

*WEDNESDAY, 16<sup>TH</sup> APRIL 2014*

*Mr Speaker took the Chair at 9:00am*

Prayer.

**MR SPEAKER:** I acknowledge the respective members of Parliament and praise God for his everlasting guidance upon us today not forsaking our duties as Parliamentarians.

I believe we have set out our orders for today's business and without further ado let us reconvene. I trust things will go according to plan.

I call upon the Hon Prime Minister.

#### MOTION BY THE GOVERNMENT

**Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI (Prime Minister):** A thank you prayer was delivered by the honorable Speaker. Praise God the Almighty for his guidance upon the Speaker of the House especially the dignified members of Parliament in their bound duties to Parliament. I stand with the utmost respect your honor as one of the manifestos for Samoa when consulting upon crucial matters they sometimes rest. Upon returning, they are renewed in strength and spirit from the Holy Spirit.

The tabling Electoral Amendment Bill is very critical in preparations for the upcoming General Elections. The Government feels that it is best for the Ministry and the Hon Minister to prepare ahead of time before the elections. There are still hiccups and delay in the service they provide.

Mr Speaker, there have been numerous criticisms in relation to the long overdue bill. However the Bill has long been consulted by the Cabinet before referring back to Parliament. Cabinet has executed its duties and considers recommendations from Parliament in response to the urgency of this bill. That is why we fully support the normal procedure of referring the Bill back to the Select Committee. The Le Ao o le Malo has also granted his approval given this circumstance. Once we hear the Hon Minister and her statements we will note that there are a few amendments as deliberated in previous sittings. Furthermore there are several recommendations from the Commission of Enquiry. Most Commission of Enquiries apply similar practice of one vote per member and district here and around the world. However when it comes to us that is not the case because of our custom resulting to the many issues that we now aim to fix.

Mr Speaker the reason why we are gradually progressing in details with these recommendations is because we are seeking the advice of Cabinet through its members taking up extensive time. Hence we urge the Leader of the Opposition not to pressure us further as rushing leads to making mistakes. I urge the Committee to implement their job properly as our May sitting is near.

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**Electoral Amendment Bill 2014**  
**- second reading**

Tomorrow will be the last sitting day pursuant to our order paper and I will reconsider in accordance with our current tasks. I have consulted with the Hon Prime Minister for a motion to be moved so that we will complete our business by tomorrow. Therefore I thank you all for your patience and perseverance. I wish to remind everyone about our seminar this afternoon which will take one hour, and lunch is prepared to say our farewells with our dignitary members from Australia given their assistance with our Parliamentary Strengthening Programme. We will start again at 9.00am tomorrow morning.

Thank you Samoa for the support rendered at this part of the day as your Parliament is arriving at the conclusion of its sitting today. We thank you for your prayers and encouragement today.

Thank you also to the Heads of government Ministries and Public Enterprises, paramount chiefs and orators, women and civil media society. Your work is vital in broadcasting and promoting Parliamentary work, well done, let us hope to reconvene for tomorrow's sitting. Before we conclude today I humbly call upon the member for Gagaemauga No. 2, Fetalaiqa Saleaula to say your first prayer this year.

*Proceedings of the Legislative Assembly were adjourned at 1.00pm.*

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### Motion by the Government

The deliberating bill is very simple in the saying, 'things are simple when you simplify them but if we make them difficult then they will always be difficult'. The same goes for our constituents if we don't simplify matters to the elder men in the village, they will never agree. But if things are interpreted frankly, the old man will recede willingly for whatever matter. Similarly to the presentation of the Lady Minister because everything is clear and simple and that is how we do things.

Mr Speaker I stand because we are similar and if you have our trust and faith then rest assured as the Cabinet will do its best for everyone not just us. The Cabinet also aims to upgrade the service because whatever we do reflects well on the HRPP. This Cabinet has been in charge since 1982 such is why our works and service is a success.

Those are my views but I apologize for any offense. The decision has been referred to me and I am very flexible. It is why I stand to move a motion, *That once the Bill has been consulted it shall be referred to the Select Committee for their normal proceedings and be referred back tonight any time.*

I kindly urge those in the Opposition not to hurry us with our business because once we respond in haste then you will complain when we are simply doing what you are recommending.

Mr Speaker that is the motion I wish to move.

*Seconded by the Deputy Prime Minister, the Minister of Courts and Administrations and the Minister of Women, Community and Social Development.*

**MR SPEAKER:** Before the question is put I would like to share something important. New and conflicted thoughts have surfaced today in regards to the proceedings of this topic. If we refer back to yesterday it was not easy. As observed yesterday, the concerns raised by the members on the Bill were not simple. However I stand by my duties in accordance to our normal orders in Parliament as Cabinet has made its decision and has also acquired the signature of the Le Ao o le Malo in regards to bill's urgency, who am I to stand in the way. I trust the Leader of the Country has the discretion for what suits best. We are very thoughtful flashing back to yesterday's proceedings.

I relay gratitude to the Hon Prime Minister for his discretion and his excellent leadership skills to the surfaced concerns on the bill. Nevertheless Government has made its decision and that is how things precede. I applaud your respect Hon Prime Minister and your forbearance to the submissions on yesterday's debate including the deafening objection to the first reading.

If it was upon the Speakers discretion, the blame would've been on him hence it's achieved accordingly as we assembled back in good spirit.

This is the first ever happening in the House based on your conscience and far searching wisdom that has smoothly guided our meeting this morning. Despite heated discussions yesterday, the aim is to improve this bill applying what we call common sense, despite complying with Parliamentary practices and procedures, nonetheless, sincere gratitude to the Hon Prime Minister and your intention. I applaud and congratulate you all.

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**Motion by the Government**

**Afioga Hon Palusalue Faapo II (Leader of the Opposition):** Mr Speaker, a brief expression as you mention, it's a very distinctive morning.

**MR SPEAKER:** Do you not approve of the motion?

**Afioga Hon Palusalue Faapo II:** No Mr Speaker.

**MR SPEAKER:** The Leader of the Opposition has third the motion.

**Afioga Hon Palusalue Faapo II:** Mr Speaker, the Hon Prime Minister has spoken and Mr Speaker has given thanks. We stand by our concerns from yesterday. But reference to your recent statement, we don't object.

We all aim work alongside each other to improve the election processes. We fully support the Bill on the condition that opportunity be granted to members and the country to voice their submissions on the bill. I commend your discretion Hon Prime Minister and the considerable advice this morning but that is the member's right. You have our support and in saying that – your approval is granted.

Let us continue with this Electoral Bill as it affects us all. This doesn't involve political parties but the future leaders of the country. God bless this meeting.

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

**MR SPEAKER:** I recognize the Hon Prime Minister.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** Point of order. Don't thank me as this was the entire party's intention. You too shared the same view as former member of Cabinet. After any Election, we would seek the Commission of Enquiry for transparency. You and the Deputy Leader were part of us in the past before going against us now. The former Speaker of the House from Falealupo was one prominent figure of this party.

Mr Speaker I cautiously speak with respect given your duties as Speaker. I commend you for upholding your duties and responsibilities and you never give up. I have a mini pad that keeps a record of former Speakers of the House ratings with you graded at A triple plus, the member for Falealupo at A++, I shall not comment on the Hon Minister of Women, Community and Social Development and the one of the members for Aana Alofi No. 1, Hon Leapepe Toleafoa Apulu Faafisi times as former House of Speakers, but I will elaborate the member for Falealupo's high standards who is slightly lower than you. Those are our aims in support of the Deputy Prime Ministers comment yesterday, lest O Le Ao o le Malo takes it that we will apply these amendments otherwise you are just performing your duties as Speaker. May God bless you on your endeavors as opposed to the majority of us troubling you sometimes. Thank God for this new day and the supportive speech of the Leader of the Opposition on the bill trusting that everyone on that side no longer wants to give submissions today. Thank you and blessed meeting.



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### Motion by the Government

**MR SPEAKER:** I humbly thank the Hon Prime Minister and the offering prayer. This morning we shall prioritize and follow our business orders. I think we should not mention our traditional values and respect.

**Afioga Hon Aeau Peniamina Leavaiseeta (Falealupo):** Mr Speaker I apologize but my name was mentioned.

**MR SPEAKER:** I give opportunity to the member for Falealupo.

**Afioga Hon Aeau Peniamina Leavaiseeta:** I stand as my name was mentioned. I merely want to acknowledge the thank you note by our Opposition Leader and I only wanted to remind the raising concern we gave yesterday in which you poorly responded. We share a common goal to ensure that the nation is at its best. I pray for God's peace upon us. Thank you.

**MR SPEAKER:** Very well. In the spirit of providing transparency for the public, government has the discretion to approving the bill ensuing with the normal, 37 government members and 12 members of the Opposition. Hence government intention is now settling well by your wise counseling and conscience.

*Motion moved and the Electoral Amendment Bill 2014 was referred to the Business Committee, Standing Orders Committee, House Committee, Officers of Parliament and Electoral Committee for consideration and report back to the Legislative Assembly.*

**MR SPEAKER:** I declare the debate of the Electoral Bill be resumed before it is referred to the Committee pursuant to the moving motion and normal Parliamentary Procedures.

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

### ELECTORAL AMENDMENT BILL 2014

#### – second reading

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI (Aana Alofi No. 1):** Thank you for the opportunity, the breeze is resting well within us this morning as we rely on God through prayer to assist us with today's proceedings.

I acknowledge the efforts and works of the Leader of the nation and his Cabinet in relation to this Amendment Bill before it is referred to Committee for further submissions upon the advice of Parliament members. '*Ia o le uta lava o le poto e fetuutuunai*', 'A wise man takes advice' to maintain peace in Parliament and Samoa. Hence, thank you for reviewing the processes to this bill. There was consideration to make ends meet in accordance to the bill and the implicated constituencies. Firstly, the aim is to prepare ahead and familiarize the staff with the new system. Practice makes perfect. Thanks to the government.

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**Electoral Amendment Bill 2014**  
 – second reading

Secondly we will also witness the deadline for meeting our ballots which takes up two or three days without a main roll. Why is this? Due to the workload engaged by the Electoral Commission and staff on the rolls, this undertaken is not easy. Because who are the critics? We are, why? It is almost time for the General Elections and the Main Roll is still not official. I agree with government on the amendments provided otherwise, thank you Hon Prime Minister and Cabinet for the consideration.....for the sake of submissions given yesterday. Regardless, it's better to proceed with this bill. I had a query on the bill despite its overall view to insinuate the members' intentions of taking court actions after election. I am confused with justice sought through electoral petitions against a winning candidate. If this hasn't improved, the Electoral Commission Office and the Judiciary should take this into consideration. In Paul's words, what drives battles and wars? It stems from the heart despite innocent victory of a winning member, there's always abuse and victimization pardon the members. The aim of these amendments is to reduce the issues on Election Day.

Similar to the o'o and momoli' that is undertaken 12 months after the declaration of the poll. We are being compared to other countries that have no customs considering districts per candidates which is only found in Samoa. Why? It's our custom. Where then is this custom, I applaud you for not having any election but still manage to conduct a oo. The traditional gift is still practiced after the constituency gives a collective consent to Simi and let Kome stay. What is your response to the village council? Propose gift giving after the election...isn't that illegal practice? Because you can always say that you will present a oo if everyone votes for you. The people's mindset will focus on Kome because of this o'o. What is the difference of presenting a o'o after the Parliamentary Dissolution? The normal practice after Parliamentary dissolution is that members would meet with their constituencies and present their o'o. They would exchange word of thanks and appreciation which is our custom. We have different definitions of customs but bearing relevance to past practices, despite the time, they still relate.

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

**MR SPEAKER:** I beg the pardon of the member, but I give this opportunity to the Government's clarification.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neiote Sailele Malielegaoi:** Mr Speaker the matter spoken by the member is correct instead the legal phrase in English states, "The Law is an ass." The law is a donkey. We are well versed with our culture and traditions and only those (chiefs) who are consuming from this o'o won't take us to court. The debates are helpful to help people in the villages to understand how difficult it is to find a solution to the different perceptions including traditional leaders, judges and lawyers who made the decisions in the past causing rise to the current problems that we have now including gift giving to voters. Currently the local judges make the decisions.

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**Electoral Amendment Bill 2014**  
– second reading

But there are times when foreign judges are brought to make the decisions that if you are to present a o’o before the elections, that’s it, we can’t do much about it. That is why the Commission of Enquiry has infinitely submitted this as even our own judges and lawyers argue that the cultural concept is wrong whilst the government is trying to find a way to stop our country from being humiliated.

That is the aim to avoiding these inappropriate behaviors in relation to our customs and the law in the presence of local solicitors and chiefs. Mr Speaker, the significance of our deliberations is to notify the constituencies of a solution to these matters whether it’s cultural practices or electoral bribery and corruption.

**MR SPEAKER:** Thank you for the clarification Hon Prime Minister. I call upon the member for Aana Alofi No. 1, Hon Leaupepe Toleafoa Apulu Faafisi.

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI:** Thank you Hon Prime Minister but I agree with you. I don’t wish to speak any further in case I make a mistake but I submit the difference between a roaming chief in town and a serving chief in the village. Both have different beliefs and views. If only we all reside in the rural villages and experience an old lady’s visitation in the morning, afternoon and late night. I speak from experience. The Ministry of Health approved the funding for an eight year old child to undergo a heart surgery operation in New Zealand inclusive of the mother’s half priced airfare whilst other traveling expenses were personally funded. This occurred two weeks before the General Elections. I asked myself, which is more important, love or failing from the elections? Love is more important because the Bible says that “The golden rule of love binds everything together.” Culture is about love and respect. Therefore our decision and service in the village is incomparable to the chiefs making the decisions. We have different perceptions even with the knowledgeable mind that is about to explode, they share different expressions because of different upbringings. That is the assistance but the Hon Prime Minister is correct.

The section on verifying the voters other than the candidates by lawyers is another concern. I guess until I become a millionaire then I can run, if only the solicitors can experience how excruciating this situation can be. I wonder how high the price will be to verify Kome’s true identity. We also have Sui o le Malo or government representatives from the village. We shouldn’t judge everyone else from the untrustworthy behavior of one village mayor or government representative. That is the village’s responsibility. Those are issues to consider because a youth cannot become a village mayor, with God’s undivided bestowal yet they are irresponsible. That is why there is a difference between serving in the village and a chief roaming around the town area. But thank you for referring these to the Committee.

**MR SPEAKER:** Do not worry as I am the Chairperson of the Committee and am taking notes of all submissions. But do ensue as your comment sounds pleasing to the hearing of the House.

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**Electoral Amendment Bill 2014**  
**– second reading**

If the districts of Aana Alofi No. 1, Faleasiu and Fasitoota are listening in, I shall not talk more about it but sincere thanks to our descendants for initiating these decisions to hold two representatives and two villages in Parliament hence I wish not to hold any contempt as God owns the gift of knowledge and wisdom that comes with reasons. Thank you to our ancestors for the accorded division of Fasitoota and Faleasiu. This also specifies no elections for some candidates. This also states that there is nowhere in the world you will find selection based on traditional status and custom. Why? Because each village holds a representative. Although there are sections I wish to clarify on otherwise, we shall refer it to the Committee.

The Bill states for one representative of Faleasiu in Parliament including the sub village of Sapulu. Do you see the difference between the wisdom found in the rural and in Parliament? This includes Sapulu but where is Sapulu located? Is Sapulu situated on a glittery rock? That is why we should have two representatives each for Faleasiu and Sapulu. Similarly to Fasitoota, they too should have two representatives for the sub-villages of Satui and Mataiilili. Where does Satui and Mataiilili locate? I am not angry because I know the reasons behind these origins; but the reason why I say this is because it raises queries. Knowing how to write and speak in English is dissimilar such that if you don't give way, you get hit by a speedy vehicle which is different from going in the rural village and say, distribute traditional food. The old men say that wisdom is different from distributing umufai (cooked bananas). That is old men saying in the old days...

**Tofa Levaopolo Talatonu (Gagaemauga No. 2):** Mr Speaker, Point of clarification.

**MR SPEAKER:** Point of order or point of clarification?

**Tofa Levaopolo Talatonu:** Point of clarification.

**MR SPEAKER:** Very well, you may speak member.

**Tofa Levaopolo Talatonu:** I just wanted to be clear of whom the member is referring to with this new knowledge, whether it's the Commission or another organization. I wish to know your honor.

**MR SPEAKER:** Well, these general comments by the member are combined knowledge to incorporating this legislation involving these queries in drafting and consolidating this bill. Hence I give opportunity to the member for his response.

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI:** Mr Speaker this is another troubling question. I won't bother to reply but there are three respectable members in this House who understand what I am saying including the Hon Prime Minister who is Aiono. After God created Adam and Eve he created Aiono and Leaupepe and the Hon Minister of Health, the Alo o Tamaalelagi. We are the only three who bears understanding of our constituency. That is why I don't bother responding to the unnecessary.

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– second reading

**Tofa Levaopolo Talatonu:** Mr Speaker, point of order. Tautaiolefue was the first before these men.

**MR SPEAKER:** I give opportunity to the member. Do not speak as a dictator like the words of the member for Saleaula.

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI:** Thank you. Thoughts are disappearing by the interruption of the member for Gagaemauga No. 2. Nevertheless, those are the views on the bill but I fully support the divisional amendments by the government which is good change moving forward. If my constituency is listening, those are the submissions to guide us through with our plans. That is the objective of setting up this bill given the proverb, “Practice makes perfect.” I pray for God’s blessings upon Samoa, the constituency and the members of Parliament.

Furthermore I thank the honorable Electoral Commissioner who is now taking over the role which is not easy. That is the motive behind this bill as we both share the same experience to finding the Main Roll that completes the...and receive it after two days. The main roll is obtained just in time before the elections previously. The rolls should meet a deadline requirement before dissemination to the electoral candidates committees to finding their relatives to kneel down on before the elections. Thank you Mr Speaker, God bless the Cabinet and the Hon Prime Minister. Farewell to this side of the House. Thank you.

**MR SPEAKER:** Thank you member for Aana Alofi No.1, Hon Leaupepe Toleafoa Apulu Faafisi for sharing your concerns. I believe no further praises be offered to the wonderful speech prepared before the House, for you are one valuable asset to Parliament given your wise counseling. Thank you for your words of wisdom. The village has heard all and this is a true declaration of our work. Thank you for the statement this morning. Yes, I give opportunity to the member for Gagaemauga No. 2

**Tofa LEVAOPOLO TALATONU:** Thank you Mr Speaker for the opportunity. Regardless of the fact that this constituency is not really affected by this legislation, I like to share some views before Parliament. Perhaps 90% of submissions have been answered this morning with the support of the Hon Prime Minister and the Leader of the Opposition. The only concern is to be mindful of its impact on our Constitution. This legislation clearly defines the amendments subject to section of the Electoral Amendment Bill 2014. The 2014 amendment to the Constitution is still pending to be in line with this bill. Regardless, some sections are now clear.

Thank you for postponing this bill until further investigation is undertaken because as legislators, we aim to improve the bills to its fullest. This is reflected in the incomplete sections of previous legislation passed in Parliament including other legislations received and approved two months ago. Personally it is best to refer this bill for further improvement. Another complicated section of the bill involves the cultural aspects and status of the constituencies. The Commission has no authority over the divisional status of these constituencies. Such is the aim to postponing this bill in support of the Hon Prime Ministers decision.

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**Electoral Amendment Bill 2014**  
– second reading

Secondly, the electoral candidacy eligibility section. It would be good to attach the state of...

**MR SPEAKER:** I beg the pardon of the member but I give opportunity to the interruption of the Hon Prime Minister.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** Mr Speaker I wish to correct that the Commission of Enquiry does not have authority over the electoral constituencies restructuring. The Commission of Enquiry did invite the public to make submissions. The Commission's report is also based on the investigations carried out but we (Parliament) make the final decision. Hence normal process is applied once the bill is referred to the Committee.

The only difference involves a few appropriate recommendations deemed by the Cabinet. That is reason for the delay submissions of divisional constituencies in previous Parliamentary terms. Clearly, the unending countless submissions from the public and constituencies led to the official establishment of the Commission of Enquiry on top of this passed law in the House.

Mr Speaker the only new justification to the motion is granting limitless opportunities for the public's views before this bill is made law.

Mr Speaker that is the case hence we shall again swim across the ocean that the Commission has achieved taken the members views this morning, there are slight improvements that needs to be incorporated into the bill including the sub villages of Satui, Matailili, Sailioa, Avano for Fasitoouta which should be four not two. Perhaps it's a typing error as some typists tend to type fast mixing up the numbers? Typists are the reasons to some mistakes and we can correct their mistakes. But government solicitors are excellent in drafting and producing laws.

**MR SPEAKER:** Thank you. I call upon the member to continue his speech.

**Tofa LEVAOPOLO TALATONU:** Thank you very much. The basis of this bill is consistent and fair but we must take heed of our custom and democracy as both must be in line together which is very difficult. If democracy is adopted, we must remove our custom vice versa. But given that the two concepts must go together, that is an issue to the General Elections. Hence we must be cautious of our traditional assets - constituencies and villages.

Another section defines solicitor's service instead of pulenu'u or village mayors that we often speak about. I like to correct that the term 'pulenuu' no longer exists. What is a pulenuu? That term no longer exists according to the approved law in January 2010 substituting the term pulenuu to Sui o le nuu or government representative. That is correction for Parliamentary records. Therefore I ask the lawyers' who confirmed these documents to....

**MR SPEAKER:** I beg your pardon member, but I give opportunity to the Hon Lady Minister to who owns the Bill. Please stand Hon Minister.



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– second reading

**Afioga Hon Fiaame Naomi Mataafa (Minister of Justice and Courts Administration and Electoral Commission):** Mr Speaker, a point of order. The raising matter about pulenuu is correct, it has been substituted with Sui ole Nuu. However the current bill doesn't constitute of this change as pulenuu was still used during the drafting of the bill.

**MR SPEAKER:** Very well, if this change is approved then we will replace pulenuu in the old pulenuu legislation. I call upon the member.

**Tofa LEVAOPOLO TALATONU:** Thank you. I have the approved amendment to pulenuu with sui o le Nuu which was passed in January 2010. Never mind I will move on to the next matter on legal advisor. A legal advisor is a lawyer in the Attorney General that is independent. Can a member for Vaimauga West, Tofa Lefau Harry Schuster, a Parliamentary Counselor and the member for Faasaleleaga No. 2 verify me as an electoral candidate despite their profiles as members of the House, and I too....similarly to the Hon Prime Minister, is this relevant to the said legislation, given that we will need verification from lawyers in Parliament. Is it relevant, that's the question?

Lastly Mr Speaker...

**MR SPEAKER:** Yes, I recognize the Deputy Prime Minister.

**Tofa Hon Fonotoe Nuafesili Pierre Laufo (Deputy Prime Minister):** Mr Speaker I will quickly respond to the member for Gagaemauga No. 2. I can validate the documents for you. When we near the elections, you can come to me with your voters and candidacy documentations for me to validate. Everything is free of charge the same with other lawyers of the House.

**MR SPEAKER:** Thank you. Leader of the Opposition did you want to comment?

**Afioga Hon Palusalue Faapo II:** Thank you Mr Speaker. I wish to ask the Hon Deputy Prime Minister how are we expected to trust him when he was the one who hid the Pulenuu making the other candidate give up in the previous election? Leota Ituau has long been searching for the pulenuu but he was entreating him.

**Tofa Hon Fonotoe Nuafesili Pierre Laufo:** No, I beg tolerance as my constituency and Samoa is listening in, I did not hid the pulenuu, I too was searching for him but was unaware of his whereabouts. In saying that...do note that a solicitor's confirmation back then was unnecessary other than the Electoral Commissioner. That was then as opposed to the current system that even with the Leader of the Opposition, if he's got people to verify, I can verify them for you free of charge.

**MR SPEAKER:** Well this is suspicious thoughts because I received claims about the Leader of the Opposition struggle in seeking the pulenuu that particularly day. After unsuccessful attempts, the blame is now on you.



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Only God knows. The pulenuu was attending to some very critical family matter hence due to your delayed effort, that is reason for the old man's unsigned document. Let us pass on this one but ensue with the pastor matter and....

Yes. I recognize the member for Alataua West.

**Afioga Lafaitale Patrick Leiataualesa (Alataua West):** Mr Speaker what you're saying about being suspicious is true. But the submission given yesterday for the sake of my constituency was well taken as everyone collectively agreed not to have an election however it was the Leader of the Opposition that persuaded the pulenuu. That is the truth in this matter which is confirmed.

**MR SPEAKER:** Yes, well there is opportunity for investigations should the member for Alataua West wishes as the Leader of the Opposition is now blaming the Hon Deputy Prime Minister when he initiated the subject  
I give opportunity to the Leader of the Opposition.

**Afioga Hon Palusalue Faapo II:** Mr Speaker these are the good constituencies unlike the Deputy Prime Minister because we did come with the electors to obtain the pulenuu's verification by way of his signature at your district, member for Alataua West according to the law.

**Tofa Hon Fonotoe Nuafesili Pierre Laufo:** Mr Speaker, point of order. A very slight correction as the nation is hearing this and the nation saw the court's ruling on television about one of our constituent's hearing which was unsuccessful because he was ineligible to run in the elections. That was the court's decision which is different from what you are talking about which are just rumors.

**MR SPEAKER:** This subject matter is very important pertaining to the current existence today. As we near the elections, we will see the non constituents pushing for this illegal act. I warn you not to come anywhere near our district otherwise our young men will have it once you trespass. However I salute your forbearance. I believe what has surfaced reflects the state of our work hence I urge members, in case the mistake of one person affects the good work of the village representatives in our villages. I remind the current speaker to conclude now as the sui o le nuu matter is now clear.

**Tofa LEVAOPOLO TALATONU:** Thank you your honor, the only thing the public is hearing is politics even with cases involving the hiding of pulenuu. Regardless, I shall move on to candidacy eligibility. Other than the good amendments beforehand, but a section on the candidates' qualifications depending on their age, 69 may be too old, too much. We should be alert and look fully fresh at all times in making laws considering the various international trades. The age limit should be 65 and under, as this is reflected in most of our sittings, we hear the 65 and over snoring. That is the situation...

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

**MR SPEAKER:** This age is very important to a person's lifetime. I recognize the Hon Prime Minister.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** The member's point is very important. Take for instance, the Hon Tuiloma who is 90 years old but is very sharp that if you don't dodge you will get hit. This member is moving 300 miles per hour so you should consider your statements wisely as he is nearing 100.

**MR SPEAKER:** I call on the member.

**Tofa LEVAOPOLO TALATONU:** I ask the Hon Prime Minister as I never mentioned the member for Falealili, the Hon Tuiloma Lameko because I was speaking generally. It concerns me your honour when observing the Hon Prime Ministers of other countries, their age range from 40 years and above which reflects that they have sharp minds...

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

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

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** I am very considerate of Afualo sitting next to you and the man Aeau. When they walk they seem to tumble over and hearing you talk about the elderly is very sad. You are pointing at this side when you are forgetting those sitting next to you.

**MR SPEAKER:** Yes.

**Tofa LEVAOPOLO TALATONU:** Mr Speaker I haven't finished. The over age members on this side is more resilient and attentive. That is why I advice members not to retire in Parliament. They appear to get sick and move slow. Whilst this side is keeping the government on their toes to ensure that the laws are intact for a stable and successful economy for the nation. That's all thank you for the opportunity.

**MR SPEAKER:** Pardon the member but that is exactly why I am cautious of the senior members of the House, hence I grant the opportunity to the member for Falealili, Hon Tuiloma Lameko.

**Tofa Hon Tuiloma Lameko (Falealili):** Mr Speaker I stand with all due respect to support the Hon Prime Ministers statement at this current stage if Tuiloma punches someone that person will die. I wish to reiterate that I shall not respond again to the new members in particular such as the quote, "Pay no attention to the fool, for you might become one too."

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**Tofa LEVAOPOLO TALATONU:** Mr Speaker I have already concluded my statements, I thought that the Hon Minister was rising to render his apologies otherwise thank you.

**MR SPEAKER:** Thank you. I believe the comment by the member for Gagaemauga No. 2 is well defined.

I give opportunity to the member for Siumu followed by the member for Aana.

**Tofa Hon TUUU ANASII LEOTA (Siumu):** Thank you Mr Speaker. I stand with respect to voice my concerns and make a contribution to the Electoral Amendment Bill 2014.

Mr Speaker this Bill is very important because it affects every constituency in the country and the future. That was the concern raised yesterday given normal Parliamentary Procedures to refer the bill to the House, nonetheless, government through the Hon Prime Ministers statement has issued approval to refer the bill to the Select Committee for further consideration.

Mr Speaker I had trouble sleeping last night due to the urge from members of the Independent Voters Hon Maualaivao and Papaliitele Niko I pity the poor members because if the amendments to the legislation was made law today, the two members would've given their signatures now. Mr Speaker, we are all aware of these seats from the beginning...

**MR SPEAKER:** I beg your pardon member as you are involving the entire nation which shouldn't...you speak of resignation whilst everyone is listening, what exactly are you saying? I call upon one of the members for Independent Voters, Hon Papaliitele Niko Lee Hang.

**Susuga Hon Papaliitele Niko Lee Hang (Independent Voters):** Thank you Mr Speaker for the opportunity. I shall not disturb the member's speech; however I wish to clarify the member's statement which specifies that if the bill was approved yesterday, are you sure we would've rendered our signature? With all due respect.

**MR SPEAKER:** That is the intention to the member who implies the common phrase, the snake is being slaughtered. That is old time language, a snake is referred to a devil. But let chance be given to the member to succinctly define his view. I give opportunity to the member for Siumu.

**Afioga Maualaivao Pat Ah Him (Independent Voters):** Mr Speaker...

**MR SPEAKER:** Oh yes, I give first opportunity to one of the Independent Voters, honourable Maualaivao Pat Ah Him then back to the member.

**Afioga Maualaivao Pat Ah Him:** Thank you for this opportunity. This is a very significant morning in acceptance of the Hon Prime Ministers wise counselling. Pardon the Leader of the Nation and Parliament given our comments on.... I shall not dwell on it again thank you for your kindness.

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This morning I rise in support of the recent member's view and the well taken matter by the government. The statement on 'slaying a snake while its eyes are still open' – "*E na o le gata e fasia ae pulapula mata*" is like a normal saying that describes a feeling or expression of a person, but it can be repealed easily. With all due respect thank you Mr Speaker.

**Afioga Hon Palusalue Faapo II:** Mr Speaker, point of clarification.

**MR SPEAKER:** What are you trying to provoke out of the member...

**Afioga Hon Palusalue Faapo II:** I am not trying to provoke anything of the member's speech.

**MR SPEAKER:** Yes.

**Afioga Hon Palusalue Faapo II:** This happened in the previous Parliamentary Terms. The legislation was approved with produced rolls which paved way to the resignation of the Hon Minister of Health upon confirmed claims that the member was no longer for Fagaloa but Faleasiu. That is the concern in case the legislation is approved and similar case occurs to the Individual Voters seats. Importantly this is addressed.

**MR SPEAKER:** Your concerns have been recognized which is as far as east and west in comparison. Nevertheless I give opportunity to the Minister of Women, Community and Social Development.

**Tofa Hon Tolofuaivalelei Falemoe Leiataua (Minister of Women, Community and Social Development):** Mr Speaker for saving the member's time, I wish to comment on his previous statement about, 'a snake that is beaten to death while its eyes are still open', am I right?

**MR SPEAKER:** Yes.

**Tofa Hon Tolofuaivalelei Falemoe Leiataua:** To sympathise with the members, it would be suitable to substitute the snake statement with, 'only a lamb's skin is sheared off noiselessly', yet the two seems identical. This sounds more like it as a lamb is peaceful whereas a snake is devilish according to the member's statement; it seems to refer to evil old men.

**MR SPEAKER:** I give opportunity to the Minister of Health.

**Afioga Hon Tuitama Talalelei Tuitama (Minister of Health):** Mr Speaker I believe I should share my views on the matter as this member was mentioned.

**MR SPEAKER:** You may speak.

**Afioga Hon Tuitama Talalelei Tuitama:** The correct phrasing of the term yesterday was 'the snake's eyes were open,' while today they are tightly shut. Thank you.

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**Afioga Maualaivao Pat Ah Him:** Mr Speaker...

**MR SPEAKER:** Yes member...

**Afioga Maualaivao Pat Ah Him:** Just a thought, but I think the one about the lamb sounds better. The lamb is quiet and forgiving if that is the case. Thank you.

**MR SPEAKER:** I recognize the other Independent member, Hon Papaliitele Niko Lee Hang. Are you supporting the lamb or...?

**Susuga Hon Papaliitele Niko Lee Hang:** Mr Speaker I am very saddened as it seems like our seats are being mocked. The statement issued yesterday means that although you are treated badly without a wrongdoing is similar to a slaughtered snake with open eyes. Hence, a lamb being sheared without a word, well a snake can get severe and kill people but a lamb is inappropriate to us. I don't wish to be compared to a lamb according to the statement of the Hon Minister of Health, we surely can get beaten with open eyes instead of eyes closed.

**MR SPEAKER:** Very Well, there are various interpretations to this matter hence I am still maintaining peace and order.

The concern of the Hon Minister of Women, Community and Social Development is that there are no sheared off sheep in Samoa which is inappropriate.

What do you say honourable Associate Minister, is beating cat more suitable as you always speak of cats? I beg tolerance members; let us move on to another subject as this one is now clear.

Yesterday's appeals were of the Individual Voters to the government to consider their constituencies. The Leader of the Opposition has spoken, no. That is not the intention, in case you think that this impacts negatively on the two individuals, but I confess, a roll is a roll. The electors in the roll are well aware of this too. I guess this is to do with the substitution of Independent Voters with Urban seat. Whichever way to call it, it's the same thing. But I beg tolerance Papaliitele and Maualaivao, do not take these matters seriously. You are also elected members of Parliament; I give opportunity to the member to conclude his speech.

**Tofa Hon TUUU ANASII LEOTA:** Thank you Mr Speaker. I apologize to the member Hon Papaliitele Niko Lee Hang and Maualaivao Pat Ah Him, do not pay attention to people talking about lamb and that. Statement on poisonous snake is correct and should be killed, I apologize as you weren't clear but I will ensue. The Speaker is well aware of these two seats incorporated under HRPP since its establishment until today. HRPP is the current government of the day and if this is good today, why try to change it now? This seat began with five seats and is now down to two in accordance to our descendants who established the constitution, "These seats will eventually die a natural death." The number of voters is still rising; nonetheless, did we make any mistake in the last Parliamentary term?

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The old legislation states that if you hold a matai title, you are removed from the old roll however voters registrations is again re-approved, hence is the significant rising to the number of voters developing thickness to Individual Voters roll, which would've been disregarded long time. Time will remove these seats turning Parliament number to 47. There is belief that the seats for Faleata and Vaimauga will no longer exist in Parliament according to the members claims.

I don't support the amendment on divisional constituencies. The current division is appropriate. That is the advice to Papaliitele and Maualaivao, your submissions on the two seats must be reviewed by the Committee. So don't hesitate as I am trying to assist. The intention is to retain these seats.

Thank you Mr Speaker and bless this Assembly.

**MR SPEAKER:** Thank you member for Siumu: I recognize the member for Aana Alofi No. 3, followed by the member for Aiga i le Tai and the member for Vaisigano No. 2.

**Afioga Motuopuaa Uifagasa Aisoli Vaai (Vaisigano No. 2):** Mr Speaker...

**MR SPEAKER:** Do you wish to speak or are you interrupting?

**Afioga Motuopuaa Uifagasa Aisoli Vaai:** Point of clarification.

**MR SPEAKER:** Yes, well I give opportunity to the member for clarification.

**Afioga Motuopuaa Uifagasa Aisoli Vaai:** I apologize to the member for Aana Alofi No. 3. I came one hundred percent prepared to contribute to the referred bill, I ask myself whether this is the right opportunity to discuss agreement has been reached to refer the bill to the Committee to obtain findings, recommendations and resolutions until further opportunity. I thought this is the chance for the affected constituencies in particular. That is the question with all due respect thank you.

**MR SPEAKER:** I understand you but we are now debating the second reading of the Bill which gives opportunity for members to provide submissions. The bill is later referred to a Select Committee for consideration pursuant to the Standing Orders. The Bill is reported back to Parliament for its third reading. Member for Aiga i le Tai opportunity is now available should you wish to speak.

**Afioga Motuopuaa Uifagasa Aisoli Vaai:** Thank you for the clarification.

**Afioga TOELESULUSULU CEDRIC POSE SALESA SCHUSTER (Aana Alofi No. 3):** Firstly I want to thank the Speaker for the opportunity.

I also take this opportunity to thank the Hon Prime Minister and the Cabinet and most especially that side of the House for the granted opportunity to share our thoughts to obtain a thorough review of the bill.

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Firstly I speak of the initial amendments to the bill. As reiterated by members of the Commission of Inquiry, this Commission should be legalized to carry out investigations after the elections to improve the electoral processes.

Secondly, the amendment is vital with the involvement of Parliamentarians. Commonly, the Commission of Inquiry is selected by the Government comprising of members who are non-Parliamentarians no disrespect, but representatives such as you should be involved. Both government member and Opposition member should be members of the Commission of Inquiry. The members have experience given that they have gone through the election processes hence it is good to involve them to improve the electoral processes, electoral petitions and such.

Mr Speaker I support Leaupepe's view on gift giving section. I believe the timeframe should be reconsidered. It's true to carry this out after elections but the time period is vital when presenting gifting. A statement on this must be reviewed and incorporated into the bill.

Mr Speaker in conclusion, the various gifting or o'o is not well defined. Most successful candidates would celebrate after the elections. Some would define gifting as celebration before and after the elections. A fair system should exist.

Mr Speaker, according to Leaupepe, most gifting preparations is done on a daily basis. Members of Parliament assist with donations and developments in the villages and districts. However, this is all banned according to the legislation.

Therefore the legislation should be reviewed to indicate what is permitted and what is disallowed. I believe the raising concerns on illegal practice should be taken into account by the lawyers to protect us and our custom. In the words of the Hon Prime Minister, all our lawyers are eligible. They too can produce laws to protect our custom not to mention the candidates' genuine assistance to the voters.

Thirdly, incorporate a section on electoral financing or total expenditure spent by the candidates before and after the Elections. This electoral financing defines a limit on the amount of money given to the people (voters). This way we would have less people going to trial over a \$10tala that was only given to help them for transportation. .

Mr Speaker, moving on to divisional constituencies. We shouldn't blame the Commission of Inquiry nor the proposed legislation. I propose that the Committee should work collaboratively with reorganizing the district units so that everyone is involved particularly the affected constituencies.

Reference to the urban seats for the Individual Voters as one puts it, 'to die a natural death'. I don't recall a time when natural death was finalized. The bill does not aim for this to occur...this phrase should involve a justification process for the two Individual seats instead of changing it altogether.

That's it Mr Speaker...

**MR SPEAKER:** I recognize the Deputy Prime Minister.

**Tofa Hon Fonotoe Nuafesili Pierre Laufofo:** Mr Speaker I see that we are nearing our usual recess time.



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However the process that the member is suggesting is unnecessary given government's aim through this legislation and further proposals in the future. The reducing formula is given in the second schedule of the Constitution. All General Elections uses the same formula whereby the total population less the total number of Individual seats until it's down to zero. It is a critical long process according to the legislation.

**MR SPEAKER:** I believe the member for Aana Alofi No. 3 has grasped the matter.

**Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:** Thank you. I wish to comment on the process stated by the Hon Deputy Prime Minister. If this process is executed, these seats shouldn't be removed considering the increasing number of voters for the Independent Voters. This is an expression on...

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

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** Mr Speaker that process is superseded by this new amendment. It is baseless to talk about practices that no longer exist. But it is good to elaborate and apply as the number of party members is rising whilst we have passed the 'natural death talk' lest we must now focus on the proposed amendments to the legislation.

**MR SPEAKER:** Yes, I give opportunity to the member to continue.

**Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:** Thank you Mr Speaker. I would like to comment on candidacy confirmation in the Bill.

Firstly I support part of the bill on village representatives and pastors. This is very important to me as these people reside and serve in the village. If it's a case that requires a solicitor's service given the three months requirement, the Office of the Electoral Commission would've been able to practice this in the previous years. Hence, service within the village is my utmost concern. The Judiciary Office is solely responsible for this three month requirement. I recommend suitable representative from the village/districts and remove solicitors.

Moving on to resigned public servants section. Firstly, the private sector and individual citizens seems to be prioritized in this sense instead of the public servants because the private sector people do not have to resign whilst the public servants have more knowledge on these processes...

Secondly, the misuse of government assets by public servants for their electoral campaigns. I suggest that sections to the bill must be reviewed six or nine months before the elections to avoid this wrongdoing. I know it's difficult to fail from the elections after resigning from your job but time requirement is necessary to avoid the misuse of government assets before taking up the electoral campaigns.

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**MR SPEAKER:** I beg the pardon of the member speaking, but it is now time for our usual recess. The member may continue when we re-commence. I now announce that proceedings of the Assembly will now be set aside for its usual morning recess.

*Proceedings of the Assembly were set aside for its morning recess at 10:44am and re-commenced at 11:18am.*

**MR SPEAKER:** I greet and acknowledge the respective members of the House. I trust you have all gained rejuvenation during our recess so that we may continue our Proceedings and also our programs set for the day. Members will be notified sometime later on for the day, a finalized program so that members are aware and can make priority as we continue with our proceedings.

Nevertheless I like to convey my gratitude to the distinguished members of the House in your patience during our Proceedings. I trust you have all been reinvigorated with the refreshments prepared.

I call on the Hon Prime Minister for the motion of our works. Please rise Hon Prime Minister.

**MOTION TO AMEND SITTING HOURS**

**Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker I stand with the utmost respect to move a motion, *That the Proceedings may recess at the normal hours from 1:00pm and re-assemble at 7:00pm until orders of the day are complete. I move this motion with respect.*

*Seconded by the Deputy Prime Minister, Minister of Finance and the Minister of Women, Community and Social Development.*

*Motion approved.*

**MR SPEAKER:** We had taken our recess when the member for Aana Alofi No. 3 was making speech. I call on the member to continue as I believe he is about to conclude his speech.

*Debate continued on the second reading of the Electoral Amendment Bill 2014.*

**Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:** Thank you Mr Speaker for the opportunity. I wish to acknowledge the Speaker and the Office of the Legislative Assembly for the refreshments today.

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I conclude with the matter on public servants as I believe it should be reviewed...so that a deadline requirement is specified for the public servants to stop utilizing government resources until registration is approved on Election Day. The perception of utilizing government assets by public servants must be removed. Then I conclude with a request on...

**MR SPEAKER:** I recognize the Hon Prime Minister.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** We must be cautious of this kind of situation. Tuivalea is not present to manage government through its Ministries and Public Enterprises. A public servant's decision is uncertain until legal procedures are undertaken. We tend to know this at our own timing as some make up their minds in the end. Majority are pretty cautious of their decisions way before the deadline which is not easy. But I guess it's good to proceed with it based on our conscience as Moses and the prophets are present. But the advice is vital in incorporating this provision by Cabinet given the member's view to avoid the overutilization of government assets by the public servants. The government and Cabinet is also looking forward to this such that if a CEO is planning to run in the elections from that side (Opposition), we also have people who can run from this side (government). It is not good for a Minister to view one of his/her CEOs running with him/her on the same territory. There is always the concept of conscience to resolving these changing mindsets. This only comes to mind once legislations are submitted for discussion.

**MR SPEAKER:** Thank you. I call on the member for Aana Alofi No. 3 to conclude his remarks.

**Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:** Thank you Mr Speaker. My last request is amending the Electoral Amendment to be in line with the Constitution. Thank you for the opportunity.

**MR SPEAKER:** Very well. Thank you to the member for his views. I give opportunity to the member for Aiga i le Tai followed by the member for Faasaleleaga No. 2.

**Susuga IFOPO MATIA FILISI (Aiga i le Tai):** Thank you Mr Speaker for the opportunity. I commend you for your patience. I accept the support of my constituency of Aiga i le Tai.

Firstly I acknowledge the Hon Minister of this legislation. I commend the Commissioner and staff for the hard work. I also acknowledge the Hon Prime Minister for a change of heart given our disappointment with fast tracking of this bill. Nevertheless, it is now referred to the Committee for further review providing another chance for members' submissions. Thank you Hon Prime Minister.

Foremost I like to comment on the exertion of legal advisors due to numerous candidates in elections as mentioned by previous members in their comments.

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I believe it is the same intention as us in the rural areas as we perpetually serve the village, families, church especially the constituency. This is unnecessary in the rural areas as authority there is well managed. So a lawyer's service in verifying candidates and electors for Aiga I le Tai is needless.

I acknowledge the divisional constituencies. I shall mention this any further as the impacted constituencies are both happy and sad. However, if these constituencies are unhappy, we want division for our district. This does not constitute the villages nor sub-villages but the Islands of Apolima and Manono. If so, do note to divide Manono and Apolima for another representative as Apolima-uta, Apolima-tai and Manono-uta and Manono-tai, Mulifanua and also Aiga i le Tai are all situated in Upolu; that is for the Government's consideration.

I support the gifting (oo and momoli) provision provided in the bill. It is better for the successful candidate to proceed with the oo and momoli after the elections. I doubt any losing candidate will want to proceed with gifting. This is for one Parliamentary term of five years before the next elections. I urge the Electoral Commissioner and staff to work in earnest as there are several fraudulent servants in the Office. I speak from experience because I did tender my resignation whilst some voters were unable to proceed inside for registrations because it was closed. Why? Due to the delayed electoral processes on registration. I agree with Hon Leaupepe on registered roll received earlier as well as meeting a deadline for closed registrations to lessen the burden on late registrations.

I acknowledge the Hon Minister, the Electoral Commissioner and staff and pray for your continuous efforts in traveling around the rural areas to get the people's registrations saving up the candidates' time and effort. Thank you your honor.

**MR SPEAKER:** Thank you. I beg the pardon of the member for Faasaleleaga No. 2 as the member for Vaisigano No. 2 has had several attempts for an opportunity but you will be next. I call upon the member for Vaisigano No. 2.

**Tofa MOTUOPUAA UIFAGASA AISOLI VAAI:** Thank you Mr Speaker for the opportunity. I acknowledge distinguished members of the House, the Leader of the Government, Leader of the Opposition and most especially the CEO's of various Ministries here with us today.

I frequently go through the order papers to find this bill in past sittings, nonetheless, now that we've received and gone through it, it is very disappointing considering that the Commission of Inquiry should've submitted a few electoral candidate issues to discuss before the elections. Nonetheless, only boundary lines are specified for some territorial constituencies. Regardless, at least we have an Electoral Bill to build on in future Elections. Since our Independence, we have had individual voters or half-castes whether Chinese etc...gradually the number of members per constituency began to change, the number of members changed to 49. Government now has set plans to change this number to 54 including women which is good change considering further amendment to the divisional constituencies.

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According to statements on these new amendments, there is a Samoan saying that goes, "*O le aso ma le filiga*", in English, "Time and relevance." What you do should be relevant to the time change including the current. This involves various issues before the Elections including electoral campaigns and electoral petitions. The electoral petitions is diminishing our pride as the first Pacific island nation to gain Independence achieving 52<sup>nd</sup> anniversary this year. Why? Because of illegal practices involving bribery and treating. The Enquiry of Commission should've revisited these areas otherwise, the bill is now tabled.

Explicitly, time and events have changed...it was very difficult back then during the road switch fortunately, its recognizable now. Similarly to Fridays shifted to Saturdays and Saturdays to Sundays which was difficult at first but was later acceptable. The same goes for daylight savings time schedule.

What I mean to say is that laws vary in relation to the Electoral Bill. Bear in mind that elections is a foreign concept as stated by one member yesterday. Selection is a Samoan concept that is based on collective decision before proceeding with gift giving or o'o. Hence, only two were selected by the district, whilst the rest of us went through the election process which is European style. Whom do you present your o'o to? Democratically, you don't gift the supporters but the constituencies. However about three quarters of the district population are settling dispersedly in Apia whilst very few live in the districts. Hence I don't support the gift giving practice.

Firstly, the electoral processes is not easy, you spend thousands on campaigns and have to save up for gift giving because \$100 to \$1000 is surely not enough. If we present a oo, it would be another cost because you don't just go with 50 boxes of herring to do it as that is Samoan nature, they talk behind your back.

Secondly, o'o presentations are done every day compared to the past, after election, you don't see a member seeking funds. After Independence, members were not expected to give something to a family faalavelave whereas today, even with minor family obligations, the village members would seek the members' assistance but when you have a faalavelave, do you see them helping? No. I speak from the members' perspective because when it's your turn to have faalavelave you deal with it on your own. Such is my disapproval of this provision as I want this change and I want the law to change the mindset of people, as an MP you don't have millions of dollars raining from the sky plus thousand fine mats at your house....that is the situation your honor.

Thirdly, mandatory registration according to the freewill of voters to choose where to vote. We must set up simple legislations for voters to give their registrations because it is baseless to register and not cast their votes. Another concern is transporting the voters to cast their votes expecting monetary gifts or food as reward in return. That is why registration enforcement is required for voters.

Lastly Mr Speaker is my support for utilizing solicitors as I believe this is the best decision. We can never be too sure whether we use a pastor, lawyer or village representative as many corrupt practices have surfaced from previous elections.

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For instance village representatives are known to verify the voters even though they have never served nor reside in the villages long enough to become eligible voters. It has happened. I do wish to continue but my voice is becoming gravelly.

Mr Speaker, Leader of the Government and the House I beg forgiveness if the member for Vaisigano No. 2 has overstepped any boundaries, it is comments to improve Samoa towards the future. Have a blessed meeting.

**MR SPEAKER:** Thank you. I acknowledge the member for the suggestions and input. I recognize the member for Faasaleleaga No. 2 to proceed followed by the member for Vaimauga West, Tofa Lefau Harry Schuster.

**Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU (Faasaleleaga No. 2):** Thank you your honor and the dignified members of the House for the opportunity. This is a very significant bill. Hence sincere thanks to the Lady Minister for tabling this bill yesterday, I was hesitant earlier in fact this morning I acknowledge the Hon Prime Minister and Cabinet and that side of the House for the discretion and plans to proceed with normal procedures.

The Bill at hand has various important sections. I begin with gift giving or o’o. Given the various interpretations and clarifications of the bill, timing is not emphasized whether before, during or after the elections. I call this electoral campaigns abused or over utilization of money by the electoral candidates. That is the very reason of rising electoral hearings given the time frame used and the Principle Act on corrupt practices to seek justice by avoiding electoral campaigns. Emphasis on gift giving shouldn’t be practiced but the essence is bearing honesty from electors. That is my interpretation; hence we shouldn’t betray our constituencies with gift presentation. Victory celebration after the election is appropriate. I strongly support this bill

Section on continuous service is perhaps applicable to residents in the villages and districts. But it seems that there’s a switch here considering the electoral campaign process which I support. Hence I agree with this legislation.

As for section on solicitors, this is pertaining to electoral candidates not voters. Therefore, that shouldn’t concern the voters but the running candidates to seek justice. The aim is to avoid illegal acts specially candidates residing abroad that don’t meet the service requirement.

On divisional constituency section, we now have the members of the Commission; this is vital opportunity for the impacted constituencies to voice their submissions wisely.

Then I come to the Independent Voters. I thank the Hon Speaker for additional clarification on the matter by relooking at the Bill it seems that there are slight amendments as the anxious members seem to...but I take it that the only change is replacement of Independent Voters with One Roll. The intention is to use the current staff to confirm this undertaking...

**Susuga Hon Papaliitele Niko Lee Hang:** Mr Speaker...



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**MR SPEAKER:** I recognize the member for Independent Voters, Hon Papaliitele Niko Lee Hang.

**Susuga Hon Papaliitele Niko Lee Hang:** I do not wish to interrupt the wonderful speech of the member. However I like to clarify the statement of the member regarding the unchanged roll because from my interpretation, it is very different. The new provision states for different number of villages registered under the Urban Seats as the country is listening lest it misleads the public and if the member's statement is used, this mean that voters from Aleisa and remote villages out of this boundary will have opportunity to vote in the Urban Seats as stipulated in the Bill. Thank you.

**MR SPEAKER:** I call on the member to stand.

**Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU:** I have yet to conclude my remarks on that part of the Bill as it is clear that the divisional constituencies of Faleata and Vaimauga are confirmed. Members of the Faleata and Vaimauga constituencies have also commented on the opportunity for these members as they will no longer be called Faleata and Vaimauga but Urban Seats. I recommend ensuing with the Independent voters roll. Another issue worth considering is the Matai title which is affiliated with a successful member in the case where the constituency may question or criticize the validity or rights of the member. I recommend that we carry on with Vaimauga and Faleata instead of Independent voters...

**MR SPEAKER:** Pardon the member, but I give opportunity to one of the members for Independent Voters, Hon Maualaivao Pat Ah Him, member please stand.

**Afioga Maualaivao Pat Ah Him:** Thank you for this opportunity. In all earnest as with the spirit of the morning, gratitude is conveyed to the Government for extending the matter to the Committee. Therefore I would like to offer my recommendations to the Committee to exclude the neighboring villages of Faleata and Vaimauga in substitution of a better statement to calm the constituency. With due respect that is the truth, we haven't given...we wait patiently until the Committee's consideration before we give submissions but the constituencies of Vaimauga and Faleata should not be involved. The implicated villages should be properly defined so that the urban members should not...we must be very cautious as we don't want any tension between the constituencies but it is good to make relevant submissions for the Committee's review. With all due respect.

**MR SPEAKER:** Very well. I trust the members' requests have been explicitly defined and so is its reason lest it becomes heavy laden to your thoughts and views. As you all know the concerns of some of the members in relation to the incomplete submission of some divisional villages, hence I urge you all to bear with us as the Electoral Commissioner and I as the Chairperson of the Committee prepare to give....there is no intention to delve nor touch with the tips of the fingers.



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Have no doubt that your constituency's Roll is here let you favor Faleata and Vaimauga more including Aleisa whilst the rest is covered under this list bearing your concerns, nonetheless rest assure, there is chance for further comments in the future. But according to the member's view, there are villages like Sogi that have been relocated to Faleula. Nevertheless these comments are decided by the Commissioner and the Committee together with additional submissions. I call upon the member to conclude his statements.

**Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU:** Thank you Mr Speaker. Do you see the Chairperson's point now Maualaivao, do not worry.

According to the Commission's resolutions, we acknowledge the government for recognizing the Commission's recommendations. The Constituency's intention is not new as countless requests were submitted in previous Parliaments and according to past records, Safotulafai and Sapapalii consists of two members. I have also submitted this request to the previous Commission which was not looked into, but this constituency wishes to be divided as Safotulafai holds paramount authority that is maintained. That is the plea from this constituency.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** I wish to ask, how many voters in your constituency?

**Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU:** In response to the question, perhaps we have over 4,000, 3,000 plus. That is reason for this request, divide our constituency depending on the Hon Prime Minister and Cabinet's view. In true essence we support the current new amendment, with due respect.

**MR SPEAKER:** I beg the pardon of the member....

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** My second question to the member, you have 4,000, why continue to increase your number of voters?

**MR SPEAKER:** You may stand member.

**Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU:** I do not understand the Hon Prime Ministers question.

**MR SPEAKER:** What is the main reason behind the growing number of voters in your constituency?

**Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU:** Well if you recall, this constituency sought for government's establishment? As you know, it was Safotulafai who ended the government race. We paved way for our Independence given the efforts of the men in the constituency to serve the government as well as God which is the aspiration to developing this constituency.

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**MR SPEAKER:** To clear your view, do you propose to divide your constituency and retain one representative?

**Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU:** Divide and have two members. That is the humble request to the Hon Prime Minister. I acknowledge your discretion this wonderful morning.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** I wish to be insightful, is there a funeral parlor located at your constituency?

**Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU:** Yes, as I have mentioned this several times in Parliament, this constituency is very loyal to the Government. There are various government entities in the constituency. There is a funeral parlor, health clinic, outlet shops etc everything is available there.

Mr Speaker I beg everyone's pardon but the purpose is for the wellbeing of the country. God bless the honorable Speaker, the Hon Prime Minister and Cabinet as well as the Leader of the Opposition and your side. Thank you.

**MR SPEAKER:** Thank you for the concerns member for Faasaleleaga No. 2. I call upon the member for Vaimauga West, Tofa Lefau Harry Schuster.

**Tofa LEFAU HARRY SCHUSTER (Vaimauga West):** Thank you Mr Speaker for the opportunity. Firstly I give thanks to the Hon Prime Minister and Cabinet for the discretion to refer the Bill to the Committee. I also acknowledge the Hon Minister and the Commissioner of the Ministry for the Bill in the House. This Bill is one of the most important bills we have ever considered given that it concerns the electors and Independent members of the House.

From a personal perspective, the voter's freewill to choose where to vote is the most significant part of the bill.

Currently, the voter is given the choice to vote for a person of his/her choice but the selection is based upon the constituency that he/she is voting for. There is also section of the bill which defines the right of an electoral candidate as well as the rights of voters. This impacts the Vaimauga constituency greatly. The current legislation states that once you are a matai (chief) holder, you must vote from where your matai title originates from. If you reside in Vaimauga and your first matai title originates from Aleipata, you are not required to vote for Vaimauga but from Aleipata, the same with your entire family. A matai's livelihood in Samoa is crucial and should be protected. Similarly to matai holders or members of the House. If the impact of the legislation is extended to Aleipata voters whilst residing in Vaimauga, then this is called power, against the member for Aleipata in favor of the member for Vaimauga given the essence on this and members for....

**Afioga Hon Fiame Naomi Mataafa:** Mr Speaker, a point of clarification given my response...

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**MR SPEAKER:** I recognize the Hon Minister.

**Afioga Hon Fiaame Naomi Mataafa:** I am listening cautiously with the raising concern of the member. The preference of the person to vote particularly if you have several chief titles is not new, and such is not indicated in the amendment apart from section on Individual Voters rolls. The only part I heard is the voter's preference to vote which has long stipulated in the bill and is not new.

**MR SPEAKER:** I call on the member for Vaimauga West.

**Tofa LEFAU HARRY SCHUSTER:** You are correct Hon Minister but the old provision has great influence over the Vaimauga district. In terms of matai titles it is vital as you cannot enter Parliament without one (matai title). However in terms of individual rights and voting preference; you have two choices, either vote from where your matai title originates from or vote from your residence of birth. In contrast, if you reside in Apia and your first matai title derives from Savaii, the law says that you have to vote from the rural area instead of Apia. But if you have three chiefly titles you have three choices when running as a candidate as opposed to the choice of a voter. In contrary, a voter's choice is inapplicable. Where you vote given your matai title is where your sons and daughters also vote. As I said earlier, this greatly impacts us in the Vaimauga district. Because despite residing in Vaimauga and yet vote for Savaii or anywhere else other than Vaimauga. And once a problem occurs in the district such as power cut, this resident of Vaimauga would seek the assistance of the member for Vaimauga. That is the case your honor.

Mr Speaker another matter within the bill...

**MR SPEAKER:** I apologize to the member, but I recognize the interruption from the member for Faleata West.

**Tofa Lealailepule Rimoni Aiafi:** Mr Speaker I would just like to clarify exactly what the member is talking about because I thought this legislation comes with amendments on matai's voting preference whether it be on where his/her chief title originates from or where he/she resides. Isn't that the proposed selection am I correct? With respect.

**MR SPEAKER:** I call on the member for Vaimauga West, Tofa Lefau Harry Schuster.

**Tofa LEFAU HARRY SCHUSTER:** Isn't choice stipulated in the old Act, personally I feel that there is a flaw that must be reviewed as this greatly affects us in the Vaimauga district. For example, I speak of myself, I don't recall a time when I had the freewill to choose where to vote as a voter. As soon as I turned 21 the Law said that I vote for the Independent Voters because my father and his father all voted for Independent Voters.

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After I received a title from Amaile, I was told that I had to vote for Amaile instead of the Independent Voters. The only time I was given a real choice was when I became a member of Parliament. Now I hold a matai title for the villages of Matautu and Apia. This isn't because of the freedom of choice but because of the law. In comparison, if I hold a matai title for both Apia and the rural district whilst residing in Apia but chose to run from the rural village, of course I have to live in the rural village. But if I reside in Apia and something happens in Apia, surely the member for Apia will say that I have voted in the rural village instead of Apia, but the voter is entitled to his/her own choice.

Hence the voter has the freedom of choice to choose where to vote is not defined in the legislation except where you should vote. Seeing Section 25 of the bill, it states that if you are eligible to vote considering your two matai titles, you are required to vote using your first residence which provides no freedom. That is the indication your honor...

**Afioga Hon Fiame Naomi Mataafa:** Mr Speaker, point of order.

**MR SPEAKER:** I recognize the Hon Minister.

**Afioga Hon Fiame Naomi Mataafa:** The section the member is referring to takes you back to your very first registration. This section is related to the person's second and third registration which is forbidden. If the Office finds that you are registered more than once, according to the law, the office is authorized to choose where you will give your vote which in specific, it is your first registration. That is the correction to the bill.

**MR SPEAKER:** I call on the member to stand.

**Tofa LEFAU HARRY SCHUSTER:** The Hon Minister is right about the person's freedom to vote. The law and the Office now define that they decide for the voter. Take for instance, if I am registered under three names as a voter, first as Independent Voter, second for Aleipata and third for Vaimauga. Now the Bill states that I must take my first registration which is Independent Voter. The only concern is that I now reside in Vaimauga...

**MR SPEAKER:** I recognize the Hon Minister.

**Afioga Fiame Naomi Mataafa:** Mr Speaker, Point of Order as it appears the members still unclear of 'registration more than once.' This is against the law. Everyone knows that you are registered once. If the Office finds out, they will trace you back to your first registration. As with your statement on different registration rolls, this is based on the Office's discretion, whereas confirmed registration more than once is bounded by law.

**Tofa LEFAU HARRY SCHUSTER:** Thank you Hon Minister. That is exactly what I am trying to raise. The voter is entitled to their own choice not the Office. Lastly, I wish to speak of gift giving. Personally, if...the first act had no...

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**MR SPEAKER:** Pardon the member, but I recognize the Hon Minister for Women, Community and Social Development.

**Tofa Hon Tolofuaivalelei Falemoe Leiataua:** Mr Speaker I wish to assist in the matter even though the member is a lawyer. The amendment laid out in the Electoral Bill provides for those registered under two titles instead of three, so your first matai title was taken in the previous elections and yet you are registered under another new title which is against the law. This is the most suitable option tasked by the Electoral Commissioner based on integrity, which is taking your first registration. That is the assistance as opposed to what the member was saying, not only it's against the law, but the voter is given the freedom of choice. That is incorrect as those legislations help build our government based on justice.

With all due respect.

**MR SPEAKER:** Thank you for the assistance.

**Tofa LEFAU HARRY SCHUSTER:** Thank you Mr Speaker. He was charged for breaching the law according to the ruling he made.

Mr Speaker I wish to conclude with gift giving. The old act outlines strict banning of gift giving. I fully support the current bill as no one is above the law. By looking at it, if anybody gives money to a policeman or Customs, this is violating the law but if its directed to us as members of Parliament, we are mindful in case we breach the law, otherwise, I support the new amendment considering the three month requirement practiced in the previous election. The legislation doesn't aim for the number but its sole purpose. Timing and custom are essential but the general aim is to attract voters. The 12 months requirement is debatable based on the upcoming elections instead of the previous elections. The 12 month requirement will have no major impact given the nearing elections time period.

The Hon Prime Minister and the member for Faleata West are correct in this matter given that electing representatives to the House is not based on integrity. In this month's issue of the Time Magazine, it states a ruling by the American Supreme Court on time limit donations by business entrepreneurs and companies to political party candidates. The total output cannot be sought by this candidate neither the political party. The Republican Party argued against this time limit as it is the people's personal choice and responsibility to render support to the candidates as well as the Electoral Office. Nevertheless the ruling came to a split of 5:4 resulting to the removal of time limit. The argument I was very pleased with was the one by the four successful candidates. They argued that the focus is not on the candidates' potentials but the back pockets of millionaires, billionaires and companies alike.

The utmost concern is unpredictable unfair competition focusing on wider gap between the rich and the poor. That is what we should be mindful of, as this does not only involve us but also the American government. In contrast, the Americans use political parties, but we present gift giving (o'o) to villages and individuals.

Mr Speaker, thank you for the opportunity.



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**MR SPEAKER:** I thank the member for his view. The concerns raised are very important given the tyrants and candidates giving more than one registrations. After registering under one title, they go after another title confessing against the first charge before a ruling is given.

I now call upon the member for Salega, Afioga Afualo Wood Uti Salele, followed but the member for Aleipata Itupa i Lalo and then the member for Vaimauga West, Tofa Lenatai Victor Faafoi Tamapua.

Member for Salega, please stand.

**Afioga AFUALO WOOD UTI SALELE (Salega):** Thank you for this opportunity. I extend gratitude this significant day as we prepare for the death of our Lord and Savior for our sinners. Thank you to the Hon Prime Minister for changing his mind on the bill. Regardless of the different views and opinions, I believe it is all for the betterment of the nation as opposed to worse. My dear constituency of Salega is also affected by the Bill, however I will comment later on its impacts. On the other hand, we have here the bill prepared by the Hon Minister and the Ministry in their vision for the future, to attempt to minimize the difficulties arising in every Parliament term until now. I acknowledge the hard work and efforts of the Hon Minister and the Ministry on the Bill. Recommendations were also given to the public to share ideas on the matter and thankfully we have this one last chance to do so in preparation to the upcoming elections in 2016. Before the constituency of Salega makes submission, I like to share some thoughts first. Despite the various ideas on the said bill, I went home yesterday feeling cheerless and thought of God and after sharing this with my wife, thankfully, God has whispered the Hon Prime Minister to refer this bill to the Committee for their consideration.

According to removed seats laid out as natural death in the Constitution, which initiated from five to two more, such principle hasn't been achieved as laid out by our forebears due to the increasing number of voters. The Commission and the Hon Minister are correct about this circumstance. In viewing this, perhaps the Minister should consider laying out the current constitution until completion, but the issues lies with registration process causing the rising number which they find as an issue. Only God can predict the future and its happenings considering Individual Seats and its establishment since the beginning thus consistency is the achievable aim.

This is a Holy week and the Hon Prime Ministers decision is now reached thus I was about to offer some words of encouragement to my fellow members otherwise that is unnecessary. Otherwise if this wasn't the case, perhaps every Holy Week would be a reminder of a sad ending to the Individual Voters Seats which is tearful bitterness...anyhow, the Hon Prime Minister has changed his mind, our time has been extended. Tuivalea is not at all present in the Committee as well as those responsible for this role aiming to prosper Samoa. The main objective for establishing these individual seats by our forebears is for Samoa's improvement such as the English saying, "Strength by diversity." Perhaps the Hon Prime Minister is aware of it too, the aim is to provide fairness for Samoa as a whole. We also have amongst us a rising number of foreigners population wishing to gain Samoan citizenships.

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Perhaps they too will have a seat in Parliament one day, in the meantime, at least they have a place and land to reside on and give their vote.

Then I come to gift giving or o'o. There have been numerous statements on this as the constituencies are listening in. It is not easy considering our time now as well as former members. The essence is to return the favor that is abused by others. That is reason for pushing this back until after the elections, the only advice to the Hon Minister is to leave the 12 months to the candidate themselves. It is the candidate's true intention to repay by acknowledging the constituencies after elections and remove the 12 month requirement. It is also good to note the true integrity of those willing to serve the constituencies as representatives pursuant to the new amendment. Concerns were raised to minimize the frequent occurrence of this problems which is part of Samoan lifestyle.

The old Act is intact to continuous service given the unpredictable timing as we cannot reject the constituents such as an old lady, child or youth visit seeking for help. The member's continuous service is now been extended, I hope the Hon Ministers reconsiders the 12 months requirement but that is up to the member. Then I come to lawyers. The concerns raised denote the distrust of the village chiefs and servants of God. This must be reconsidered but still the service of lawyers is favorable along with Church ministers. This is better considering our new legislation and the assistance of the village councils.

Then I conclude with divisional constituencies although it is true that Salega and Safata were given additional seat, I thank the government for the well thought wisdom. The reason for additional seats is due to the rising numbers, which is good these days. There is growing number of constituents in the districts of Faleata East, Faleata West and Vaimauga. Most of these residents should be notified of this new amendment and confirm their voting choice given their service as some reside in Upolu but are rendering full service to Salega Savaii. Most elder men in the village have agreed with constituency divisions as opposed to some. Salega is one family and the division that is now being set in place is what the gentlemen of the constituency whispered to me. However they did change their minds because they feared conflicts. They did however suggest two votes for each constituency to be in line with this new division. We are concerned for the future inevitability that may arise. For instance, if the division is a go, the College in Sagone will be attended by the children from Faiaai, Fogatulu, Samataai, Samatauta and Fagafau. The concern is that Sagone will one day be reluctant to open its doors to these villages asking them to build their own school. We have to consider the possibility of such happenings. If the Committee were intent on easing the burden for the running candidacies in the future elections, then that is inappropriate. Take Salega for example, the division would be five villages on one end against three villages on the other end.

The concern lies with the large villages of Sagone and Samata consisting of most voters. I come from Fogatuli which is the smallest village in the constituency but my relatives are scattered all over the constituency. From my perspective, if these changes are made law, the MP title will forever remain in the village of Sagone.



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Similar to the other villages of Fogasavaii, Vaipua, they are nowhere near the numbers of Sagone. Similarly to Samatatai and Samatauta's population, they are incomparable to Faiaai, Fogatuli and Fagafau. In other words, the MP title will always stay with Sagone and Samata. Based on democracy, this must be reviewed.

Furthermore, Tapuai and I work very well together as he looks after Sagone, Vaipua and Fogasavaii. Otherwise, given the proposed amendment, this is no longer the case. As said before, the constituency is one family, its honorific salutations is one. Other constituencies are well defined given one vote whilst two votes should be considered for two running candidates. The answer is simple, two electors per two votes. If the other vote is disqualified then this means that you have mistrusted your duties to electing the best representative to lead your constituency and the nation.

Now that we have a divided constituency, three on one side, and five on the other end, this has lighter work to current members and future representatives. If that is the case considering the current reign of Hon Toleafoa of Aana Alofi No. 1 comprising of Faleasiu and Fasitoota. Where is the integrity in this? This would mean one village per member which is inappropriate. In comparison to the other seven village constituencies, this is very inapt. Therefore I urge the Hon Minister and the Committee to consider reviewing these matters. Thank you to the Cabinet and the Hon Prime Minister for referring the bill to the Committee. It is important for the constituency involved to provide submissions. Truthfully, Salega does not support the division of constituency due to the countless issues but we agree with the current number of voters.

I conclude by thanking the Speaker, the Lady Minister for the Bill, regardless of our debates but I dare ask which God of Laws did you seek? Nonetheless, it has now changed this morning given that the bill needs further improvement for tomorrow.

Thank you Mr Speaker for chairing our proceedings, I also thank the Hon Prime Minister and that side of the House. I also thank the Leader and this side of the House and not forgetting my beloved constituency of Salega. May we all have a peaceful Easter and may we find good thoughts for building Samoa. Thank you.

**MR SPEAKER:** Thank you. For correcting our records as the member was mentioning the member for Aana Alofi No. 1 is Afioga Hon Leaupepe Toleafoa Apulu Faafisi. I call upon the member for Aana Alofi No. 1.

**Afioga Leaupepe Toleafoa Apulu Faafisi:** Yes, with all due respect, according to the respectable recent speaker, I hate talking about these things, but let's just say that the men were escorted to the initial fields of Tuiaana in Malaetia, it is why that side .... That is the feeling but now that the member has mentioned it. Thank you.

**MR SPEAKER:** There are sub villages in Fasitoota and Faleasiu. It is important to clarify as these constituencies are listening in. Well done to the member for sharing his views.

I call upon the Tuiatua Faanofonofu, member for Aleipata Itupa i Lalo.

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**Afioga TAFUA MALUELUE TAFUA (Aleipata Itupa i Lalo):** Thank you Mr Speaker, I believe it has been a long day and everyone is growing sleepy as we just had lunch. I like to convey my sincere thanks to the Hon Prime Minister and Cabinet, Associate Ministers and also the Leader of the Opposition and the Opposition. I also acknowledge the Clerk of the Assembly, the Media and CEOs' of each Ministry and various Corporations present here today. Talofa to you all, well done on your patience as we have been long debating this Electoral Amendment bill 2014. It appears that the Bill is amending the Electoral Act of 1963. The Commission of Enquiry's findings for the 2011 Elections seems to go against the decisions of the Commission of Enquiry 2006. The terms of reference for the Commission of Enquiry 2011 must be looked into at first given the recommendations by the Commission of Enquiry for 2006 on electoral matters that haven't been executed.

Secondly, the matter concerning the resignation of public servants seems to be one of the decisions by the Commission. The only disappointment is that I too submitted a proposal to the Electoral Commission in 2011 however, none of this is provided in the terms of reference I gave. Nevertheless I haven't had enough time to go through it but I thank the Chairperson and the Committee as well as the Commission for the well executed ruling and the amendment to the bill at hand. Regardless, I have a few submissions to the Committee before they report back to Parliament.

Firstly, the song that was mentioned by the member for Falealili, Tofa Tusa Misi Tupuola, Falealili, Falefitu and Alepata" is a very important piece of information. Although the Hon Prime Minister is not here to confirm the exact timeframe of the song, but I think it was in the 1980+ which would mean that the layout of this constituency includes Falefitu, Falealili and Alepata. It is why I wish the Committee to consider the matter as it should mean a combination of the Hon Lady Minister who owns the bill and the Hon Prime Minister. It would make it one constituency and so our representatives should be four or five. I thank the member Tofa Tusa Misi Tupuola for bringing this up.

The mediation officers' role is also crucial for the information of the Committee. The Hon Prime Minister stated the criticality of these people's roles in preventing and solving cases before they reach the court. It is important to settle differences between/amongst candidates before reaching the court. The most common problem on the rise is charging members to give money to appease or settle agreement with the other party. However I believe this is not the bill's intention.

Another section according to this morning is paying some comfort to the members of the Independent Voters, Susuga Hon Papaliitele Niko Lee Hang and Maualaivao Pat Ah Him. It is written that you are but snakes beaten; nevertheless I shall not cross these paths again. I offer my comfort to Afioga Papaliitele and also Afioga Maualaivao. You have both been blessed with various prestigious posts like the Hon Minister of Finance for Papaliitele and Associate Minister Maualaivao.

**MR SPEAKER:** I beg your pardon member for Aleipata Itupa i Lalo, but I recognize the member for Samoa in general.

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**Afioga Maualaivao Pat Ah Him:** Thank you. Mr Speaker there is a reason why I did not remark to the statements of the member for Salega, Afioga Afualo Wood Uti Salele, because I believe the word falelauasi (bury) has not been uttered twice. However the way to Heaven is through entombment. I also believe that God will never forsake his servant which is us. Thank you for the support which hopefully it will bring us luck today.

The mention of snake has also been mentioned countless times now, and whether it's eyes remains open or closed does not matter. I acknowledge the support for our concerns. We are not sad about the division of...it is a clarifying matters for the better. Thank you Mr Speaker.

**MR SPEAKER:** Very well to the member. I call on the member for Aleipata Itupa i Lalo to conclude his remarks.

**Afioga TAFUA MALUELUE TAFUA:** Thank you member for Independent Voters, Afioga Maualaivao Pat Ah Him, I had thought you were standing to offer some money to assist the votes, nonetheless thank you. My only intention is to offer terms of endearment out of true love for you my brothers as your days are numbered for once the bill is approved, then you shall render your resignation which is not the aim. Hence I acknowledge the Hon Prime Minister and Cabinet for the discretion shown in relation to normal proceedings of Bills. Thank you for this opportunity.

I acknowledge the Lady Minister for the amendments on the Bill. You are right as it is your bill and you decide what is best. However we only hope to offer recommendations and counseling to improve the electoral processes.

Before I sit down I would like to address section 96 in the Amendment Bill in relation to gift giving or o'ō which specifies bribery, section 97 is treating. It is clear in the Bill that bribery is punishable if the member offers money to voters before and after elections. Is this a breach of law in accordance to sections 96 and 97 of the Principal Electoral Act?

I conclude with a word of thanks to everyone because we are all affected by this bill but bearing importance and concerns the members for Independent Voters as this may be the last time you serve as representatives for the Independent Voters of Samoa.

Secondly you two have reached the peak of your Parliamentary terms Afioga Papaliitele as Minister of Finance. Well, I pray the Lord blesses this Assembly and for good thoughts to all of us towards the end of our Proceeding.

**MR SPEAKER:** Thank you for the submission. I will now give opportunity to the interjection by Susuga Hon Papaliitele Niko Lee Hang, please stand.

**Susuga Hon Papaliitele Niko Lee Hang:** Thank you Mr Speaker for this opportunity. I dare not interrupt the speech of the Tuiatua Faanofonofu.

However I wish to thank you for the words of endearment and support. Your comment is displeasing to note that our days in Parliament is now over as the constituency is listening in and the voters are keen to know despite demolishing our seats, there is still plans to continue the race.

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According to the legislation, the voters is retained in the old roll apart from residents that aren't affected by this division under this new roll those are...the Independent Voters is retained with a substituted name that is the clarification. With all due respect.

**MR SPEAKER:** Very well. It is best not to take the jests of the members about you Afioga Papaliitele and Afioga Maualaivao to heart. I believe the debates regarding the Bill are well understood not only by the members in the House, but also by the public. The only change is replacing the name from Independent Voters to Urban Seats. In regards to the constitutional changes fear not the Lord as He will provide for you members. I also believe the Roll will miraculously grant you back considering your service for the constituency because Aleisa can all vote for you which is not hard. So do not worry, the Lord has whispered to refer this to the Committee for further consultation and improvement. I call on the member for Vaimauga West, Tofa Lenatai Victor Faafoi Tamapua.

**Tofa LENATAI VICTOR FAAFOI TAMAPUA (Vaimauga West):**  
Thank you Mr Speaker for this opportunity.

I stand because of the major impacts on this constituency due to the changes to the Bill. Mr Speaker last night was unsettling as I thought of solutions to the urgency of this Bill. I prayed to the Lord almighty for good thoughts that the constituency can accept, however I praise God this morning for Government has granted another opportunity for the constituency to be heard.

Mr Speaker there are many sections of the Bill that I support. There are also many queries, nevertheless I am stepping down and giving opportunity to the constituency for them to share their thoughts on the matter. The divisional status of the constituencies seems to be upon the '*faale-Aganuu*' especially the side of Fuaiupolu and Sagauga. I believe the Committee and the Office made the right decisions. However the constituency should not be divided in two but three. The reason being is we were to consider the 8 to 9 district/village unit comprising of two members compared to bigger constituencies of 23 or 24 villages, we should then divide the constituency into three units.

Secondly, for the sake of my constituency, the new seat in the East Urban constituency involves both Vaimauga East and Vaimauga West residents.

I shall not mention gift giving as the constituents will discuss it themselves. Together we can formulate appropriate solutions for the future of our constituency. May God bless the rest of the proceedings of the Assembly.

**MR SPEAKER:** Very well, thank you to the member for Vaimauga, Tofa Lenatai Victor Faafoi Tamapua, for the brief statements.

Well I believe we are nearing our recess hence, we must take a break to gather strength for our Proceeding at 7:00.

I acknowledge the dignified members of the House. I trust that we gave ended all talks after Lenatai. Most concerns talk about the same thing on gift giving and nothing new. I will make a decision when we return at 7:00.



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Refreshment is prepared at the Tofilau building after our meeting. However I would like to remind the respective members that we are to resume at 7:00pm. There are yet to be approved bills and whatever hour of the night we finish, so be it before we move on to reports as shown in the Order Paper.

I now declare that the Proceedings of the Legislative Assembly would be set aside for its normal recess hour and shall resume at 7:00pm.

*Proceedings of the Legislative Assembly at 12:56pm.*

*Proceedings resumed at 7:00pm.*

*Debate on the Electoral Amendment Bill 2014 – second reading continued.*

**MR SPEAKER:** I believe the sun is slowly settling in whilst the nation is taking a rest yet we are back here again. Thank you for your patience as we resume with our business tonight. I trust we have all regained strength from our break especially those attending to other duties that needs to be achieved today. I also acknowledge the support and prayers of the country to carrying out our duties in Parliament.

We went to our break in the afternoon after hearing the speeches of members on the Electoral Amendment Bill 2014. I take it that everything has been said to improve the Bill. Therefore I call on the Hon Minister, to stand and...

**Afioga Tufuga Gafualeata Faitua (Vaisigano No. 1):** Mr Speaker can I ask for opportunity to share some views on the Electoral Amendment Bill 2014.

**MR SPEAKER:** My speech was nearing conclusion before you interject. My respect for the member of Vaisigano No. 1 is known, and I believe you have heard yesterday the opinions of the members are unison. However if the matter you wish to bring forth is new then I give you this opportunity in case there are suspicions of not recognizing the member. I will now grant this last opportunity to the member then the floor will be given to the Hon Minister for her response. I call upon the member to stand.

**Afioga TUFUGA GAFOALEATA FAITUA:** Thank you Mr Speaker. I am agree with the gratitude shown by the Hon Chairperson of the House this fine evening. Before I share my view on the bill I wish to correct and seek clarification on part of the statements by the member for Aana Alofi No. 1, Hon Leaupepe Toleafoa Apulu Faafisi. In his previous statements he mentioned that after Adam and Eve were created, Aiono, Leaupepe and Tuitama were next in creation.

Mr Speaker I wish to clarify then that the Samoeleoi Family were created at the same as Adam and Eve because they are the founding family members. Mr Speaker I will now speak on the Electoral Amendment Bill 2014.

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**Electoral Amendment Bill 2014**  
– second reading

**MR SPEAKER:** I beg the pardon of the member, but this is exactly what I was afraid of. We were just about to conclude otherwise let us resume. I give opportunity to Leaupepe to intricate his comment.

**Afioga Hon Leaupepe Toleafoa Apulu Faafisi:** I would just like to assist with the concern of the member. That is why the chicken is stoned because of trespassing. The member lacks insight on this but I will clarify it to him some other times.

**MR SPEAKER:** I call the member to continue, but I urge the member not touch upon the concerns you previously raised. Pay notice to some of the inhabitants here who represent founding members of the country lest they also rise and claim that they came before Jesus.

**Afioga TUFUGA GAFOALEATA FAITUA:** I appreciate the member's leg tackling. Perhaps Samoeleoi created the heavens and the earth otherwise. Mr Speaker I would like to refer my thoughts on the Electoral Amendment Bill 2014 section 2.

**Clause 2: Section 5 amended – For section 5 of the Principal Act: (a) for subsection (3) (c) substitute:**

“(c) does not have a statutory declaration, in Form 1A of Schedule 1, witnessed by a barrister and solicitor of the Supreme Court in private practice, that the candidate satisfies the 3-year residential requirement in paragraph (b) or satisfies village service requirements (or both);”; and

**(b) after subsection (4) insert:**

“(4A) For the purpose of this Act, a person seeking nomination as a candidate or nominated as a candidate has the burden of satisfying the Commissioner or the Court that the person meets the 3-year residency qualification.

(4B) A candidate who makes a false declaration under Form 1A commits an offence and is liable to a fine not exceeding 50 penalty units or to imprisonment for a term not exceeding two (2) years.”.

Mr Speaker I think the clause 2 in the Amendment is similar to the clause 11 in the Act.

**Section 11: Schedule amended – In the Schedule of the Principal Act, for Form 1A and Form 3 substitutes....**

**MR SPEAKER:** Pardon the member as I give interruption.

**Afioga TUFUGA GAFOALEATA FAITUA:** Mr Speaker as I have said before I am trying to surface my concerns, but if that is what you wish, then so be it.



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**MR SPEAKER:** Tufuga the reason why I am stopping you is because this is our second reading. We cannot consider the bill into detail now. This is time for general comments. There will be a time for careful consideration whereby the members will be given opportunity to comment individually. However I urge the member to direct comments to the subject of concern so that the response is clear.

**Afioga TUFUGA GAFOALEATA FAITUA:** Thank you Mr Speaker. In addressing the accuracy of the provisions of (A) and (B) I believe that in addition to the use of solicitors and barristers in justifying the 3-year residency qualification. In (B) I believe that principal witnesses can also add additional statements to the solicitors and barristers.

I believe that the solicitors and barristers do not understand the services of the future candidates. The matter is important but perhaps it can be better with an affidavit or something similar from the village.

I had queried solicitors of the House whether it was appropriate to use solicitors who are now notary public. The response was that they were given opportunity to apply to the Council but their services are too expensive. Therefore it is better to use the representatives from the villages.

Mr Speaker I humbly request the Hon Minister, the Electoral Office and also the employees to review the list of constituencies. Because the member for Falealili stated that Piu is a village but the Hon Minister said it's a sub-village.

Mr Speaker I checked the ceremonial address book last night and noted that there were some very important honorary salutations missing in the amendment bill. For instance the constituency of Aleisa West have missing salutations in the amendments.

**MR SPEAKER:** Pardon the member speaking, but I give opportunity to the interruption by the Hon Minister of Revenue.

I call on the Hon Minister.

**Tofa Hon Tuiloma Lameko:** Point of order. We are all respective members of the House and each member is an expert to their own village and constituency. I say that Piu is a subvillage of Sapunaoa hence they come under the salutations of Sapunaoa. See how easy the subject matter is but the problem is stretched extensively causing a lot of impact to the constituency. Another confirmation I wish to tell you is that one village, one village mayor, but Piu has no village mayor. See where this is leading us due to your concerns for Falealili village?

**MR SPEAKER:** I call on the member to continue his speech.

**Afioga TUFUGA GAFOALEATA FAITUA:** Thanking for interrupting. The concern is towards the missing salutations of villages which is like an insult. Why would excluded when they have honorary salutations which are traditional villages of Samoa? Similarly to the Urban west constituency that have....

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

**MR SPEAKER:** I beg pardon of the member speaking. I recognize the Hon Prime Minister.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** The Ceremonial Address Handbooks are important to assist the general public. These books do not need to be legislated. I suppose we have about ten different ceremonial booklets that guides those needing assistance. However the correct honorary salutation is in the villages themselves. My response remains because even with my village, we have a long honorary salutation. Even when are made short, there are several changes to cutting them short. A ceremonial address booklet is not a bible but only a guide for those who need assistance.

**MR SPEAKER:** I recognize the Hon Minister of Revenue.

**Tofa Hon Tuiloma Lameko:** All this trouble due to your persistency. I have already stated that Piu is a sub-village of Sapunaoa and is inclusive in Sapunaoa's honorific salutation. See how simple the matter is and yet it is being dragged due to your mention of our constituency?

Further evidence that I will tell you is that the Village Representative is one and same for Sapunaoa and Piu. See how difficult things have gotten due to the unnecessary mention of Falealili?

**MR SPEAKER:** I recognize the member for Aana Alofi No. 1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi.

**Afioga Hon Leaupepe Toleafoa Apulu Faafisi:** Mr Speaker, Point of Clarification. There is a Samoan saying that goes 'Talai speaks English whilst the English man sits.' The same can be said of this case as the member for Vaisigano No. 1 is speaking of the salutation of Falealili when the Member for Falealili is present. Thank you.

**Afioga TUFUGA GAFOALEATA FAITUA:** Mr Speaker the reason when i speak is because I too have lineage in Falealili.

The urban west constituency overlooks the village of Aleisa as if though they are disregarded by the legislation like the villages of Falealili, claiming Falealili alone...That is assistance to the Bill.

On the other hand, thank you for the urban west and urban east constituencies. Hence these voters including those from the rural side and Savaii now have the rights to vote from either these new constituencies or from where they reside. Has the legislation include arrangement for voting booths particularly for voters from Savaii. Furthermore, members from these outer constituencies are now eligible to run for the urban seats. The concern is reducing the number of voters from these far off constituencies as opposed to the increasing number for the urban seats. Any proposed plans to avoid this doing? With respect.

In Section 8 of the Bill...

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**MR SPEAKER:** I apologize the member but as I said earlier, we cannot consider the Bill but general comments. I advise the member that we cannot consider sections of the Bill into detail otherwise, direct your comments to the Bill.

**Afioga TUFUGA GAFOALEATA FAITUA:** The imprisonment term is too short and should be doubled to 100 units or imprisoned for 24 months such as this part of the bill which states that it's prohibited, 50 units to 12 months to another. Well....

**MR SPEAKER:** I beg the pardon of the member. I recognize the Hon Minister of Women, Community and Social Development.

**Tofa Hon Tolofuaivalelei Falemoe Leiatua:** Mr Speaker, I am only raising assistance. I think the member is hearing you incorrectly because he seems drunk. I strongly advise the police to bring forth a breathalyzer to be used on the member before your give your ruling if he's breaking the House rules, with respect.

**Afioga TUFUGA GAFOALEATA FAITUA:** I appreciate the members concern and advice. However I recommend a penalty if the allegations are proven false as the claim sounds very offensive.

**MR SPEAKER:** Pardon the member for Vaisigano No. 1 but I plea to be alert as there are people who observe and people who speak in the House. I gave you opportunity with the hope that you are prepared, hence if you are running out of ideas, please proceed with the norm of acknowledging the constituency and conclude.

**Afioga TUFUGA GAFOALEATA FAITUA:** Mr Speaker the penalty incurred should be longer instead of shorter considering fraud as 50 units per minimum of 12 months imprisonment is inadequate is similar to the penalty imposed on an athlete who illegally takes steroids in the Olympics killing the enthusiastic feeling of the other athlete who had the medal. Hence I recommend additional penalty like compensation be rewarded to the second place achiever to repay for his/her win taken by the disqualified.

The same with public servants who wish to tender their signature in order to run in the elections. I think the provisions are quite severe considering the freedom of the private sectors, why not incorporate a provision for the leave without pays and benefits so that after the elections, they can always go back to work. But if they win, they can resign as its hopeless to resign knowing that you are an asset to the company where you can always re-apply and succeed. Hence this is time consuming costing too much expenditure.

The term gift giving or o'o, in the Samoan way, it can be given in minimal, gift giving in our custom must be official and is known to be something big otherwise, we usually adopt the European concept of corruption. I think we should legalise a standard fund limit to be used on gift giving such as a minimum of \$50,000, 100,000. A penalty should be imposed on gift giving financially.

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Another section is the rights of individuals to vote. For instance, my wife holds five matai titles, two from Falealili, one from Fagaloa, one from Fusi Saoluafata and one from Vaimauga East. And when I went to run from Savaii, she was told by the electoral commission office that all her matai titles will be annulled. Now my wife supports me patiently at home because she cannot vote for me during the elections. Mr Speaker I urge the Office to re-assess the Bill so that these circumstances are considered to give freedom of choice to voters in order to choose where to vote.

As for additional seats for this constituency, well it's now been divided according to custom and traditional status. Mr Speaker, this constituency....

**MR SPEAKER:** I recognize the interruption.

**Tofa Lealailepule Rimoni Aiafi:** Mr Speaker I wish to assist the member. My wife has seven matai titles and we went to the Electoral office to have all these seven titles removed so she could vote for me. Yes I way more important than her titles. Thank you.

**Afioga TUFUGA GAFOALEATA FAITUA:** Mr Speaker, if only we have proof to these statements otherwise.

The statement by the Hon Minister on divisional status for these constituencies including Asau, Vaisala and Auala, Safune and Taulauniu, well the Hon Aloalii Vaai had tried several attempts to attain additional seat for Safune and Taulauni given that this is one main authorities of Salafai, hence awe should have a division for the Hon Minister of Finances side separate to an election for Safune and Taulauniu. I won't speak of Safotulafai in the presence of the member for Faasaleleaga No. 2. But that is the advice your honour considering other villages like Saleaula, Salamumu, Samalaeulu, Mauga and Leauvaa.

Mr Speaker, how is gift giving through food defined in the elections, given that we must allow food for the government authorities. This is one major issue I encountered during elections, after several attempts to the village member not to do it, they still went ahead and prepared food. What is the correct measure here, can this be carried out after the elections as opposed to the food given to government officials where they should eat during the elections. What should be done in order to remedy this issue, with respect?

I conclude with best wishes to the Chairperson of the Assembly, well done on your patience and your duties for Samoa, best wishes to Asau district and Vaisgano No. 1. Thank you.

**MR SPEAKER:** Very well. I believe the Hon Minister has noted your concerns on additional members. To be clear, the additional members you mentioned, are they deacons or....?

**Afioga Tufuga Gafualeata Faitua:** They can be both.

**MR SPEAKER:** I recognize the member for Faasaleleaga No. 3.

**Tofa Tuileutu Alavaa Voi (Faasaleleaga No. 3):** Thank you, I'll be brief.

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**MR SPEAKER:** You will be given your turn lastly, I have already given my instructions but I respect you as one of the senior members of the House.

**Tofa TUILEUTU ALAVAA VOI:** Thank you very much. Praise be to the Lord for his good blessing upon us in this House, our nation. My constituency I yield for your support.

This Bill is central to the nation's values and ethics. All views and comments have been expressed on the bill. Come to think of it, the right of the people is the centrality of Samoa. I acknowledge the Hon Minister, Government and Hon Prime Minister for giving extension to this bill to be reviewed because it isn't easy nor discreditable....this is the core value of good governance given individual rights. Now that I am given the last opportunity, after reading through the bill, the only sections I remember is the rights of larger and smaller constituencies, equal rights.

Considerably, we had the Constitution and Independence before colonial era, and yet we still have a dual system with democracy. Pardon and in respect to Pule and Tumua but I think there were six members instead of five in the constitution and if...I take that back. We now have these members pardon the listeners. Hence the Usoga a Pule has four independent authorities: Safotu, Saleaula, Satupaitea and Paluli. Safotulafai is attached to Aiga Sa Malietoa and Sapapalii. Vaisigano is dual with Sa Amituanai and Gafa, Safune and that side. All of them come under Falealili, Fagalao, Lefaga, Falelatai, Faasaleleaga No. 1, Salega, hence the total could be rounded from 3,000 to 800 the equal individual rights should be considered...because it's known yes. If there are six villages, there is rising demand on church, village etc etc. However it would better if it was just you and your village lies this... whereas election was adopted from the European until Samoa had the 21 years pre-universal suffrage thus we are living in the democratic society. Why not consider the rights of all individuals? Consider the roll of 3,000 up to....some constituencies do not hold 1,000 people, but think of the MPs contribution to the constituencies like Falealili, if there are seven villages, there should be seven members. The aim is to consider a perfect formula to make consistency for the huge and small constituencies. That is all.

This constituency also considers having additional member considering the rising number we have today. But the objective is the comparison of villages and individual rights in response to the districts demands. I envy the member with one village.

Then we have the recent registrations for the 21 years for the consideration of the Electoral Commissioner. For verification purposes, considering the majority, they must have birth certificates to verify their registrations otherwise; it will fall back to the Electoral Commissioner's office. I also agree with the 12 month requirement on gift giving or o'ō given our custom and constitution before the official closing of elections. Those are some ideas but I beg tolerance, do take heed of our request for two added seats, *o le fale nai Amoa e lau i ula ae pou i toa*, yes. Beauty is not found anywhere but in this constituency. The day and night will pass and we shall arise to the singing birds, God will reward us with better ways to equip us, lest we must faith. Thank you your honour have a blessed meeting.

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**MR SPEAKER:** Well done. Well, I thought we will conclude with the last two senior members from Salafai, but I assume you two have been together in that corner before you came. Nevertheless I recognize the Hon Minister for Communication and Information Technology.

**Afioga Hon TUISUGALETAUA SOFARA AVEAU (Minister for Telecommunication and Information Technology):** Thank you for this opportunity. Like other constituencies this bill also impacts us greatly. Thankfully we are given another chance to share our views, but a request upon the Electoral Commission to properly draw boundary lines for additional members of the east and west urban seats to be transparent as there is always opportunity for registration.

For instance; areas leading to Faleata include blocks of 600 to 700 people. Vaimauga district comprises of 1,000+ including some from my constituency. Or we can follow the urban seat process with the assistance of the Electoral to make a public notice with boundary arrangements labelling the proposed east and west for ease of reference.

Meaningfully, consider the exact boundary to draw the line like the urban area as opposed to larger districts comprising of several villages. If it's Apia, draw the exact boundary between Apia village instead of imposing in regards to other districts confusing the constituents of where to vote which isn't easy.

That is the assistance given that are given another chance or make a public notice to seek their viewpoint. With respect, thank you.

**MR SPEAKER:** Thank you. I call upon the Hon Minister of Justice and Courts Administration to provide responses to the raising concerns of the members.

**Afioga Hon FIAME NAOMI MATAAFA:** Thank you Mr Speaker. I acknowledge the statements and speeches of members in regards to the Bill. Mr Speaker I believe my workload is at ease given the discretion of the Hon Prime Minister.

Reference to normal procedures of referring the bill to the Committee, it will be a great opportunity for further consultation with the public and everyone involved. I will respond to the countless questions from members.

Firstly, I wish to respond to the Constitution amendment provided under the Short Title of the proposed bill.

The first clarification states for no impact on the two Independent members as they can still carry on until the current Parliamentary term is completed. The new constitutional amendment for the urban seat will be carried out in the upcoming General Elections. This is for the sake of the current Individual members lest they pity themselves now when the new amendment exists in the next Election.

In relation to the candidates' validation process, this provision is related specifically to candidates not voters. The purpose of using solicitor's signature is to legally warrant and verify the candidates' true information and eligibility. The legislation defines this but in truth, we cannot agree that the candidate has the onus to verify him/herself as one of the eligible candidates.



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The candidate has the onus to confirm his/her true information validated by a lawyer. As for sections on lawyers lacking knowledge of the persons wanting to stand for elections because they (lawyers) reside in Apia, I can say that lawyers too are protected by the Lawyers Act. Gift giving (o’o) will still be retained as part of our custom. Having the o’o outside the Electoral Period and within the first twelve months of the term is a way to ensure fair campaigning practices and also acknowledges the cultural and customary reciprocities between the candidates and constituencies.

Another raising matter was divisional constituencies including the district of the Hon Minister, Tofa Hon Tuiloma Lameko. These villages are listed in the legislation under the electoral territorial constituencies. Secondly, the use of some sub-villages for voters’ registration according to the current system was raised by the member for Aana Alofi No. 1. It is indicated that voters would specify the sub-villages (residence) they wish to be registered under.

With the raising matter by the member for Faleata West, he’s concerned in case there’s dispute between the urban districts of Vaimauga and Faleata. Mr Speaker, the reason for these two divisional villages/district units is because this is the only possible way to view the geographical area for these urban districts. In reality, the new constituency can be defined as east and west comprising of the following villages. Urban doesn’t define the entire town area, there are set boundaries drawn to signify this category.

**MR SPEAKER:** Pardon the Hon Minister, but I give opportunity to the interruption of the member for Faleata West.

**Tofa Lealailepule Rimoni Aiafi (Faleata West):** Thank you Mr Speaker and also to the Hon Minister for clearing the matter. Thank you for clarifying that the urban seats will be maintained to the town area including Faleata and Vaimauga. This specifies a division of three which will eventually bid farewell to some of our current members. Thank you.

**MR SPEAKER:** I call upon the Hon Minister to continue.

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker for the two urban seats, the voters under the Individual Votes roll will be transferred into these two constituencies, and they will have the choice to be in one of these two constituencies or else they will be registered under their area of residence if they live outside of Faleata and Vaimauga constituencies. This is because they reside on customary holding chief titles of Faleata and Vaimauga, hence the law states that they should vote for either one of these constituencies. We need to enforce the law for the unregistered voters so that they can vote on Election Day.

**MR SPEAKER:** I beg pardon of the Hon Minister but I recognize the member.

**Tofa Lealailepule Rimoni Aiafi:** Thank you Mr Speaker but since the Hon Minister has just stated that if you are matai holder for that particular constituency, you must vote for a constituency in Samoa. What about a matai that lives on freehold land where do they vote if they hold a title from one of these villages? With due respect.

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

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker that is exactly what I meant in my statement. In the constituency of Faleata and Vaimauga even if you reside on freehold or customary lands the Law states that you must vote in the constituency where your matai title is registered under. Unless you're a matai holder of another village then the voter can choose where to register.

**MR SPEAKER:** I give opportunity to the member for Faleata West.

**Tofa Lealailepule Rimoni Aiafi:** Thank you Hon Minister. My question involves candidacy. If the candidate is residing on freehold land can he/she run in the elections for the urban seats? That is the correction, thank you.

**Afioga Hon FIAME NAOMI MATAAFA:** The answer is yes as long as they are matai holders in villages out of the urban constituency. Mr Speaker I believe I have responded to most of the questions. Other matters on expenditure will be submitted by the Ministry in the future for certainly further amendments will be made. In the meantime the office will incorporate all suggestions and proposals from the constituencies with regards to the bill.

Mr Speaker in relation to other subject matters queried by the members, I do apologize for not responding to them now as I believe it is not a request. Nevertheless, the concerns will be reviewed by the Committee before reporting back to the House for approval.

That is my response, thank you.

**MR SPEAKER:** Well, I acknowledge the Hon Minister. Yes, I recognize the member for Independent Voters, Afioga Maualaivao Pat Ah Him.

**Afioga Maualaivao Pat Ah Him:** Mr Speaker just a small matter I wish to address. This is for assistance as the word 'outsider' sounds disturbing. Perhaps we could alternate it with a more appropriate term like temporary residents or urban residents if possible

Mr Speaker, that would be good.

**MR SPEAKER:** Thank you. I like to call upon the Hon Minister to respond.

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker the term outsider is not in the Bill. The term was initially pinpointed by the constituents of Vaimauga and Faleata who perceived that their seat is being conquered by the new residents. I guess it's foul language used to define this matter. As for the legislation alone, it will be called Urban Seat.

With utmost respect.

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**MR SPEAKER:** Member for Aleipata Itupa i Lalo did you wish to speak.... I believe we have come to the end of our second reading of the Bill given your submissions and views on this very important bill. I extend gratitude to all views, concerns and recommendations given to the Hon Lady Minister. I take it that we are set according to government decision given in the morning let your patience be upon the Committee pursuant to Parliamentary Committee processes and procedures. It is crucial that you attend to the scheduled times for these public consultations and witnesses pursuant to the Electoral, Standing Orders, Business and the House schedule to provide more efficiency and improvement to the bill.

*Motion Approved and the Bill was read a second time and referred to the Business, Standing Order, House & Electoral Committee for consideration and report back to the Assembly.*

**HEALTH SERVICE BILL 2014 – third reading**

**MR SPEAKER:** I call on the Hon Minister of Health.

**Afioga Hon TUITAMA TALALELEI TUITAMA (Minister of Health):** Mr Speaker I would like to move a motion, *That the Health Service Bill 2014 be read a third time.*

*Seconded by the Minister of Finance, Deputy Prime Minister and the Minister of Education, Sports and Culture.*

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

**MR SPEAKER:** There is a motion under the Hon Prime Minister. I call on the Hon Prime Minister.

**MOTION TO SUSPEND STANDING ORDERS**

**Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** I wish to acknowledge the efforts of the Chamber today. We have just approved some of the works from our heated discussions from yesterday until now. Since we are nearing the commemoration of the Passion of Christ, I can see that we still have 39 Committee Reports, 15 Government Responses plus several Reports from the previous year. We will conclude with the long awaited Report of the Parliament Office on the Report of the Controller and Chief Auditor 2010-2011 before we end today's business. I stand to move a motion, *That Standing Orders be set aside and the Legislative Assembly approves the 38 Reports without debate and referred to the Government for resolutions to be tabled in the Chamber. Secondly, that the Assembly approves 15 Government Responses without being heard. Thirdly, that the Assembly considers the Parliament Office Report on the Report of the Controller and Chief Auditor 2010-2011. After that we break for the evening and resume with the Financial Report for the new year that is not far away.*

Mr Speaker that is the motion.



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**Afioga Hon Palusalue Faapo II:** Mr Speaker, before the motion is seconded....

**MR SPEAKER:** Yes, I recognize the Leader of the Opposition.

**Afioga Hon Palusalue Faapo II:** To clarify exactly what the motion is about we are to approve 30+ Reports except for the Report of the Controller and Chief Auditor and the Report of the Office of the Parliament. Mr Speaker these Reports are very important to us to scrutinize. Furthermore it is becoming a bad habit that when the Parliamentary Term is nearing its end, we just approve Reports. I ask that we ensue with the normal procedures as the Term is still young. These reports are very important and should be considered before we end today. The Committee's efforts should be taken into account including the waiting public.

**MR SPEAKER:** I acknowledge the members concern. I give opportunity to the Hon Prime Minister.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** Mr Speaker the conclusion of these Reports depends on Government Responses. Therefore it is best to exercise patience and forbearance as Government will respond accordingly. The most important thing is for us to proceed with the current Reports as they are crucial for our current decisions. What's the point when a lot of these reports are dated? The reports we need are reports about today, what's happening now, current reports. I also spoke with the Leader of the Opposition and he advised me to complete our work tonight and we agreed. That is the recommendation for us as government responses is the final process. I've also stated that we pass these reports before they are referred to government for their responses within 90 days. Thank you Mr Speaker.

**MR SPEAKER:** Very well, I trust the Leader of the Opposition understands.

**Afioga Hon Palusalue Faapo II:** Mr Speaker I am concerned lest everyone thinks that I was agreeing to the rushed approving of these reports, the only thing we agreed on is concluding tonight's proceedings, whilst reports, are more important. Nonetheless, we object to....

**MR SPEAKER:** I get you Leader of the Opposition. Let me say that this motion wasn't easily decided. It's been almost a month and we are still sorting out these 70 reports.

By observing the process of debates on these reports and given the lengthy suspension of our business orders, this gave rise to the number of these reports and government responses. The agenda we took two to three weeks ago had it that most of these issues have been resolved and have been re-submitted one by one by the OCLA staff for us to read to be in line with the Committee's aim in the past four to five years ago (2009-2012).

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The discretion by the Clerk and I deem it best to approve these Reports and refer to the Government for their responses. Looking back to past Parliamentary Proceedings and practices, Parliament hardly disapproved of any Committee reports. If we leave these 30 plus reports, it will lapse in May and by then we won't be able to discuss them and Committee efforts will be a total waste. Hence it is better to set a motion now to officially accept all these reports before the government respond to the concerns of the Committees and the Chairs. It is best to approve all these reports now given the hard work by the Chairperson, Deputy and the Committees otherwise all these reports will become pointless in May.

We debated on this before given your concerns upon our sitting hours and I pleaded the government leader to take heed of our sitting hours considering Parliament work and government businesses. Hence it's important that comes May and June's Budget, we've already given instruction that all reports should meet a three months deadline. Hence we should avoid lapse business from happening in the future. I and the OCLA staff have scheduled an agenda on this to avoid anymore delayed reports, lack of quorum, ensue proceedings and avoid backlog as we now have 30 plus reports that should've been given approval long ago before they are reported back to Parliament to get government responses that is reviewed before tabling.

The motion has been moved, does anyone....

**Afioga Hon Palusalue Faapo II:** Mr Speaker once the motion is seconded that will be the end of it. We only wish to record our objection to the given motion as these Ministry reports contain matters that should be carefully considered in the House....

**MR SPEAKER:** I beg your pardon but I will again explain and clarify this matter. I give opportunity to the Hon Prime Minister.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neiote Sailele Malielegaoi:** Mr Speaker since the Leader of the Opposition appears to be ignorant of the motion I say that I can easily withdraw the motion and all these reports will lapse and become useless and the government will not have to provide any responses. As said earlier, I have written to you (Speaker) regarding the CEOs of various Ministries, they reported that when they turn up to Committee meetings, there is no quorum which in return delays the reports. The intent of this motion is to approve these reports for government responses otherwise I can always withdraw the motion. I say this as our next sitting is scheduled for Budget Report Statement. I ask the member to avoid dirty politics, you are only scoring points. I am giving the easiest way to officially accept all these reports before government responds to the concerns raised by the Committees, otherwise if you insist; I will withdraw the motion.

**Afioga Palusalue Faapo II:** Mr Speaker, a point of clarification as the Committee is being accused of lack in quorum causing the rise in these report numbers. According to schedule, we meet twice a week which is not...

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### Motion to Suspend Standing Orders

**MR SPEAKER:** Leader of the Opposition I beg the member as we cannot reverse given the clarification. If you insist that we do as you wish, omit all 39 reports, is that your will? I cannot do that.

**Afioga Hon Palusalue Faapo II:** That's not my wish, it's the governments.

**MR SPEAKER:** Exactly my point.

**Afioga Hon Palusalue Faapo II:** If the government wants to rid them, fine.

**MR SPEAKER:** That's the case, you wish to reject when we need to approve the reports. We must officially approve these reports before referring them to government to provide responses that is the recognisable approach but if you wish to discuss the reports now, by May, all 39 reports will be lapsed. You have seen the Chairpersons tasks, they don't take these reports lightly, submit work before government responses.

**Tofa Hon Tolofuaivalelei Falemoe Leiataua:** Mr Speaker any chance?

**MR SPEAKER:** I recognize the Hon Minister of Women, Community and Social Development, you may stand.

**Tofa Hon Tolofuaivalelei Falemoe Leiataua:** I recognize the Speaker's distraught with the member. Therefore I stand to second the motion by the Hon Prime Minister. I believe that the Government Leader's discretion must be complied by Cabinet. But I beg tolerance to the Leader of the Opposition, this is Parliamentary procedures, if the question is put and is rejected such as you wish, that is it, but I second the motion by the Hon Prime Minister.

**MR SPEAKER:** I give opportunity to the member for Aana Alofi No. 1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi.

**Afioga Hon Leaupepe Toleafoa Apulu Faafisi:** Thank you for the Opportunity. I rise in support of the moving motion, given that we as Chairpersons of Parliamentary Committees, we have negotiated these reports together with the members of the Opposition. The aim is to provide government responses which had taken several years before they are submitted. Hence I give forbearance to the Leader of the Opposition with respect.

**Tofa Levaopolo Talatonu (Gagaemauga No. 2):** Mr Speaker...

**MR SPEAKER:** I give opportunity to the member for Saleaula.

**Tofa Levaopolo Talatonu:** Mr Speaker, if you notice given the initial consultation process undertaken for these Annual Reports, the reports were completely read out, then we had a motion that this was time consuming and agreed to present the resolutions only. What now?



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### Motion to Suspend Standing Orders

We are now suspending it due to limited time and such. The aim we're shedding is that these Annual Reports provide Ministries responses on appropriation funds allocated by government every financial year. For us it's important as we aim to comment about it and discuss them.

**MR SPEAKER:** I get it member for Gagaemauga No. 2. These reports were discussed by government alone but members of the Opposition as well. Some of you are Chairpersons of these Committees. I beg tolerance as I now give my decision on this subject matter, if we are to agree with you, then these reports will be wasted. I tell you that there is another lot of 20, 30 of updated reports we are yet to receive which is current reports but discussing old reports causes tension and trouble. Therefore, pardon the members we will not debate the motion that is given and has been seconded.

*Seconded by the Minister of Women, Community and Social Development*

*Report approved by the motion and 38 Reports in the Order Paper were approved.*

### CONSIDERATION OF SELECT COMMITTEE REPORTS

#### **P.P.2013/2014 NO. 56, THE OFFICERS OF PARLIAMENT COMMITTEE REPORT ON THE P.P.2012/2013 NO. 13 & P.P.2013/2014 NO. 12, REPORTS OF THE CONTROLLER AND CHIEF AUDITOR TO THE LEGISLATIVE ASSEMBLY FOR PERIOD ENDED 30<sup>TH</sup> JUNE 2010. AND PERIOD ENDED 30<sup>TH</sup> JUNE 2011 - CONSIDERATION**

**MR SPEAKER:** The Proceeding of the Legislative Assemble adjourned on the 24<sup>th</sup> January 2014 after the Chairperson read out the Recommendation of the Committee. Before I give opportunity to the floor, it is mandatory that I make a formal announcement. I believe this Report is well clear by the members of the House and Samoa; thanks to the possibility of technology. The aim is to progress these reports pursuant to Parliamentary orders and procedures. I have also noticed that some of these reports have been publicised which is breaching Parliamentary ethics and code of conduct. I have asked the Attorney General to issue an official statement to the House to resolve this matter. This is to clear up any misunderstanding from the public.

The matter was declared by the Attorney General without legal action imposed. The only notice to be declared tonight is the ruling based on this legislation agreed by Parliament and Speaker. Whatever views and statements publicised on the newspaper by the Attorney General is his recommendation before the House, not a ruling.

For transparent, accountable and consistency of Parliamentary practices and procedures is the aim to managing matters of this sort. Not dictatorship, but complying with the orders of the House and Parliamentary procedures to maintain the dignity of the Samoan meeting.

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**P.P.2013/2014 No. 56, The Officers of Parliament Committee Report on the P.P.2012/2013 No. 13 & P.P.2013/2014 No. 12, Reports of the Controller and Chief Auditor to the Legislative Assembly for Period Ended 30<sup>th</sup> June 2010 and Period Ended 30<sup>th</sup> June 2011 - Consideration**

I wish to remind all senior members that you are the dignitary members of Tumua ma Pule, Ituau ma Alataua, Aiga i le Tai ma Vaa o Fonoti whom were selected as decision makers in Tiafau for tomorrow, alternatively, the Parliament of the country has been queried.

I beg tolerance to the nation given any foul language rendered. I plea, avoid the illegal acts from occurring in the future given the false claims that are affecting this Parliament. Hence now that we've just received this matter, we shall seek wise counselling of Parliament given your duties as this is why you and I were called to make decisions for Samoa considering these accusations causing confusion upon members of this nation.

Such accusations reflect badly on Parliament claiming collusion and corrupt practices as if the Parliament and the Government are dictators manipulating people's mindset from the truth. The decision making process of Samoa is done on the roadside thereby doing away with Parliamentary procedure when government hasn't responded to these allegations including the alleged victims. We must comply with normal procedures to avoid this from happening in the future.

We have the Supreme law or the Constitution and Standing Orders to guide and protect Parliament privilege and ethics from the media.

That is the ruling to the media reporters who have disclosed this report meanwhile there will be time when I will refer this matter to the Privileges and Ethics Committee and whatever response they give will stand.

It is now time to debate this matter pursuant to our sitting from the 24 January 2014. I give opportunity to the Leader of the Opposition.

**Afioga Hon Palusalue Faapo II:** Mr Speaker, I don't wish to object to your decision given this matter with the media group as they cannot respond accordingly. Mr Speaker the only thing that should be clarified in accordance to Parliamentary practices and democratic system, once a document is tabled it becomes a public document. That is the clarification involving yourself, Parliament and the media civil society.

Mr Speaker the matter needs to be properly explained because democratically and based on Parliamentary procedures all tabled documents is public document. It is important to clarify and specify the issue so that the Speaker can ascertain issues like these not to arise especially with the journalists and media.

**MR SPEAKER:** I understand your predicament-but did I not just explain the situation? The Attorney General has issued his advise on the Law. You have clearly made yourself clear that such matters cannot go as far as this House. All other policies and legislations speaks for your statements but all else is drawn before Standing Orders to warrant Parliamentary Privileges and Ethics. I have a duty in this to ensure that this doesn't happen again in the future lest Parliament hasn't discussed its reports but is being talked about around the world. That is inappropriate as all decision comes from within the House, the sacred lands of Samoa, 'Tiafau ole faautugatagi, o le taagamamanu a Samoa,' that shouldn't be outlawed by these reporters.

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After our discussions on the Controller and Auditor General Report, the OPC report, government responses and the defendant's statement is then released to the media for their reports, but this is like 'a horse cart going after the horse', which is inappropriate.

That is the spirit to clarifying this matter. How is a country's decision making made in the backhouse? This is unacceptable; we might as well quit Parliament and make decisions on the road.

I beg tolerance and forbearance Samoa for the views and comments given by your Parliament tonight as opposed to your support. You have the support of your 49 members and when we make mistakes, what is the use of calling this the paramount meeting of Samoa when people have the guts to rise and throw accusations at each other, what is the outcome? We must practice balanced democracy. That is the essence; media should also play their part in accordance to Parliamentary procedures and practices. This is the chance for the House to...never mind, let's have a break. Have a nice cup of coffee and when we come back, we shall continue with our debate.

I now declare proceedings of the Assembly be set aside for its normal evening recess.

*Proceedings of the Legislative Assembly were set aside for its normal recess at 8:41pm and resumed at 9:14pm.*

**MR SPEAKER:** We have come to this part of our proceedings this evening. I acknowledge the patience and tolerance of the House. I also believe we have all gained rejuvenation and strength to continue our work.

We took our break and opportunity was given to the House to share thoughts on the Report. I call upon the Hon Minister of Finance.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA (Minister of Finance):** Mr Speaker before we obey your orders, no one objects to your decision. But since I am the accused one in relation to this report, I respectfully request that I wish to make a Ministerial Statement to clarify these accusations given that I've never given a response to these claims particularly Samoa Land Corporation. With due respect.

**MR SPEAKER:** Thank you to the Hon Minister. This Report is very important and needs to be clarified. The House's debate gives way for you to provide your general comments once all submissions are completed. But if you intent to respond accordingly to the report before we discuss it, personally, I think its fine. But should there be any queries needing response once proceedings on the report discussion is progressed. I beg your pardon...

**Afioga Hon Palusalue Faapo II:** Mr Speaker, point of clarification.

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**MR SPEAKER:** I recognize the Leader of the Opposition

**Afioga Hon Palusalue Faapo II:** I would like to clarify that in the Standing Order 62 clearly states, “unless it’s based on government resolution”, no debate is allowed on Ministerial Statements by the Hon Minister of Finance given that there’s plenty of time for him to respond during our debate like you said.

**MR SPEAKER:** Yes, well I understand your concern Leader of the Opposition. I call the Hon Minister of Justice, Courts and Administrations.

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker I believe the Hon Minister of Finance has every right to give a Ministerial Statement. But I wish to ask, about the Hon Ministers clarification, given Parliamentary procedures, if an Hon Minister speaks, he must speak about his duties or the respective Ministry he holds. The Hon Minister of Finance is tasked with the Ministry of Finance whilst SLC is responsible to the Hon Prime Minister. That is reason for the Hon Ministers request to give a statement on the claims laid before him. Anyone who wishes to make a Ministerial Statement must give an official request through the Privilege Committee according to Parliamentary Procedures.

Mr Speaker, I believe that if the Hon Minister of Finance wishes to speak about the SLC that he undertook in the previous Parliamentary Term that is unnecessary. But to clear the identity of the Hon Minister as he demands, he can give so through the Privilege Committee under the Standing Orders.

In short, if the Hon Minister wishes to speak, he should speak about privilege not through a Ministerial Statement. With all due respect.

**MR SPEAKER:** I recognize the Hon Prime Minister.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Saillele Malielegaoi:** Mr Speaker we’ve been here for quite some time and this is also stipulated under Ministerial Statements that he is allowed to give one. I believe that giving a statement of clarification isn’t a bad thing. Nothing is new and must not avoid debate that can take us the whole night. But we would hear clarity given the sections of the law which allows for interruption during debate and Ministerial Statement.

Mr Speaker I see no problem in allowing the Minister to clarify the matter. And it is my recommendation to allow the Minister to do so.

**MR SPEAKER:** Thank you Hon Prime Minister for the assistance. That is rightfully my intention before the Hon Minister rose, this issue isn’t new. And is becoming popular here and the around the world. Despite where the event lies, this shouldn’t avoid our deliberations.

Hence I only wish to clarify the Ministerial Statements 62 (1) ‘Statements can be issued by the Ministers as government representatives based on government’s decision on any matter.’ The Hon Prime Minister has granted his approval and this matter doesn’t end here.



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Once the Minister has concluded his speech then the floor will be open for debate. I wish to note that there is opportunity for all members. Whilst giving a Ministerial Statement, this doesn't avoid opportunity to respond upon any interjection or query. No the Minister is liable to respond on the accusations involving the Ministry and in relation to the various accusations and statements issued to the public. Parliament has just commenced its responses, and for the first time the Minister has given his response before opportunity is open to the House according to normal Parliamentary procedure. I call on the Hon Minister of Finance.

**Afioga Hon Palusalua Faapo II:** Mr Speaker we need clarification on the grounds for this Ministerial Statement given the provision of the Standing Orders, deliberation during the statement is breaching the orders of the House. But the Ministerial Statement should be related to the report we are about to discuss.

**MR SPEAKER:** I recognize your concern Leader of the Opposition. Queries will be granted after the Minister's given his statement. This shouldn't avoid your comments and queries. I recognize the Hon Minister of Courts and Administrations.

**Afioga Hon Fiaame Naomi:** Mr Speaker as stated before, I am not averse to the Minister making his statement but consider the normal procedure, we are responsible to the different Ministries whilst the Minister of Finance is discussing this through a Ministerial Statement. The impact on him is well defined from the previous Parliamentary term. But the statement he's about to give sounds personal. He's no longer the Minister for SLC, he was the former minister and I think if the Minister (Faumuina) wishes to speak, he should request to speak using (Parliamentary) Privileges not a Ministerial speech. That's it your honour.

**MR SPEAKER:** Yes, I recognize... I beg the pardon of the member for Aana Alofi No. 1, Afioga Hon Leaupepe Toleafoa Apulu Faafisi but I give first opportunity to the Hon Prime Minister.

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** Mr Speaker the dilemma is that members seem to be managing your duty but it is you who decides as Speaker of the House. There is no reason why the Hon Minister should not be allowed to verbalize his explanation. The matter has been publicized to the extent by the media and all of us have read and assumed but the Hon Minister has yet to comment. I see no point in delaying the Hon Minister from making his statement. I do not understand why Afioga Hon Fiaame Naomi wants to stop the Hon Minister.

Mr Speaker your discretion concludes this matter.

**MR SPEAKER:** I call on the Hon Minister of Justice and Courts Administrations.

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**Afioga Hon Fiaame Naomi Mataafa:** Mr Speaker point of order. I am not stopping the Hon Minister from making his statement nor am I against it. I am only pointing out the normal (Parliamentary) procedure that must be complied. But if that is your decision then that shouldn't avoid us from giving our comments. With due respect.

**MR SPEAKER:** Thank you. I give opportunity to the member for Aana Alofi No. 1, Afioga Leaupepe Toleafoa Apulu Faafisi. You may stand.

**Afioga Hon Leaupepe Toleafoa Apulu Faafisi:** Thank you for the opportunity. This is based on your discretion your honour. Regardless of the various views by members of Parliament, I acknowledge your remarks on the leaked reports that have yet to be discussed pursuant to Parliamentary procedure.

Therefore, we ask upon your discretion, to grant the Hon Minister the chance to clarify his statement based on the allegations against him to clear out any confusion from the House, notwithstanding members' comments according to this Report. Thank you.

**MR SPEAKER:** I recognize the member for Falealupo.

**Afioga Hon Aeau Peniamina Leavaiseeta:** The member has stated that this is based upon your discretion with his concluding point to recognise the speech as it is. I rise to ask given our time is a waste, what does he intend to speak about when we haven't yet discussed the report? Because it's obvious that he wants to speak clean of himself. So why waste time when we have no idea about what's happening? It's a statement from the defendant as opposed to this side (Opposition). So what is he going to talk about?

**MR SPEAKER:** I acknowledge your concern member for Falealupo. I believe...I recognize the member for Falelatai and Samatau.

**Afioga Taefu Lemi (Falelatai and Samatau):** I do not wish to disrespect but I wish to clarify that the response is about to be given without a question. What is our usual practice, debate before review by those who are giving responses. It appears that the horse is going after the carriage. That is the question that requires assistance.

**MR SPEAKER:** I give opportunity to the member for Alataua West.

**Afioga Lafaitale Patrick Leiatualesa:** Mr Speaker we are wasting away the evening debating over what should and should not be done. Therefore we pray that you make the conclusion and deliver it with just.

**MR SPEAKER:** I recognize the member for Siumu.



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**Tofa Hon Tuuu Anasii Leota:** Mr Speaker the discretion is yours. I believe once the Hon Minister has given his statement there would be no reason for us to comment further. But do give your ruling with respect.

**MR SPEAKER:** I gather your concerns. But the first part of the matter has been approved in the House, the report was presented as well as its Finding, Recommendations and Resolutions. Now we are about to take the second step which is debate. But given the sensitivity of this issue, I don't need to repeat myself you are clear of my several attempts from the beginning. It is highly appropriate to give a chance to the accused to voice his concerns on the matter. Not avoiding your queries and comments after he's given his statement. But if the Hon Ministers (Faumuina) statement is given before Parliamentary Privilege as agreed to by the Hon Minister of Justice and Courts Administration and the Electoral Commissioner, upon completion it will go through similar process which is responding during our deliberation. Hence I believe we shouldn't crucify the accused twice without giving his response, hence I give the opportunity to the Hon Minister according to your request. The Hon Prime Minister will also respond on behalf of SLC to clear up any gaps on this very subject matter.

**Tofa Hon Fonotoe Nuafesili Pierre Laufo:** Mr Speaker....

**MR SPEAKER:** I recognize the Hon Deputy Prime Minister.

**Tofa Hon Fonotoe Nuafesili Pierre Laufo:** There is no intent to change your ruling but I merely seek clarification on the Report of the Committee and their findings. I had intended to query the Chairperson of the Committee in relation to the Report but it appears that the Hon Minister will be the one to respond.

Mr Speaker can you please clarify and elaborate more on this matter?

**MR SPEAKER:** I recognize your concern Hon Deputy Prime Minister. The Hon Minister is not responding to any comments that we haven't yet made. Again it's been made clear that the report is now before the House hence this should not avoid your comments should you wish to speak of them. Therefore let the Hon Minister give his statement whether it is on Ministerial speech or through Privilege before the floor is open for comments.

I now call upon the Hon Minister for his statement.

**MINISTERIAL STATEMENT BY AFIOGA HON FAUMUINA  
TIATIA FAAOLATANE LIUGA**

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Mr Speaker of the Parliament of Samoa. The Hon Prime Minister and Hon Ministers of Cabinet Hon Associate Minister Hon Leader of the Opposition.

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## Ministerial Statement by Afioga Hon Faumuina Tiatia Faaolatane Liuga

Hon Deputy Leader and Members of the Opposition. The Chief Executive Officers of the Ministries and Government Corporations. The Clerk of the Legislative Assembly and Staff of the Legislative Assembly

### INTRODUCTION

I thank you Mr. Speaker as you have now dealt with the protocols and in so doing you indeed done the prerequisite by first paying tribute to our sacred relationship with our Heavenly Father.

As such, I wish to first of all pay tribute to His Highness the Head of State, the Tama Aiga, Tui Atua Tupua Tamasese Efi for his support, and the Masiofo: the Member of Council of Deputies, Afioga Tama Aiga, Tuimalealiifano Sualauvi Vaaletō'a II, who is the Tuiaana, and Masiofo, and the Leaders of the various religious denominations in

Samoa, the Preachers of the Gospel: the Hon. Chief Justice and the Judiciary: the support of the dignity of Tama and their families, the Families and Tama and the dignity of the Oratory groups of Tumua and Pule, comprising of Itu'au and the Alataua, Aiga i le Tai and the Vaa o Fonoti.

I am also mindful of the prayerful support of the Eastern Island comprising of the Governor and the Lieutenant Governor; the President of the House of Representatives and the Speaker of the Senate, and the two Houses of the Government Tutuila and Manu'a. These honorary salutations are represented by the Faleagafulu comprising of the Tama na autasi and the Tama that raised to the highest pedestal by Sua and the Vaifanua, Fofu and Atiulagi, Sa'ole and Saleaamua and the Launiu Na Saelua. I also pay tribute to the Taboo Island in consideration of the Tama a le Manu'a Tele, the Laau Na Amotasi, Faatui o le Motu and especially the Auva'a o Tootoo.

This particular day has been made by God that we may rejoice in it, which hopefully will result in praises for Him. Mr Speaker, I am sure you are fully aware of the numerous stories that are floating around, not only in the newspapers but through the numerous TV channels and the Radio Stations in Samoa and abroad concerning allegations against me during the execution of my ministerial duties from 2001 to the present time without my having 'uttered' a word against the same.

Mr Speaker the Report of the Controller and Chief Auditor and that of the Committee of the Officers of Parliament have been tabled in the House as P.P.2012/2013 No.13 and P.P.2013/2014 No.12 as well as the issues raised therein.

Mr Speaker, before I venture to reply as well as providing explanations regarding the issues raised by the Controller and Chief Auditor and the Committee of the Officers of Parliament, I should first of all place in Parliament a (broader context) by which I performed my duties as well as the decisions that I made.

It is for that reason that I deem it proper for me to provide you with the summaries of information relating to major projects pertaining to each category of my duties as Minister as well as the aims behind the implementation of these projects for the benefit of the country and the people as a whole.

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### **Ministerial Statement by Afioga Hon Faumuina Tiatia Faaolatane Liuga**

Admittedly, it is for this reason that I had to return to Samoa to render services and to contribute, for a person's calling comes from God. This I hope will also enlighten the people about the environment of major projects that I undertook and which of course had provided us shelter, while other projects are now under the telescope.

#### **First Part:**

Reshuffling of the Ministry of Works (PWD) and the preparations of the (Private Sector) to be responsible for major projects to be handed out by Government.

#### **Second Part:**

Samoa playing host to the South Pacific Games 2007.

#### **Third Part:**

Release of lands of the Samoa Land Corporation (SLC) for our people to develop or for residential purposes.

#### **Fourth Part:**

Samoa Scientific Research Organisation (SROS).

#### **Fifth Part**

Samoa Unit Trust Corporation (UTOS) for the investments of our people for the first time.

### **1. RESHUFFLING OF THE MINISTRY OF WORKS (PWD)**

The reshuffling of the Ministry of Works was a programme that was put in place during a Parliamentary term of 1996-2001, but it was not fully developed given its complexity in that it could result in the laying off of workers thereby dismantling the Ministry of Works.

Given the significance of these major changes to Government in order to save money and increasing the speed of the economic development, I therefore had to seek approval from the Prime Minister so as to shift my office to where the workers of the Ministry were as has always been the practice.

It would be best for me to really know the workers as well as they do me, given the delicate nature of this aim, in order to achieve these major changes.

It was evident that most of the workers, will be out of jobs after the downsizing of the Ministry of Works.

The other important aspects with regard to the preparation of the Private Sector relates to the execution of major projects to be handed out by the Government, in regard to the construction and continuous maintenance of roads, bridges, drainage, seawalls and other major projects that the Ministry of Works used to carry out.

In a first meeting with representatives of the Private Sector: they were briefed with guidelines by which these projects were to be carried out according to the above stages, through public tendering.

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### Ministerial Statement by Afioga Hon Faumuina Tiatia Faaolatane Liuga

The representatives of the Private Sector were also informed that the law or policies of Government do not allow any company to pay money to any worker of the Ministry, inclusive of the Minister, that he may give out work or contract to the said company for these major projects. That policy has not changed to the present time.

I know the representatives of the private sector in Upolu to whom I gave these guidelines are listening in. These were the same guidelines are listening that I explained to the Private Sector in Savaii.

There was only one request submitted by the Private Sector in Salafai – that is that Government recognized and support their Society of Road Contractors in Savaii. The reply was that it was their right to do just that but Government would not support any organization as such would enable someone to either control or dictate the costs of Government projects.

Mr Speaker that was the objective set for the new Ministry of Works by which its core functions could be carried out, and that the workforce was to be reduced to 50 from the then workforce of 400. It took a whole year to discuss and explain the essence to the workers, PSA and PSC, and the negotiations on this complicated matter were not that smooth, for the workers to fully understand the significance of this proposal for the whole country. The outcome of negotiations with those affected thereby completed, preparations were then initiated to prepare the recommendations through a Cabinet Submission for its information and final endorsement for the reduction of the Ministry of Works. This Cabinet Paper was submitted in July/August 2002 and I personally tried on numerous occasions to explain this concept to the dignity of Cabinet given the complexity of the issue. Yet Cabinet's approval appeared to be forthcoming in November 2002. I was fully conscious of the concern of the Ministers of Cabinet at the time as such a move would affect workers and the income of workers especially those on whom family upkeep falls. These major changes took shape at the end of 2002, after Cabinet's approval had been obtained, that saw the smooth progress of this proposal. It was the Prime Minister who spoke to congratulate the workers for the work they had been doing for many years whilst serving the country on the last day that the workers of the Ministry of Works were farewell. From that time on, public funds have been duly devoted to the improvement of roads when PWD was demolished and road construction works given out to local road contractors.

Mr Speaker, if these major changes to the Ministry of Works, had not taken place as summarized above, Samoa would not by now have reached quality development in terms of public roads, bridges, drainage, seawalls and river bank walls and other current major works. The private sector has shown its remarkably full support and implementation of the projects given them in terms of the infrastructure. Ever since the allocation of various zones to be catered for by the contractors through public tendering, this contributed to the urgent improvement of roads that were damaged by heavy rainfall and flooding at the time of the cyclone. The following are significant aspects of these major changes.

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The development of the Private Sector for the construction and maintenance of infrastructure has by now created almost 20 companies established in Upolu to cater for major works that used to be done by Government and that close to 10 companies have established businesses for the construction and maintenance of roads, bridges, walls for riverbanks, and seawalls on the island of Salafai.

**Tofa Hon Tuuu Anasii Leota:** Mr Speaker...

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** These have created job opportunities for our people thereby assisting with the upkeep of families, services to the villages and Churches thereby building upon their economy. Savings on public funds as assets for which, if these major projects had been done by the Ministry of Works, sinking \$20 million annually for the upgrading of roads which in the end only cost the salaries of the workers.

**MR SPEAKER:** I beg the pardon of the member but I will grant opportunity after the Hon Ministers speech. I will repeat, your concerns will be given otherwise, let the Minister state his case. I beg for your tolerance and patience that once he's done, we will deliberate on the matter.

I call upon the Hon Minister to continue his speech.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Thank you Mr Speaker.

The payroll for workers had only reduced by two million annually since 2003. The actual construction of works has been cheap and efficient give the many companies that have been established in Savaii and Upolu that are competing through public tender for the implementation of these projects.

As regards the programme for the tar sealing of access roads for the farmers, livestock farmers and the general public throughout the country in the rural areas, these projects had only gained speed after affecting these changes to the Ministry of Works in 2003. The same goes for all the sectors of the country and the many contractors, responsible for the maintenance of public roads, was a new approach providing more attention that encouraged the maintenance of public roads especially at the time of heavy rainfall and cyclones, and soil erosion caused by natural disasters. For example, cyclone Heta in 2004 lasted only three days yet it caused the need for a complete upgrading of our roads, drainage and soil erosion at Anoamaa East and Anoamaa West. It took one week to restore electricity to both islands of Upolu and Savaii, Why? Because the appointed contractors automatically moved out to do the upgrading work. These functions were previously carried out by PWD, which was unable to carry these out efficiently prior to these major changes.

Mr Speaker that was the skeleton (model) by which the said major changes were carried out by the Ministry of Work, which has been adopted by the Work Bank in most of the developing countries inclusive of the Pacific. Fiji and Tonga are trying to implement their major changes to the Ministry of Works but have not to date been able to implement these changes due to a lack of political courage to do it.



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**Ministerial Statement by Afioga Hon Faumuina Tiatia Faaolatane Liuga**

**2. SAMOA HOSTING THE SOUTH PACIFIC GAMES – 2007**

Mr Speaker, this is one of the challenges that faced my time whilst executing the functions of the Ministry of Works (2001-2006) as well as the Ministry of Natural Resources and Environment (2006-2011). There were four main objectives that guided the implementation of the projects to prepare Samoa to host the South Pacific Games in 2007:

- (i) This was to build the Gym and the sports fields to be of international standard and that the project was to be completed by the end of July 2007.
- (ii) Site preparation and accommodation for the athletes.
- (iii) Programmes for the Opening and Closing of the Games.
- (iv) Catering of foodstuff to an adequate and acceptable standard.

The construction of the Sports Complex and Grounds met the deadline inclusive of accommodation for the athletes.

The challenge that was given to the Team Samoa was to get 50 gold medals, but they only managed 44 gold medals, 42 silver and 50 bronze. Samoa came second in the total tally of medals from the South Pacific Games. This was the highest ever achievement by our athletes in international sports. In spite of the fact that we did not win the total number of 50 gold medals that we wanted yet Samoa did manage to attain its highest ever standing.

This was one of Government's plans to build a Gym and playgrounds to international standard, enabling Samoa to play host to major internationally sporting events and meetings locally, for the sake of projects pertaining to the future generations of Samoa. This dream has been realized giving numerous benefits that Samoa has enjoyed as a result.

Mr Speaker, there have been numerous complaints from the country in relation to the costly nature of this Gymnasium saying what use there is for this Gym after the South Pacific Games 2007.

According to Government's vision the use of this gym was not to end with the South Pacific Games in 2007 but beyond 2007, in relation to international sporting events outside of the Pacific.

As we all are aware, numerous international sporting events have been taken place in Samoa since 2007. Samoa is now preparing to host the Commonwealth Youth Games in 2015. As such it is normally the duty of Government to initiate developments for the general welfare of its people, especially providing access to development by the Private Sector; thereby creating job opportunities for our people.

The other advantage of this Gym and international sporting fields is that it encourages our sports people to improve their sporting talents. A lot of Samoan sportsmen have been blessed with sporting contracts to play overseas.

As well as that, sports facilities contribute a lot to tourists and visitors to Samoa as it has made necessary preparation through continuing, in order to fully convince the world to hold its first ever International Meeting (SIDS) in Samoa this year. This is the first and biggest ever international meeting to be hosted by a South Pacific Nation, inclusive of New Zealand and Australia.

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**3. SAMOA LAND CORPORATION (SLC)**

The Samoa Land Corporation was established in 1990 at the time cyclones Ofa and Valelia struck, respectively, in 1990 and 1991. The overall aim of Government behind the establishment of this Independent Government Corporation was to open up some other new commercial systems by which Government land could be used other than that already applied under the Trust Estates Corporation of Samoa for cultivation and cattle farms, which had considerably increased the Corporation's debts making it impossible for it to repay its debts to the Bank and Government. So the establishment of the Samoa Land Corporation in 1990 was not only the outcome of wise decision-making but also of Government's vision for the best use of these lands for other business ventures. That saw the transfer of some 24,000 acres of the Trust Estates Corporation lands in addition to a debt of \$23,286,762.00 to the newly established Samoa Land Corporation. In the records of the Samoa Land Corporation, the only amount the Samoa Land Corporation was able to pay to Government from 1990 to 2006 was \$2,000,000.00 during which time the Corporation was transferred under my control. To my observation, this vision of Cabinet at the time, to develop government lands through other means of business than farming and cattle raising was necessary to diversify developments, ones that yield money for the Samoa Land Corporation other than leasing or selling lands which was considered unsustainable over the long term. It was therefore considered a necessary method by which to proceed with work in order to achieve the aim of the Samoa Land Corporation. All lands of the Corporation were re-surveyed so as to identify the location of these lands and to indicate where various businesses could be operated and conducted in line with Government policy behind the establishment of the SLC.

- (1) That all lands without commercial value for business enterprises but suitable for Government land reserves be transferred to the Land Board (MNRE);
- (2) Other lands for Government projects or Government lands required for the operation of the Corporation's businesses shall be subjected to land exchange with the Land Board;
- (3) Clear the remaining balance of the debt \$21,286,762.00;

At the time when I was leader of the SLC there were only two sources of revenue for the Corporation: that is leasing out land or selling land. The other new sources were the Golf Course at Faleata. Restaurant and the use of the Golf Club House/Bar at Faleata for weddings, birthdays and others that derived money for the Corporation.

The Flea Market at Savalalo and the Market at Salelologa was cared for and maintained by the Ministry for Natural Resources and Environment, against all odds, as being the venue for services to the country: as such the market was transferred to be under the Samoa Land Corporation in 2006. The Offices of the Prime Minister and the Minister of for Natural Resources and Environment were rarely free from members of the general public, public sector and Flea Market vendors complaining about the leaking facilities they were using while the Ministry was still collecting block rental from them.

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It is for these reasons that MNRE agreed that these two markets be looked after and controlled by the Samoa Land Corporation, as the former had no money to maintain and upgrade these facilities. There are still many families using this market which has become a source of benefits for many of our people. These have been fully maintained as requested by the private sector etc.

The other issues that were looked into by the Board and the Administration were other means by which government lands under the SLC could be used: through leases to investors to build flats, condominiums or hotels, by which SLC lands may be leased to wealthy people in the country and overseas investors. Hence this was one of the aims behind the promotion of our Unit Titles Act 2009, in order to attract wealthy people or overseas investors to participate in these types of major development on Government lands and customary lands, and resell their assets to locals and overseas management groups running these developments. That will derive revenues for the SLC and the general public through leasing lands at high rates given the improvement already carried out on these lands. Again, job opportunities will be created for our people. The JTC Corporation of Singapore had the same profile as the Samoa Land Corporation in that the JTC Corporation is the sole funding agent within the Financial Accounts of the Government Singapore, due to their use of their limited amount of land and the use of the upper space through their multi-storey buildings, as in so many ways above. In one of my trips for an Environmental Meeting in Asia, the General Manager and Deputy General Manager of the SLC were instructed to travel with me to Singapore in mid-2006 to consult with JTC relating to systems under which they were carrying out their responsibilities; that we could imitate and apply such new systems to assist SLC in order to achieve its aims that saw the establishment of the Corporation in 1990.

#### **3(a) Re-survey of the Samoa Land Corporation's lands**

Towards the completion of the Gym and the Sports fields for the South Pacific Games in 2007 the programme for the re-survey of the lands of the Corporation was immediately put in place in (Upolu and Savaii) as recorded in the records of the Corporation, to be 24,000 acres. It was necessary to check the accuracy of these records as well as identifying the location of these lands. The challenges that I was now facing is that there were three (3) more years before my term of office expires, i.e.2008, 2009 and 2010 and that I should endeavour to get past the projects proposed for December 2010. The execution of the re-survey of Government lands is one that was not readily acceptable to our people, especially to the villages and those occupying and using these lands. It was also contradictory to our customs and traditions to use Policemen for the re-survey of Government's lands, as such, I recommended using our customs for this purpose; which was good for Government's as well as the whole country. It is for this reason that I recommended appointing a Committee to assist me (under Article 35 of the Constitution of Samoa-Article 36 of the Constitution for the assignment of responsibilities to the Minister in writing by the Prime Minister for any government department or subject).

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This work is yet to be completed given the scarcity of land surveyors. There were also other lands holdings that were reduced thereby allowing for purchase of more lands at Falelauniu and Tafaigata now occupied by some from around the country.

**3(b) Survey of SLC Lands in Upolu and Savaii**

The re-survey of the Samoa Land Corporations lands had been completed, about 75% in Upolu and Savaii. The total area of lands yet to be surveyed is about 25%- Upolu: Tapatapao, Aleisa, Faleasiu, Fasitoo-uta and other scattered lands: Savaii: Taga and Salailua. During the survey of SLC lands, it noted lands of Government affected by the decisions of the Land and Titles Court which as of now have become lands pertinent to those that contested its ownership. Some of these lands have been subjected to land claims (pule faamau) by some people around the country. These Land and Titles Court decisions affecting government lands and causing claimants or families thereto to occupy same was the reason why the Samoa Land Corporation's Administration was instructed to work together with the Office of the Attorney General so that its work was carried out pursuant to the Law, so as to annul these decisions and that the same lands be registered as Government lands in the records of the SLC. There are also government lands under the SLC in one of the villages at Vaimauga East but they have sold some of these lands to people from other villages through illegal deals. These land sales have been corrected. Mr Speaker had it not for the re-survey of Government lands we would not have discovered these corrupt practices of some people, affecting public lands in the whole country.

**3(c) Land Exchange of SLC and the Land Board**

Mr Speaker, for the information of the House and the whole country listening in, I would say that after the commencement of the re-survey of the SLC lands, Cabinet saw it fit to decide as per (FK (07) 29, dated 1 August 2007) to effect changes to some of the lands under SLC and the Land Board and vice versa. These changes to lands had seen the reduction of the SLC debt of \$21,286,762.00 to Government. These are some of the works undertaken by the Minister's Committee together with the full attention of the Administration and Staff of the Samoa Land Corporation through the re-survey of its lands throughout the country.

**3(d) Valuable developments for the future of SLC through service to the Country**

- i. Upgrading of the Flea Market at Savalalo and the construction of the markets at Salelologa and Vaitele as directed by Cabinet (FK (106)28, 02 August 2006; FK(07)47, 12 December 2007 and FK (10)12,31, March 2010);
- ii. Upgrading of the Faleata Golf Course for the international golf tournament, Samoa Classic and the Samoa Open (2008-2009);

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- iii. Construction of SLC permanent headquarters and office at Tuanaimato Faleata (FK (10)29, 26 July 2010).

**3(e) Upgrading of the Savalalo Flea Market and the Construction of the Markets at Salelologa and Vaitele**

Mr Speaker, this is one area that the recommendations of the Controller and Chief Auditor as well as the report of the Committee of the Officers of Parliament are heavily concerned with; that developments of this nature should not be over emphasized as it dearly cost Government a lot of money. The vision of Government as endorsed by Cabinet through the FK above is spelt out in the execution of its (investment) developments, to provide the general public with the opportunities to make businesses to cater for their families and render services to the villages and churches especially those with low income.

The Flea Market at Savalalo (FK 06) 28, 2 August 2006) caters for more than 300 families and small shops operating businesses in that location. A lot of our people are enjoying benefits from this development.

The same goes for the market at Salelologa (FK (07)47, 12 December 2007). This is one area for all the farmers, fishermen and small businesses in the big island of Salafai. More and more people are heading for Vaitele to make use of the market (FK (10) 12, 31 March 2010). This market will certainly be more useful when the construction of the international wharf at Vaiusu is completed in the next two or three years time.

These developments were not considered for shorter term period; the government's vision for its people especially the younger generations of Samoa is that forward progress should go together with the development of families. All these developments are contributing substantially to the generation of our economy as more people are confirmed to be offered job opportunities.

**3(f) Golf Course Development**

The upgrading of the Golf Course at Faleata for international golf tournament of the Samoa Classic and the Samoa Open, 2008-2009 was SLC's contribution towards the promotion of Samoa as a Tourist Destination especially its use by our own people for exercises. The Churches as well as other Organizations are using the Golf Course for their fundraising activities toward the Church and village developments. The other SLC building at Tuanaimato is one of the buildings to be used for the World Meeting (SIDS) to be held in Samoa in September 2014.

**3(g) Construction of the Main Office of the Samoa Land Corporation at Tuanaimato Faleata**

The old building that housed the Office of SPREP before shifting to its new Office at Vailima was used by the Samoa Land Corporation. Its location was most ideal given the many businesses leasing lands of the Corporation within the Industrial Zone at Vaitele-tai, where it is cheap and easy for the business people to pay their leases and other matters requiring the assistance of the SLC.



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After Cabinet's decision to sell lands within the industrial Zone to the Private Sector (FK (07)42, 7 November 2007). It was proving expensive for the Corporation to continue with its two existing Offices at Vaitele-tai and the other section of the staff at Tuanaimato in the middle of 2010. The aim of this proposal was for the Corporation to make it simple and cheap to implement its functions towards serving the country from one place. The total cost for the construction of this building was \$3,365,000.00 (the original cost was \$2,620,000 plus \$365,000 Variation No.1 plus \$38,000 (partitioning of office) plus its accessories: the lift at \$490,000.00 plus the split unit air conditioners at \$260,000. As the Committee of the Officers of Parliament is questioning this matter, I shall now answer and explain the areas questioned by the Committee with the last part of this statement.

#### 4. SAMOA SCIENTIFIC RESEARCH ORGANISATION (SROS)

At the end of the Parliamentary Term 2001-2006, this House passed the Principal Act of this Scientific Research Institute of Samoa 2006 to formally establish this institute (SRIS). The Principal Act was amended in November 2008 thereby altering its name "Institute" to become the Scientific Research Organisation of Samoa so as to generally reflect the scientific nature of issues that SROS may include in its programme of scientific research.

The establishment of SROS in the middle of 2006 was purely another challenge that was faced by Government in the last parliament. As we all know, people always have doubts with every new thing and often times we hardly satisfy their doubts unless and until the development concerned bears fruit. These were the main issues why Government had to establish this Organisation as summarized below:

To search for scientists with special qualifications and recognized degrees, those who are considered matured in international scientific circles, specialized in the area that Government intends to pursue.

- (a) Upgrade the existing facilities (old houses once used by the Ministry of Agriculture) at Nafanua for the new Corporation to commence work;
- (b) Organise and proceed with the ordering of the relevant equipment (lab equipment etc) to be used for scientific research.
- © to continue with new housing depending on the cash flow of Government to increase the operations of SROS in order to meet the (international standards);
- (d) Products should be carefully selected from the products of our cultivations in order to develop finished products so to boost the confidence of those who will be working for this Scientific Research Corporation and start preparing our cases for the accreditation of SROS within the five year period (2006-2010) from the original Corporation with seniority and highly recognized internationally in New Zealand or Australia;
- (e) That individual research assignment be recognized by international universities in order to gain credits for the staff should they wish to do a higher degree;

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- (f) This development will also urge the sons and daughters of Samoa to study scientific subjects as the same will create job opportunities not only in Scientific Research Organisations, but the Ministry of Agriculture and Fisheries as well as the Private Sector when it is given the responsibility to produce goods from their respective natural resources etc;
- (g) The Corporation should endeavour to find commercial ways to get money so to lessen its dependence on Government.

In brief, Mr Speaker, all the aims referred to above have all been attained, inclusive of the accreditation that honoured the Corporation at the end of the scientific research carried out by the scientists from New Zealand that enabled SROS to now proceed with its work commencing from December 2010 with Government and the Private Sector in Australia and New Zealand to provide the certification. This had not only reduced the costs of the projects but the time taken to await certification.

Mr Speaker, this is one of our Government's developments that will substantially assist the growth of the economy. It will help locate other methods of producing goods from our crops so to reduce imports; it will also increase job opportunities for our people thereby reducing their payments overseas. These goods may also be sent overseas for for export if and when more goods than what we need are produced locally. Government is still looking for anyone from the Private Sector who can establish a factory for goods already developed (flour from breadfruit, biodiesel from copra and oil from avocado) by SROS. If no one is prepared to deal with any of these developments, Government therefore will have right to take up the challenge, depending on the time these developments are allocated to the Private Sector at a later stage.

**5. THE UNIT TRUST ORGANISATION OF SAMOA (UTOS)**

Mr Speaker, the Unit Trust Organisation of Samoa was established in February 2010 through Cabinet Decision (FK (10) 01). It had taken more than 30 years planning to establish such a body by which members of the public could hold shares in some of the major business developments in Samoa. First, only the rich people could hold shares in major business developments in Samoa. After the General Elections in March 2011, the Unit Trust Organisation of Samoa came under my portfolio. In the briefing notes given to me the following week by the Board and the Administration, I noted the following:

- i. The total number of (Unit holders) was 150.
- ii. The value of one unit, was \$0.97 from initial \$1.00.
- iii. The total amount in the Trust Folio account was \$1,315,396
- iv. Total monies in the Investment Portfolio Account: \$500,000
- v. Funding of the Unit Trust Organisation (Administration) and the Board, paid by Government annually – 2010, 2011, 2012/2013.

**Afioga Hon Aeau Peniamina Leavaisecta:** Mr Speaker it has been a long night. Due to the matter heading in a different direction I would like to ask on a very minute matter.

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**MR SPEAKER:** I beg pardon of the Deputy Leader of Opposition but I...

**Afioga Hon Aeau Peniamina Leavaiseeta:** Is it about to conclude?

**MR SPEAKER:** Yes the Hon Minister is about to conclude. I ask members of the house to exercise patience, the Minister will conclude in a short while.

**Afioga Hon Aeau Peniamina Leavaiseeta:** It is because we are doing something totally different, nonetheless.

**MR SPEAKER:** Aeau, I am full of respect but at the moment I am trying to steer our meeting directly. You will understand once the Hon Minister concludes his speech but let the Hon Minister clarify so that the Auditor's Report and Committee Reports is clear before we have our debate. I will not grant any opportunities until the matter is settled.

I call upon the Hon Minister of Finance to resume and be brief.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Thank you Mr Speaker for this opportunity. I am nearing the end of my statement.

- vi. Plans of the Board and the Administration to raise \$40 million within three years

Based on the above the Board and the Administration were instructed as follows:

- i. That a promotional programme be implemented to increase the number of unit holders to the tune of 1,000 within 24 months.
- ii. Explore other means whereby the value of a unit could be increased to \$1.00 or higher within six (6) months.
- iii. That Government within two financial years (2011/2012) continue to pay the (grant) by which to pay the services of the Corporation, UTOS should be able to support itself by July 2013.
- iv. The period of three years has been reduced to one year for the Board and the Administration to raise \$40 million and that I would be assisting this programme.
- v. That (dividends) be made within two years (2012 and 2013) to not only entertain the unit holders but to also attract the new and would be unit holders.

Mr Speaker, I would say that all those aims and objectives have been duly met and satisfied within the time frame.

- i. Total of current unit holders 1,223
- ii. Current value of a unit \$1,46 (After two dividends) 15
- iii. Current total of Trust Portfolio: \$29,189,368
- iv. Total (investment Portfolio Current \$71,809,762)
- v. Financial assistance of Government ceased on 30 June 2013 (UTOS self supporting 1 July 2013)
- vi. The targeted amount of \$40 million was achieved within 12 months bringing the total amount of the Administration's finances to \$100,999,130 at the moment.

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Another challenge or target has been given to the Board and the Administration to again raise within 18 months (January 2014-June 2015) another 100 million or the total of two portfolios of 200 million to further boost the development of the Independent Corporation of Government (SOEs) especially the refinancing of their loans with the Commercial Banks given the high rate interest charged and to finance other developments for the general welfare of our people. The overall aim was for the UTOS to become a Banker for Government's SOE's.

For the information of the House, the restructuring process for the Development Bank is now underway basically for supporting the Private Sector in its own developments. The idea of foreclosing business for failing to repay their debts due to lack of revenues due to the global economic crisis is now banned until after these changes.

- vii. Two dividends have been made \$0.07 in 2012 and \$0.08 in 2013.

The other advantage of the UTOS is that it has increased income for personal or company short term deposits from 2.75% to 6% thereby reducing the interest rates to 10% or lower for loans from the Commercial Banks.

Mr Speaker, these benefits would not have come about without the success of UTOS as it is now. This of course is a great relief for the Private Sector and the general public. Mr Speaker: that is the big picture of the wide range of some developments that our Government is trying to do.

### 6. THE AUDIT REPORT

Mr Speaker, the Samoa Land Corporation has replied to most of the issues raised by the Auditor in Sections 1, 2, 3,4, 5 and 6.

- 6(a) **Estimated Revenues** – the targeted \$11 million tala that was not realized. These are normal features of any plan when a Corporation's budget contains aims and plans for revenues and expenditure.

In assessing the revenue aims of the Samoa Land Corporation for 2009/2010, assessment was made on revenue to be derived from lands now occupied by founded villages and that Cabinet had already approved FK (07) 42,07 November 2007, FK(08)28, 23 July 2008 and FK (08)34, 3 September 2008.

The village of Vaimauga East and other villages of Faleata West did not make any payments for lands in the years 2008/2009 as approved by Cabinet. When Cabinet had endorsed the sale of the SLC lands in the Industrial Zone at Vaitele for the development of the Private Sector the prices of these lands were also increased through the revenues estimated for the years 2008/2009.

However the Private Sector and those with low income consequently requested a period of five years to repay their lands whilst continuing to pay their leases and deduct the repayments to their lands. This request was endorsed by Cabinet and the Board.

The SLC half acre at Tauese currently used by the Ministry of Police was intended to collect some \$2.5 million that did not materialize during the financial year 2008/2009 thereby falling to reach the estimated revenues of \$11 million.

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These are normal features of future plans and that only God can see what happens in future. Furthermore the Administration of the Samoa Land Corporation had replied concerning the reasons but not accepted by the Committee.

#### 6(e) Estimated Expenditure

The estimated expenditure of 2.4 million that was overspent. The estimated expenditure for 2008/2009 did not include depreciation of the value of the Corporation's assets of \$1.338 million, as well as the Banks interests on the SLC debts of \$608,101 tala.

Mr Speaker, the overall view of these numerous transactions is additional profits after tax that the Samoa Land Corporation had realized for each year referred to below:

- 2006: \$376,281;)
- 2007: \$350,927;)
- 2008: \$399,277;) tax deducted
- 2009: \$173,080;)
- 2010: (91,542 - loss being the year compensation amounting to \$345,135.00 was paid to the Siva Afi for the remaining part of his lease as Government needed this land for its developments (TATTE Building). The fact that Siva Afi won the case was due to the carelessness of the (land court) Judge. He should have clearly stipulated the reason why Government won the case. The Appeal Court disqualified the decision due to the lack of clarifying the basis of the said decision.

### 7. ISSUES RAISED BY THE COMMITTEE OF THE OFFICERS OF PARLIAMENT

7(a) Purchase of the Truck and the Water Drilling Rig of the Samoa Land Corporation Mr Speaker, the Administration had no plans to purchase a truck and a Water Drilling Rig for the Corporation as such is not its responsibility.

The emphasis of the Corporation was people and money, yet when the Administration of Water Authority replied they would not know for sure when their Water Drilling Rig would be available as they were also dealing with partnership projects with the European Union EDF9/EDF10 that were scheduled for completion by December 2013. This programme by the way was the drilling and reticulation of water supply for some of the villages in Savaii. In regard to the time according to the Water Authority when the Drilling Rig would be available it means we would have to wait for five years before the drilling and reticulation of water supply for families at Falelauniu can be done.

It would be very expensive for the Corporation to cart water for some 150 families in 5 years. Water is one of the most valuable resource and greatly in demand for the life of man, and it was necessary therefore to find the cheapest way to provide water for 150 families or 1,599 people of Falelauniu.



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The Board and the Administration gave priority to the people, as well as saying the Corporation's monies. 50 water trucks were needed for each day, 3 days a week, \$250; with 3,000 litres per load, and the weekly price for carting water was \$37,500 for three (3) days. There are 52 weeks a year multiply by \$37,500 and the total costs of carting water to Falelauniu was \$1,950,000 per annum. Now if water is carted for five (5) years to Falelauniu it comes out to \$9,750,000 = which was extremely expensive for the Corporation.

For the information of the House, the Board's and the SLC Administration's attention was once again drawn to this problem that greatly affected the subdivision of Government's lands at Vaitele-fou, where almost 10 years had lapsed without any water supply and reticulation having been done.

With the land subdivision at Vaitele-fou more than 900 quarter acres from 1995/1996 had been allocated but electricity lines were only put up in 2000/2001; roads were only sealed in 2003/2004 but water supply was only reticulated at the end of 2004.

This is why the Administration recommended to the Board to buy a truck and a water drilling rig to drill a borehole to enable the SLC to cart water for the subdivision at Falelauniu which is much cheaper for the Corporation than to await the availability of the Water Authority.

The cost of the truck and the water drilling rig was US\$450,000.00 (without tax) but it's much cheaper than for the Samoa Water Authority to cart water for the families at Falelauniu for five years for \$9,750,000.00 and it is not a full time job. Now if we look at the cost of the Corporation's truck and the water drilling rig of US\$450,000.00 which is equivalent to SAT\$1,200,000.00 less \$300,000.00 gained from work for which the truck and the water drilling rig were used, and the cost of drilling the borehole at Falelauniu of \$100,000.00 that will leave \$800,000.00 being the money used by the Corporation to buy the truck and the water drilling rig plus tax.

The release by the Corporation of the truck and the rig to the Water Authority (FK (13) 34, 18 September 2013) was a move in a right direction. The amount of savings from the sale of the truck and the rig exceeded \$8 million tala.

The decision by the Board and the Samoa Land Corporation to dispose of the truck and the water-drilling rig was a move in the right direction given the substantial savings resulting from it.

On the other hand if the Samoa Land Corporation did not buy its own ploughs, it would not have been possible for it to start its work in 1993; it would not be able to immediately prepare the golf course and other areas of land maintenance and the construction of the sports fields to be ready in time for the South Pacific Games 2007. It is therefore not new for a Corporation to possess machines.

#### 7(b) Money spent by the Office of the Minister

The Government House at Tamaligi (ex NZ High Commission) was part of the Ministry of Natural Resources and Environment before it was shifted to the Development Bank of Samoa in 2008. The said building was more than 40 years old and that many of its parts are fairly old and rotten.

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No rent was payable for the use of that house of Government except for the routine maintenance and replacement of repairable parts and constant upkeep.

These areas were required to be further improved, to ensure the safety of the staff and to retain the value of Government's efforts. But due to the plan to shift the entire MNRE to the DBS building (FK (07) 15 3 May 2007 and FK (07) 41 31 October 2007), a sum of \$2 million was required for that. As the Ministry was not in a position to do repair work for the Government's house at Tamaligi then priority was given by the Ministry and Minister to the merging together of staff of MNRE in one place from the seven previous locations such as (Tamaligi, Matautu-tai, Vaiala, Motootua, old Morris Hedstrom Building, Vailima and Mulinuu) to provide better service to the country that was cheaper for all, Government and the general public.

Mr Speaker, the improvement of this asset of Government was necessary in order to maintain the value of this asset regardless of whoever uses this house of Government. On the other hand, places that the people of our country go to for their own business requires the assistance of Government. There is no rent to be paid by anyone for the use of this house just as every other house of Government except the maintenance and repairs, give the age of the house.

**7(c) Expenditure for the Office of the Minister**

Money that formed SLC's construction to the activities of the Office of the Minister included:

- i. Maintenance of the Associate Minister's vehicle and the vehicle that services the Office of the Minister (all are SLC vehicles);
- ii. Furniture of the Office of the Associate Minister and the Technical Advisor::;
- iii. Paper and things used for office work (Office Stationery) – Office of the Minister for Cabinet Submissions for SLC – other legal and land matters of the accessories for office work such as ink (toner ink) for the office and office cleaning. These are normal expenses and nothing new.

**7 (d) Working Committee**

The re-survey of Government's lands is work that should not be taken lightly by anyone as the same has taken so many lives and I had no intention whatsoever to use our Police to assist with this work as it does no good to Government or the country. Especially when the news gets out. I have decided to uphold the significance of our customs and traditions and for that reason I advised that a Working Committee should be appointed in the person of orators of the villages especially those from the villages where Government lands are located under Article 35 of the Constitution of Samoa, to work together with me and the Administration of the SLC to resurvey the lands that are used and occupied by some of the villages as well as the private sector and the farmers.

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I need not to go into details of the value of the work carried out by the Working Committee that assisted the Minister, the Administration and the staff of the SLC in surveying of the lands that all Samoans have the right to. The other great value of the Working Committee (inclusive of the Committee of the Township in Salelologa) is that we have been made aware of other Government lands that have been affected by the decisions of the Land and Titles Court as well as lands affected by the Pulefaamau.

The SLC has also cleared its debts to Government amounting to \$21,286,762.00 and it now has profits with Government amounting to \$15.0 million through the exchange of SLC lands already resurveyed and the (Land Board). Cabinet also approved the many recommendations for the use of these lands not only for the villages who are illegally occupying these customary lands but lands where shopping is done and other developments undertaken by many of our people as well as lands for Government's developments. Listed below are Cabinet's approvals for the many other projects of the Administration and the Working Committee.

- ii. CD (07)29, 01 August 2007 – “Land Exchange of the Samoa Land Corporation (SLC) and the Government Land Board”
- iii. CD (07)42, 07 November 2007 – “Lands/Government Lands occupied by founded villages in Apia (Letogo – Vailele Urban Area)
- iii. CD (08) 09, 12 March 2008 – “Relocation of “Sogi” to lands of SLC in Falelauniu”;
- iv. CD (08) 28, 23 July 2008 – “Agreement to sell lands to founded villages”
- v. CD (08)34, 03 September a 2008 – Adjustments to Price of Lands for founded villages (Letogo, Vaitele, Fagalii, Vaitele and Saina)”;
- vi. CD (09) 20, 27 May 2009 – Giving out of Leased lands as Customary land”;
- vii. CD (09)29, 12 August 2009 – “Measuring the Lands of Lata – Savaii
- viii. FK (09)29, 19 August 2009 – “Survey of Government’ lands at Lata Savaii – Survey of Government’s lands in Lata”
- ix. CD (10)18, 11 May 2010 – Policy as to the use o f Government’s lands.

There are also many lands of Government under the SLC where a lot of people are residing at Tapatapao and Aleisa that have not been resurveyed and that many families are occupying these lands (up to 100 years now) and that some of these families are residing on lands of SLC without paying for rent. As everyone of this country has a right to these lands, it is therefore necessary to resurvey and allocate these lands into 5 acre blocks and that other people of the country be given the chance to occupy these lands to occupy and cultivate for farming/developments.

**Afioga Hon Fiaame Naomi Mataafa:** Mr Speaker the room is getting warm, perhaps there is something wrong with our air condition.

**MR SPEAKER:** There is nothing wrong, however I apologize the technicians are currently working on fixing the problem. It will not be long now. I call upon the Hon Minister of Finance.

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**Afioga Hon Palusalue Faapo II:** Mr Speaker I would like to ask the Hon Minister if his speech is nearing conclusion.

**MR SPEAKER:** Yes, I believe the Hon Minister is nearing his conclusion.

**Afioga Hon Palusalue Faapo II:** I feel sympathetic towards the Hon Prime Minister who is getting cold.

**MR SPEAKER:** The air condition is back on now. I call on the Hon Minister to conclude his statement.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Mr Speaker I have only reached half of my response...perhaps it would take another four hours left.

**Afioga Hon Aeau Peniamina Leavaiseeta:** Mr Speaker I like to grant this reprieve to my friend and also to seek clarification. If you remember Mr Speaker, there were two main issues I had raised during my interruption.

First was what exactly would be the Hon Minister be speaking on? Second, it is a waste of time because our Report has not even been mentioned.

**MR SPEAKER:** I beg pardon of the member but the reason why I grant opportunity to the Minister is because once he concludes things will be much clearer. Have patience as I will explain the Chairs reason for granting opportunity to the Minister. There is another reason for my decision and I will explain later in case the Chamber distrusts my word. Nevertheless, opportunity shall be granted to the Hon Minister and then we shall continue will our program. All will be revealed soon.

**Afioga Hon Aeau Peniamina Leavaiseeta:** Very well Mr Speaker, thank you. I get it now; it's a plan to have a really lengthy disrespectful speech that once he concludes, we will not have any more time. You see?

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neiote Sailele Malielegaoi:** Mr Speaker this is what happens when you enter the Chambers drunk. This is what we get. This is the first time I have witnessed such disorderly conduct of constantly interrupting a Hon Minister whilst speaking. We could've finished by now if it hadn't been your continuous interruptions. Let us listen.

**MR SPEAKER:** Well, this is why we should...

**Afioga Muagututagata Faamausili Auimatagi Peter Ah Him (Sagaga le Usoga):** Mr Speaker I would like to remind the Chair and distinguished members of the House that our Report states 29 Ministries in the Report. However the Hon Minister has one Ministry. Therefore I would like to ask whether all 29 Ministers would then like to comment once the Hon Minister of Finance concludes.

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**MR SPEAKER:** I believe I recognize your concern Muagututagata. I trust we do not need to explain this any further. This isn't a Report that pertains to the concerns of the Hon Faumuina. I plea for your patience and heed my words to let the Hon Minister finish. You will be given your opportunity; this is only the introduction before we proceed to debate.

I call upon the Hon Minister of Finance.

**Afioga Muagututagata Faamausili Auimatagi Peter Ah Him:** Mr Speaker I do not wish to interrupt the Ministers Statement. But may I remind that we have only 29 left in the House if you insist for us to stay here all night.

**MR SPEAKER:** Well, do not worry. That is reason for us to consist with our time as the Hon Minister is involved in the Audit Report so a response is required. Once that is complete opportunity will be granted to the members.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Mr Speaker I thank you. I was queried on why the Works Committee was used which I will explain later. However, I take it that my fellow colleague disagree, member for Falealupo.

For the information of the House, the rent rates for Government land leases should be 5%. The (land valuation) of a leased land is provided for in the Lands and Survey and Environment Act 1989. There is no land leased by Government that is leased at the rate of 5% because that will make it difficult for the families to develop. The current lease rate applicable at the moment is 1%-3% given Government's aim to develop individual businesses with the farmers or land occupied by families who do not own land in town.

That of course was the focus of Government for the development of the whole country. That of course is the vision or the natural far sightedness of old men that formed the basis for our land leases beginning with first government to the present day.

**7(e) Appointment of a Technical Advisor**

With the expiration of the term of office of the CEO of SPGA, a highly qualified Architect he was a source of help for the SLC projects at the time. The direct appointment was one of the things he did, and he was responsible for the plans of the projects that were already underway. Anyhow that was the appropriate time for temporary appointments. The salary of the ACEO was \$80,000.00 per annum and was much cheaper compared to the scale of salary for a consultant, which is 8%-10% of the cost of the project, and this is rather expensive for the SLC (Guidelines for Government Procurement and Contracting, page 18 paragraphs C4.05 (e)). These guidelines originate from the Principal Public Bodies Act 2001. This Act allows direct appointments. And this man was appointed by Cabinet to be Samoa's Consulate in Sydney Australia.



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**7(f) Appointment of an (Executive Assistant)**

This matter was raised by the Controller and Chief Auditor during the audit of SLC in 2007/2008 and those answers and explanations have been provided at the time.

As the matter has surfaced again so far the information of the House and Samoa listening in the appointment of the Executive Assistant was confirmed by the Minister by way of a cabinet decision FK (04)24, 30 June 2004 with his functions and responsibilities clearly stipulated (TOR).

The following are the responsibilities of the Executive Assistant:

- Coordinate the activities of the Board through the minutes/records of meetings and programmes of the Corporation and the Administration under the normal duties of the Minister (Board Secretariat within the Minister's office);
- Compile and put together Policies decided by the Board from year to year for the Corporation and Independent Authority of the Sector;
- Design a Follow-Up System to keep track of the Office of the Minister and the Minister in relation to the performance of the CEO's of the Ministries and Corporations under the jurisdiction of the Minister;
- Devise a training programme to cater for refresher courses for the secretaries of the CEOs and GMs and other Senior Officers (support staff level) of the whole Sector; to be held twice annually.
- Put in place a programme that will allow for the training of customs ad usages of the staff in their performance of duties within the office of the Ministries and Corporations under the Portfolio of the Minister (behaviour in the workplace) for the rendition of services to Government and the members of the public (to be held twice annually);
- Prepare a Weekly/Fortnightly Agenda for debriefing with CEOs/GMS of the Sector;
- Continuing periodically training for the support staff of the Office of the Minister
- Set out a programme for the responsibilities of the Minister every week (Prepare a To Do List of duties for the Minister each week); [establish an electronic filing system for the office of the Minister](#);
- Assist with the selection of Secretaries for the General Manager of the Corporation and the Administration that are under the responsibilities of the Minister if it need be;
- Be on the watch out for special matters (confidential and sensitive matters) with immediate referral to the Minister for his decision;
- Additional duties when required by the Minister;

For the information of the House, the Institute of Directors is also using the Executive Assistant of my Office in organizing a seminar for the Secretaries of the Boards.

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**7(g) Work on Trees/land (Landscaping)**

The Committee's claims there has been no tendering for the pruning of trees and work on lands of SLC at Tuanaimato are incorrect. The tenders made included tree pruning/Land of the Market at Salelologa, Market at Salelologa, Market at Vaitele and the golf Course at Tuanaimato. Five companies were each given tender papers but only 3 companies submitted their tenders.

Company	Faleata Golf Course	Main Office	Savaii Market	Vaitele Market (New Work)
Avarua Landscaping	\$16,500/m	\$4,000/m	\$21,800new \$8,000/m	\$34,400new \$7,000/m
Manumailagi Landscaping	\$18,500/m	\$3,930/m	\$20,828.50new \$8,650/m	\$37,280new \$6,000/m
Feagaimaleata Landscaping	\$15,364/m	\$3,588/m	\$24,828.50new \$8,650.50/m	\$36,110new \$8,337.50/m

One of the issues that came to my ears was that my wife had shares in the Feagaimaleata Landscaping and Nursery. I wish to submit with respect that Vaalotu has no shares in the above mentioned Company. She is that type of person that does not love being in the sun.

**7h Minister's vehicle – Toyota Lexus**

The decision of Cabinet was that with the changing of the Ministers cars to the right hand drive ones, together with the change of the side of the road to drive on shall be determined by the cash flow of the Ministries (FK (10 10, 24 March 2010). The Ministry for Natural Resources and Environment could not afford a new car for the Minister given the lack of resources. The priority of the Ministry and the Minister was given to those who suffered damages to their personal properties by Tsunami in 2009/2010 and 2010/2011. The recovery programme set down by Government was for three years (2010, 2011, and 2012 which is why the CEO of the Ministry of Natural Resources and Environment and a member of the Ministry of Finance requested the Manager of Samoa Land Corporation as to whether they could buy a car for the Minister said cost to be deducted from SLC dividends to Treasury at a later stage. That was why the Board was able to decide with the Administration to make provision in its Financial Statement 2010/2011 to buy a replacement car for the Minister's 2004 Toyota Land cruiser which was six years old.

This car landed in Samoa at a price of \$193,000tala exclusive of tax. This Hybrid V6 3.5 hp is run both by petrol and electricity and its perfect for the environment, no gas emission with cheap running cost and maintenance. This car had limitations for the purposes/ministerial duties, small and low.

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The emphasis was centred on the protection of the environment as vehicles (Transport Sector) is responsible for some 45% of carbon emission into space and could become a critical contribution to global warming resulting in the creation of so many natural disasters affecting many countries including Samoa.

For the information of the House, the Governments of Italy and Austria through the IUCN for MNRE and LTA are assisting us with the implementation of a programme for the reduction and complete removal of gas emission and that our vehicles are emitting into space, under the umbrella of Climate Change EU\$850,000.00 (approximately T\$2 million) being the amount provided by IUCN to urge MNRE and LTA to remedy the problem to do with motor vehicles emitting carbon into space. This is no secret to the county, with regard to the many changes we have seen to the country, regarding weather, heavy rains have caused many floods, cyclones that have caused so much loss of life, damage to properties and millions in public funds have been lost. I believe this was reason behind Samoa's signing in 1998 of the 'Kyoto Protocol' and its ratification of the environment after the major cyclones namely 'Ofa and Valelia' in 1990 and 1991. The 'Kyoto Protocol' has now become part of our laws. With Samoa as a member state of the United Nations, we have a part to play to show our political commitment to the international agreements that we subscribed to for the protections of our environment.

For the information of the House, the preparations accessing the member states of the United Nations to distribute and use the funds appropriated by the Copenhagen Accord for the Green Climate Fund of US100 billion per annum which Samoa had also signed, are now underway for some 193 member states. This as we say in Samoa was that high hanging breadfruit that we earnestly desired for the benefit of Samoa and its people. The countries that are entitled to this funding are those with low carbon emission into space (low carbon emitters). I have here with me a request of the Center Office of the UNFCCC that we nominate our NDA (National Designated Authorities) who shall receive our funds to assist programme for the protection and improvement of our delicate environment. This was the basis that determined the purchase of that type of vehicle considering my capacity as Minister for the Environment. This vehicle was allocated for the use of VIPs of the Prime Minister's Office. I therefore extend my apologies to Cabinet that my desire to protect the environment as well as satisfying our international political commitments based on the notion that such a decision will derive a lot of money for the execution of the decisions of the Board and the Administration was the reason why Cabinet's Approval had not been sought for this issue.

**8. MAIN OFFICE OF THE SAMOA LAND CORPORATION AT TUANAIMATO FALEATA**

The construction for the main office of SLC, so to reduce the time wasted by the staff on the road as its old office was located at Vaitele, would reduce the wear and tear of vehicles, petrol and other expenses which could be saved with the merging together of the staff in one space.

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The other significant aspect is that it inspires the staff to better perform their duties and services required by the general public who would come to the Office in search for lands to lease or buy. It is also less expensive for the general public.

The Audit's recommendation that implementing major development ought to be based on the Corporation's revenues, is natural to audit opinion, but would not bar Government from using its common sense, to generally look at the instant development of the economy of the country for its general welfare. These same criticisms of other major developments of Government have been echoed by many including the Ministry of Finance, the Central Bank and others as well as our overseas partners (IMF and the World Bank) to stop the construction of the Development Bank the new SamoaTel building at Maluafofu, due to telephone lines have been affected by water from Mt Vaea which also affected the Office of the Lalovaea. The new Aggie Grey's Beach Resort and the suspension of partnership between the Polynesian Airlines and Virgin Blue. Now if Government were to listen to this blindly, none of these major developments would have been done to this day. Those predictions went astray as far as as Sydney because our foreign reserves were actually increased which was reason behind these Corporations reservations as well as (liquidity). The question therefore is 'who benefits'? Its our people! That's the kind of leadership decision making needed by Samoa. We should stay outside our comfort zones.

The tendering for the Main Office of the Land Corporation was based on the 'Design and Build' concept and it was to be a three -storey building and that the said project should not take up so much land, Seven (7) construction companies listed below submitted bids to the SLC Office at Vaitele on 23 July 2010.

Contractor	Tender	Weighting Average (Score)	Duration
Maota Builders Construction	\$2,800,000 (a)	90	7 months
QDCD	\$2,696,280 (b)	87	8 months
J Westerlund	\$8,029,590	40	12 months
Fetuafiafi Construction	\$7,855,000	38	18 months
Fletchers Construction	\$8,613,575	37	15 months
Peters' Construction Ltd	\$7,055,250	35	20 months
TNP Construction Ltd	\$2,800,000 (c)	9	7 months

- a) Included in the bid submitted by the Maota Builders Construction was the cost of the Lift of \$180,000 meaning the tender is \$2,800,000 less the cost of the lift leaving \$2,620,000. The Maota Builders bid was \$76,200.00 lower than the next bid Qing Dao.

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- b) QDGD's bid was \$2,696,280.00 without provision for a lift, the duration of construction was 8 months and its plan for a Samoan fale was not attractive.
- c) TNP Construction Ltd's bid provided a two storey building plan, from the cost of \$2,800,000.00 while all the other companies complied with the wish of the Corporation for a three story building for the Main Office.

**8(a) Opening and Evaluation of Bids**

The official opening of the companies tenders by the Tenders Board was attended by the Chief Executive Officer of the Ministry of Finance, Chief Executive Officer of the MNRE, Chief Executive Officer of MCIL, Chief Executive Officer of the MAF and the General Manager of SLC to witness the opening of the tenders for the construction of main office of SLC. The Committee (Evaluation Panel) was responsible for the consideration of the tenders that were opened included the Chief Executive Officer of the Ministry of Finance. A member of the Office of the Attorney General, Ministry of Works (Building Section) there are members responsible for the evaluations of major Government projects under the functions of the Tenders Board – additional members from Ministry for Natural Resources and Environment (PUMA) the General Manager and Technical Manager of SLC. The advice from the Board was that the contract be awarded to the lowest evaluated cost and responsive bidder) at \$2,800,000.00 (less the cost of the lift \$180,000.00); the construction cost for the building only to be \$2,620,000.00. The Board accepted the advice and for the General Manager to take it to the Tenders Board for its consideration and decision before it is submitted to Cabinet for final approval. Cabinet gave its approval through FK (10)29, 26 July as thus;

**8(b) Advance Payment**

The Advance Payment referred to here by the Committee of 25% was not a decision based on 'air' (this is a normal transaction for major companies of this nature), beginning with 10% to 30% or even more, yet there always (conditions) and as for this particular project, the Contract was instructed to mobilize and take all the building materials and machines to start the work at the site, which value was to be the same or more than the 25% advance of the cost of the project. (Guidelines for Government Procurement and Contracting Page 10, paragraph 3.36). This is a way to assist our own contracts that do not have enough money. Without such assistance, what happens next is what we all do not want, a few rich contractors getting richer and the less rich getting less which will result in the pull out of the less expensive due to the control of a few as there will be no more competition.



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**8(c) Elevator**

The winning bid for the project was \$2,800,000 inclusive of the cost of the lift of \$180,000. This lift was one of the needed component for the Main office given that its three storeys and it was in order for the administration to purchase a lift of the same brand that are in use in other Government offices in town – under the standardization rule, simple and cheap for servicing the lift after the warranty period. (Guidelines for Government Procurement and Contracting, page 18, para C.4.05 (b) to be used by our own people with special needs. The cost of alterations amounting to \$490,000.00 was passed and approved by the Board on 20 January 2011 (The requirements demanded under the Building Code of Samoa were that those with special needs should be able to access the storeys above the ground floor. (National Building Code for Samoa-Access for people with disabilities, page ND-16, Class 5, 6, 7 and 8 refers). Recognising those with disabilities of the body was the reason behind the current changes to all buildings constructed by Government.

**8(d) Office Partitioning**

As is customary with these huge buildings, the (original design) did not include the partitioning of rooms so to ascertain where exactly the duck-in-pipes would be laid for the Central Air-conditioning Unit before the cost is submitted to implement the partitioning of the office. This is not a variation as it was not included in the tender. Nor was it new, as all is part and parcel of huge constructions like this building. This is how money could be saved and ideally clarifies the requirements for this and that office. (Guidelines for Government Procurement and Contracting page 18, para C4.05(e).

**8(e) Air Conditioning for the Office**

The central air-conditioning unit for the whole building was expensive and was difficult to maintain regularly after the warranty period, as such the SLC. Administration requested the Board to purchase split units for the Office which was much cheaper than the central air-conditioning unit originally planned. It would also be cheap for electricity as one air-condition unit could be used at a time. The total cost of split units – electrical appliances for the Main Office would be \$260,000.00 as approved by the Board on 20<sup>th</sup> January 2011. This was not a variation-other assets of the SLC other than the building under construction.

**3(f) Windows Replacement (Variation No.1 - \$355,000.00)**

The original design of the main office of SLC included windows (louvers) for the whole building. Given the escalating costs of electricity, the Administration saw it appropriate to recommend the Board that it would be cheaper in the long run to have solid glass windows that will not allow cool air to escape. The recommendation also hinted it would be best to select solid glass so to reflect 35%-45% of the hot air outside.

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The additional cost (Variation 1) was \$355,000 to replace glass louvers with solid glass within 10% of the total cost of building materials for the whole project. (Guidelines for Government Procurement and Contracting, page 11, para 3, 29)

**3(g) 10% Retention**

The 12 months warranty period is required for every Government project and that was actually met but the Contractor requested if its Company could provide a Security/Bond (AIC) to cover this period and pay them 10% of their (retention fee) to buy extra building materials needed to complete the work as they had profits from their work. This request was submitted to the Board and after careful consideration the request was granted. For your information this composition of the Board of Directors was the Minister (Chairman) Members, CEO MOF, AG CEO, MNRE, CEO MCIL, CEO MAF and the General Manager of SLC. (Guidelines for Government Procurement and Contracting, page 10, para3.37)

**8(h) Withholding Tax**

This was not provided for in the contract that was signed by the Company and SLC. I believe the Attorney General's Office had very clearly confirmed the contract. The Contract had duly been signed obtained from the Company to pay this tax. This is a normal requirement in seeking the consent of the Inland Revenue to pay this tax with conditions. This withholding tax, when it is determined to be paid out and is estimated that more tax had been paid to Inland Revenue then that excess tax payment would be refunded.

**9. OFFICE OF THE MINISTER AT THE SNPF PLAZA**

The amount of \$600,000 included tax, which is confusing many people, as it was an asset improvement by some 29,000 active members. Now if there are 6 members of a family of one contributor; it means that some 174,000 people will benefit from this investment. The cost of the Office of the Minister was \$28 per sq ft, inclusive of the office of the Associate Minister and other offices of the staff. The Office of Special Assistant to the Minister, 2 Secretaries, Driver and Office Cleaner/Tea Lady. The Associate Ministers, who are shadow Ministers for the future should be exposed to their ministerial duties so by the time they are appointed as ministers, their work performance as leaders has become natural and practical.

**10 VERBAL ALLEGATIONS**

Mr Speaker, there are several verbal allegations concerning the latest tenders where it has been alleged that some money had been paid through illegal means to the Minister. Chairman of the Tenders Board of Government, so to give a contract to another company. I recall a certain man and his own son who went out late in the afternoon to fetch raw foodstuff for the Sunday toonai (feast).

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This man is said to have turned to the taro patch of another family telling his son to stand on the roadside and look out for somebody who might be coming around while he was fetching taro from another family's taro patch. Now as this man was bending down to harvest taro, his son, in a whispering voice said; "Dad no one is seeing us, except God who is looking from above to the wrong we are doing."

Mr Speaker, that of course was the base of my works, and decisions in the hope that the same may be of praise to the Heavenly Father and not me such as the scriptures in the Bible, 'God's children are soft hearted, humble and forgiving and based on these laws, I sincerely wish to thank the Hon. Prime Minister for trusting me. Pardon me I will now render my resignation before the Cabinet. Thank you for electing me (as Minister) I am not turning my back on your orders, no, only God knows. I'm not mad at anyone; I believe God allows these things to test the faith of people who trust in him.

I also extend my gratitude to the Ministers of Cabinet for their support towards the functions and duties that I was required to perform it is not myself that is important but Cabinet, the Political Party and the dignity of the House. Our calling is from God to whom praise shall be given. If I have erred out of my anxiety to implement projects for the development of our country to the best there is, I extend my apologies. Admittedly no one is perfect, I also forgive those who wish to find fault with me. The Bible says, "Blessed are the peacemakers for they shall be called the sons and daughters of God."

**CONCLUSION.**

Mr Speaker, I shall now steer my boat landward but if there had been any off beat clap, as we say, to your hearing Samoa, I beg of you to take it on the big canoe with your loving hearts and pardon your servant.

To the dignity of this House of Parliament, if there had been any uncalled for word said or unbecoming act having been done, I beg of you to forgive the Member for Palauli Le Falefa.

To my beloved constituency, I sincerely thank you for wishing me the best, many thanks for your prayers. The Bible says let not evil overcome you but you shall overcome evil with goodness. 'May we continue to enjoy the peace of God, who gave his own life to pardon the sinful nature of man through his crucifixion on the Cross and His victorious rising from dead, which has again opened for us the door to Eternal Life if we repent from sin and have faith in His name, then we would become the children of God as the Bible has taught us.

God's praise will forever remain until eternity, Soifua!

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### MOTION FOR SUSPENSION OF STANDING ORDERS

**Afioga Hon Tuilaepa Sailele Fatialofa Lupesoliai Aiono Neioti Malielegaoui:** Mr Speaker, I move a motion, *That Standing Orders 62(3) be set aside to allow the discussion of Ministerial Statement and report of the Committee requests given that the House has now heard the resignation of the Minister which has been submitted to me and I wish to say a few words to officially accept his resignation.*

**MR SPEAKER:** The House has recognized the Hon Prime Minister's motion. This is rightfully why I allowed this doing given this very tense moment we are experiencing. I believe that no one has a right to be accused of anything without offering his/her part of the statement. Now that we have it, that's the intention according to the orders of Samoa's House, but I also beg tolerance to all members for your endeavour to voice concerns and submissions on this matter. Hence I now give opportunity to the Parliament for your views, the Hon Prime Minister has moved the motion to set aside Standing Orders so that opportunity is given to consider the Minister's statement and the Auditors Report.

*Seconded by the Deputy Prime Minister, Minister of Women, Community and Social Development, and the Minister of Health.*

*Motion approved and the Standing Order 62(3) was set aside granting opportunity for the consideration of the Ministerial Statement of the Minister of Finance.*

**MR SPEAKER:** I call upon the Hon Prime Minister for his statement.

**Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker the Chamber has observed the clear statement of the Hon Minister in response to the tabling Report given that this is the first time the Minister has responded to the various allegations against him.

The Report has given various criticisms which has just been discussed but have already been leaked to the public. It has also compiled the dignity of Samoa as a whole. And whoever seeks to criticise that is cursed whilst living.

Mr Speaker this respectable tone seldom happens given the high profile position a high ranking post on his own freewill. In the words of the book, *"E le sili le toa e aea le olo nai lo le e pulea lona loto."* which means, "Better to be slow to anger than to be a mighty warrior". I stand to approve the resignation of the Minister and as the Leader of the Party it is my responsibility to relay our gratitude to the Minister for the 14 years of service to the government. You have all observed and understood his statement. The Minister's bravery in implementing various projects including the successful privatization of Public works which some called 'Public Waste' in the past. The initiative led to 400 workers laid off in a move to save government expenditure and improve service delivery by offering public works to the private sector. HRPP is well known for enduring such of these achievements.

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### Motion for Suspension of Standing Orders

The privatisation of Public Works is now under the microscope by our neighbouring countries which continues to lack the political will and vision to take such a bold leap.

It was not easy for the Cabinet to reform the PWD and layoff 400 plus employees, but due to the Minister's insistent and of course my small encouragement, the notion was approved. The layoff employees were quite happy as they celebrated the opportunity to expand further service which led to other good developments.

I was in Savaii three weeks ago and I was approached by a driver who asked, "Do you know me?" I answered no and he responded, "Do you see my taxi over there, I used to work for the Public Works and now I have a car. I am also proud to say that I have obtained various positive feedback from the Public Works Reform to which most Pacific islands aimed to adopt but were hesitant due to the problems we encountered.

Moreover, the House has witnessed the Minister's statement on the various duties he's performed. We should be proud of the remarkable achievements he's implemented such as a new system for road maintenance and building new roads for easier transportation of voters. Furthermore, another highlight to Faumuina's contribution is the construction of the world class sports facilities for the 2007 South Pacific Games given the short timeframe and despite the frequent accusations on money wasted for this project. This set the benchmark for Samoa to host many international tournaments and will also be the venue of the upcoming SIDS Conference in September this year and the 2015 Commonwealth Youth Games. I shall not mention any further on other major projects like the surveying of lands for families from the rural areas to relocate near employment and schools. The same can be said for the Trust made available for citizens of the country to invest their shares which had taken 40 years and has finally come into fruition.

The Minister has apologized for his blindsided moment in neglecting the protocols due to insistency to see the work become successful.

I fully accept the recommendations of the Finance Committee. Why? Like the declaration of the Chairperson that day. Many issues were ironed out not because the Finance Committee and Government all share one common goal which is to improve the developments for the country. We have all approved these inside this House. We advise all government heads to take heed of the reports deadline in Parliament. Although there are times when the Committee files complaints to CEOs to, "Take heed of Parliamentary Committees as it isn't good to wait for delayed reports," however most of the time they are busy at work.

Towards the end of the previous Cabinet term, this is one of the issues I raised, to remove Ministerial level from Parliamentary Committees and delegate this task to the backbenchers given that whatever decisions, accusations will always follow. In 1983 I was Chairperson of the NPF and the Development Bank. In 1984 I presented two approved legislations from this Corporation. I notified the Hon Prime Minister, Hon Tofilau Eti Alesana to remove myself from leading these two Corporations because despite accountability and transparency, I will surely be accused. The same will apply to other Ministers following our previous term which Hon Papalii should know.



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No one has done what I did. Following Cabinet Directive and you stand up for yourself and request to be removed before the bill becomes law comes the new Parliamentary term, which is the current system today. That is Cabinet's policy on decision making to ensure that you are clean from suspicions.

To the Hon Minister I would like to remind you that your resignation has been laid before the House, and I approve. Don't forget that God has blessed you with many talents. That is why you were chosen in Cabinet. The end of your service in this area will mean your availability to serve in another area.

There once was a similar incident to this as the Leader of the Opposition is aware of during his timing as former Minister of Telecommunication or then SamoaTel. A specialist was brought in and it was he who recommended the removal of cable wires from Lalovaea to Maluafou. He was in his youth and was suddenly accused of stealing with investigations undertaken proving his innocence over an alleged expatriate who was terminated by a former manager. He later returned to work, for a month until he resigned, this was during Palusalua's time. I tried to stop him but unsuccessful given the severe statements made against him and his wife.

Mr Speaker I am the new Minister of SLC. I stand to notify the House given the incomplete crew we have here, I trust in the Lord to complete it. On Friday the 25<sup>th</sup> of April at 4.00pm we will all meet to witness the oath of the chosen one by God. It won't be easy to choose from a huge Party of 37 members are professors who have the utmost respect of their Leader. God will reveal hence we must trust Him.

Mr Speaker I acknowledge your patience. I also acknowledge the Expenditure Committee and for all your hard work. I also recognize the hard work and efforts of my Party in embarking with their duties and other responsibilities. God has instilled us with conscience – as members to carry out the right thing. That is how we are judged by God.

I pray for His blessings upon our meeting and wouldn't mind if we ensue. Mr Speaker that is the conclusion based on your ruling. Let us proceed with our business. Soifua.

**MR SPEAKER:** Thank you Hon Prime Minister for the statement. I trust the night has been filled with the wisest of words as the Leader of the nation has spoken thus, who else should speak above the Prime Minister? Then I assert that God sees everything. Faumuina, I give you courage this evening. I take that the Hon Prime Minister's comforting and congratulator words is more than enough in response our spirits and views this evening. The House has heard you loud and clear that if time permits, they will give accordingly. We have reached the end of one of the most debatable matters and Samoa has heard your resignation tonight. It isn't easy; you have gone the extra mile by pushing through with your beliefs.

We are indebted in you and all your hard work and service to the country. God sees everything. Every tear comes with a reason. What you sow is what you reap. That is the blessings from me. The task I play isn't so easy.....this is the fields of Samoa where representatives strive through once achieved. I wish the resigned member well, congratulations on your service. Your constituency is also listening in, well done on your support.

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On behalf of everyone, we extend sincere gratitude for your statement issued tonight. We have now come to our recess, when we return we will ensue with our business this evening.

I now declare that proceedings of the Assembly be set aside for normal recess hour.

*Proceedings of the Assembly were set aside at 12.01am for its normal recess and recommenced at 12.35am.*

**MR SPEAKER:** I now declare the proceedings of the Assembly recommenced. It is now 12.35 and we are in a new day. I will now lead us with a short prayer to thank the Lord.

Prayer.

**MR SPEAKER:** I trust you have all been rejuvenated with the refreshments that were provided. We have come to the second part of our sitting and we have three to four more sections before we conclude.

I recognize the Hon Leader of the Opposition.

**Afioga Hon PALUSALUE FAAPO II:** Mr Speaker I would like to relay a word of gratitude this new day. It is an unforgettable morning with its turn of events. I thank the Lord for his spirit of forgiveness and the salvation of Jesus Christ this Easter.

Samoa has awfully heard so much in regards to this matter and now the Minister of Finance as spoken, you have championed your will power by doing what you feel will benefit your country your government and your people. Why? Because of your love for Samoa. A decision such as this is not an easy one to make as it affects ones heart, family, children vitally his dear constituency and their ongoing support. Faumuina I applaud your courage and bravery. You don't need to state your achievements that Samoa now enjoys. "*E poto lava le tautai ae le atoa atu i le liu o lona vaa.*" Sometimes, 'a wise man collects insufficient fish in his boat'. Hence Faumuina, our role is to oppose the government despite our close relationship, that doesn't avoid us from fulfilling our duties as the Opposition side. We didn't intend to give any speeches tonight as '*e fafo e le alamea le alamea*' or the alamea will heal its own doing" otherwise, Faumuina your resignation sends an audible message for all of us as members of Parliament. The Opposition wishes you well on your future endeavours.

This evening however, in regards to the Parliamentary Committee Report I firmly believe that no one else has anything else to say. Therefore on behalf of our Party I suggest that we adopt these Reports and retire for the night.

The Hon Prime Minister and Cabinet, thank you your decision and tolerance. In truth Prime Minister, I was anxious nonetheless things have gone well through God's love. Even though our Parties are different, our intentions and hopes are the same; to stabilise a bright future for Samoa, by upholding its integrity. Hence I move a motion to approve this report before we rest for the night.

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Faumuina I wish you all the best given your family obligations and pray for speedy recovery for your wife when seeking medical assistance abroad. I pray for God's blessings upon Samoa this Easter especially the Parliament. Soifua and good night.

**MR SPEAKER:** Well, I will now grant opportunity to the member for Aana Alofi No. 1, Afioga Leaupepe Toleafoa Apulu Faafisi.

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI:** Thank you for this opportunity, I will be brief given Samoa's support from yesterday until this morning when Parliament began its meeting. I rise as the Hon Prime Minister's statement is more than enough pursuant to this matter and the Leader of the Opposition has also spoken...in compliance to Parliamentary procedure which is normal practice. However I stand to support the notion by the Leader of the Opposition; perhaps members are too emotionally moved by the Ministerial statement of the Minister of Finance. Hence sincere gratitude to Faumuina, well done on being brave and courageous, Samoa's judgement is based on your good achievements as "action speaks louder than words." Our Christian beliefs strive for members to carry out their duties in earnest which is God's gift upon us. In Saul's words to David, "Do the right thing and become successful in it." That is the Christian belief, regardless of who we are, we must seek justice and righteousness for that is God's gift and will upon us. Therefore I acknowledge the dedication and accomplishments achieved. We have listened to your clarification of the Report and I thank you for shedding light to developing Samoa. I trust the Lord will continue to bless you with a new chapter of opportunities to fulfil your calling in Parliament.

Finally, Mr Speaker the Prime Minister and Leader of the Opposition are more than enough speakers in giving responses tonight. But based on your discretion, whatever you decide stands as we the crucifixion of our Lord and Saviour. The Parliament is growing weary but the decision is yours.

Thank you.

**MR SPEAKER:** I recognize the Chairperson for the Parliamentary Committee.

**Afioga MUAGUTUTAGATA FAAMAUSILI AUIMATAGI PETER AH HIM:** Thank you Mr Speaker for the opportunity. I acknowledge the support of Samoa this late night. I acknowledge the statements and of course the Minister of Finance; I applaud your courage. The Bible says, "Blessed are the meek for they shall inherit the earth" Pardon me as Tuiatua Faanofonofu has just corrected this wording, it has been a long day and people are getting sleepy.

I stand in recognition of our Committee Report currently being considered this evening. I thank the Hon Prime Minister for approving all sections of the Report. I wish to remind that this Report constitutes of 29 Ministries with one Ministry being heavily criticized. Moreover, I wish to acknowledge my Committee for their dedicated efforts and hard work. I must also apologize to the Minister; there was no intention of inflicting pain to anyone but was only doing our job.

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The Leader of the Government has spoken on the terms of approving our Report therefore I move a motion to move the Report pursuant to normal Parliamentary procedures. With all due respect.

**MR SPEAKER:** Thank you Chairperson. I recognize the Hon Minister of Courts and Administration.

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker thank you for this opportunity. The Leader of the Opposition has spoken such is elder member of the House, the member for Aana Alofi No. 1. I trust all members agree. I also believe the Speaker is tired and so are members of the House given the Office of the Parliamentary Report. Although I was preparing questions in regards to this Report, I trust it will be highly inappropriate in relation to the declaration and resignation made by the Minister of Finance.

Mr Speaker I wish to make a brief statement to the Minister of Finance. I thank the Hon Minister for his statement and speech collecting his past years of service. It is unthinkable to note how important your commitment and service has been for the country. I thank you for your honesty and sincerity not only for yourself but also for this House. On behalf of our Ministerial colleagues, I thank you Hon Minister of Finance for your show of courage.

Mr Speaker I wish to second and third the motion that was moved to relay the Report under the Standing Order 161 so that the Report may be complete. The Committee findings will be fully understood although classified save unless for inside the Chambers. Therefore I urge the Committee to present their findings so that their recommendations are confirmed and considered by the House.

Bless this proceeding and our remaining time tonight. Soifua.

**MR SPEAKER:** Hon Prime Minister please put the motion.

**Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI NEIOTI SAILELE MALIELEGAOI:** Mr Speaker I trust that all the members have their consent given your statements and the so called report tonight. There is intention to encourage the Ministries to complete the recommendations in accordance to upholding the laws and orders of the House.

I wish to convey gratitude to the Chamber for the speeches delivered this evening especially to the Minister and the Speaker, hence I rise to set aside Standing Order so that opportunity is granted to members to debate on the statement by the Hon Minister of Finance otherwise, you've raised your case and have approved of our proceedings accordingly. Therefore I affirm to approve this report according to members and retire for the night.

I wish everyone a very happy Easter and hope to see everyone back in the next sitting for our budget session and the Electoral Amendment Bill. I refer this to the Committees for your dedicated tasks. Bear in mind that the end of one accomplishment is the beginning of another.

I pray God to bless this evening and guide us safely to our homes. Soifua and God Bless.

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**MR SPEAKER:** Thank you to the Leader of the Government for your acknowledgement as well as the Leader of the Opposition and elder members of the House. I believe that everything is well acceptable. I also believe that the events of the night should not be left unaddressed. Whatever words we exchanged in the spirit of seriousness have been forgotten as the Lord's spirit has blessed us with new thoughts and acceptance.

To our dear nation of Samoa, we have arrived safely to this new day and we dare not move forward without acknowledging your support. If we have harmed you in any way nor caused any disappointment in your hearts, we ask for your forgiveness. This has been a day of trial and tribulation whilst attempting to seek answers to allegations and claims against Parliament and its members. Now that everything has been clarified and settled, we beg tolerance and forgiveness Samoa as your leaders. Thankfully, God has answered our request to ensure peace and harmony for us to serve and carry out His calling.

Moreover, the Lord has witnessed your statements this evening and I hope it is sincere and honest. I must apologize to the Chamber for my insistence at times as it is my duty to provide explanation to accusations laid before the Parliament. Once allegations are surfaced I must respond to them immediately. But I pled that you forgive me, as sometimes, "E potō le tautai ae se lana atu i ama", "the navigator is wise but can go wrong at times". To the support of my dear constituency and its honorific salutations, the respectable Gagaifomauga No. 3, I thank you for your prayers. I beg tolerance for serving you incompletely as I strive to the best of my ability as your representative in Parliament, I am indebted to you. I believe every success comes with support. Furthermore, I acknowledge the support and presence of the CEOs of various Ministries and Corporations. You are the hands and feet of the Government and I believe that your love for Samoa is reflected through your devotion and recommendations relayed to the Leaders of the country. I pray for your strength to carry out the duties and responsibilities of our Government.

Finally to the civil media society, bear in mind your livelihoods and your work as reporters must be worthwhile noting the reputation of Samoa as 'E pala le maa ae le pala le upu,' in English, 'stones decay but words last,' all for the benefit of Samoa. God bless Samoa at this hour.

Before we depart, I call the member for Salega, Tofa Tapuai Toese Ah Sam to conclude this sitting with a prayer.

*Report was approved.*

**MR SPEAKER:** In accordance to Standing Order 54, The Government must, not more than 90 days after a Select Committee Report has been adopted by the Assembly present a paper to the Legislative Assembly responding to any recommendations contained in the report which are addressed to it.

*The Proceedings of the Legislative Assembly adjourned at 1:13am on Thursday, 17<sup>th</sup> April 2014 until Thursday, 29<sup>th</sup> of May 2014 in accordance to the Parliamentary Sitting Program 2014.*



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