclude your day before we adjourn until tomorrow.

Proceedings of the Legislative Assembly adjourned at 11:09am until Thursday, 13th August 2015 at 9.00am.