

WEDNESDAY, 22ND APRIL 2015

Mr Speaker took the Chair at 9.00am.

Prayer.

MR SPEAKER: I declare that the Proceedings of the Legislative Assembly has now commenced.

“CERTIFICATE OF SELECTION

PURSUANT TO provisions of Section 80 of the Electoral Act 1963, and in accordance to Schedule 24b of the Constitution, **I, TUI ATUA TUPUA TAMASESE EFI, HEAD OF STATE,** hereby issue the Certificate of Selection of the Member of Parliament for the Sagaga le Usoga Constituency.

Member:

Susuga SEIULI, Ueligitone Seiuli.

Given Under my hand this Monday 20 April 2015.

(Signed by): **Tui Atua Tupua Tamasese Efi**
AO O LE MALO.”

MR SPEAKER: Before the new Member proceeds to the Table to take his Oath, I call on the Members of the House to be upstanding for the reading of the Code of Parliamentary Ethics.

CODE OF PARLIAMENTARY ETHICS.

STATEMENT OF INTENT:

It is the personal responsibility of every Member of Parliament to maintain the highest standards of ethical behavior to protect and maintain integrity of Parliament and to make every endeavor to uphold the principles of the Constitution.

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**P.P. 2014/2015 No. 219, Justice, Police and Prisons, Land and Titles
Committee Report on the P.P. 2014/2015 No. 119, Samoa Law Reform
Commission Report on the Law Practitioners Act 1976, Report 05/11
- Consideration**

I have an important announcement to make; I have with me the official document from the Assistant Electoral Commissioner stating the new Member for Sagaga le Usoga. This is the result of the by-elections held last Friday already signed by the Head of State. The Member elected is Afioga Seiuli Ueligitone Seiuli; the swearing in of the Member will be tomorrow as it is our usual Parliamentary practice. There will also come time for Parliament to pay its respects; this is why I call on to the constituency of the Member to come tomorrow to show support. After the Member takes his oath of allegiance we will progress to the second reading of the Bills until they are passed even if we must continue on until evening.

I thank all of Samoa for the support and patience with our Proceedings this evening. As I stated earlier nothing can be done without hard work. Lastly I want to thank our spiritual leaders for the prayers throughout the country. We cannot fulfill our duties without the guidance of the Lord above; therefore your prayers have greatly assisted this Parliament.

I want to thank the Heads of various Government Ministries especially the Attorney General present here with us this evening. I also want to acknowledge the work of our media, this is all for today.

Before we conclude with this evening I call on the Member for Faasaleleaga No.3, Tofa Tuileutu Alavaa Voi to end our sitting with a prayer.

*Proceedings of the Legislative Assembly adjourned at 10:15 until 9:00am
Wednesday, 22 April 2015.*

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Certificate of Selection

The following principles are intended to provide guidance to, and standards against which each Member of Parliament, individually and collectively should discharge their duties and responsibilities.

THE PRINCIPLES:

- (1) Loyalty to the nation and its people
Every member shall uphold the contents of the Oath of Allegiance at all time and maintain the dignity and integrity of the Independent State of Samoa; its institutions and its people.
- (2) Respect for the Law
Every member shall uphold the laws of Samoa and safeguard the principles contained in the Constitution.
- (3) Respect for all Persons:
Every member shall treat other members, the public and officials with respect and dignity, honestly, fairly; and acting with integrity at all times.
- (4) Proper Exercise of Power
Every member shall:
 - (a) Arrange their private affairs;
 - (b) Use any and all information obtained from their public office; and
 - (c) Exercise any influence or authority obtained from Public Office, only to advance the public interest and where any potential and actual conflict of interest arises whether in the member's private, financial, pecuniary or any interest the member shall be required to declare that interest and take any steps to remove the conflict or withdraw from the particular process of transaction.

Special Requirements for Ministers and Other Officeholders.

Every member who holds parliamentary office of any kind is required to adhere strictly to the principles outlined above and shall not under any circumstances undertake any decision or exert influence in any form whatsoever in respect of a matter in which the member will derive personal gain or benefit.

SANCTIONS.

Breaches of this Code maybe dealt with by the Privileges and Ethics Committee or as determined by Parliament.”

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Mr Speaker read out the Code of Parliamentary Ethics while the new Member was upstanding.

MR SPEAKER: I call on to the Member to proceed forth for the Oath. Place your right hand on the Bible and repeat the Oath I will read. You may say your name when it is time to say your name.

SWEARING IN OF THE NEW MEMBER

The new member swore his Oath of Allegiance in Earnest.

1. SEIULI Ueligitone Seiuli.

“I,, swear by Almighty God that I will be faithful and bear true allegiance to the Independent State of Samoa, and that I will justly and faithfully carry out my duties as a Member of the Parliament of Samoa. So help me God.”

MR SPEAKER: Let us give a hand of applause in welcoming our new Member to the Parliament.

Members of Parliament applauded in recognition of the new Member.

MR SPEAKER: With the utmost respect, I acknowledge the distinguished Members of the House this morning. I greet the Leader of the Government and Cabinet and also the Leader of Opposition and that side of the House.

I also acknowledge the support of Samoa in all its honorific salutations. I also acknowledge the presence of the Heads of Government Departments. I give thanks to the Lord for this day as we greet the newest Member of Parliament, Susuga Seiuli Ueligitone Seiuli representing the Constituency of Sagaga le Usoga. I acknowledge the decision of the Constituency and I greet the Constituency in all its honorific salutations. Welcome to our family Susuga Seiuli, this is your Parliament and your family. The Speaker has given you your Bible which you need to read until the end of the Term. The same was done to the Members and I assume there are some that still have not yet fully read their Bibles regardless of the Term nearing its end. Nevertheless I wish you the very best on your upcoming duties and pray to the Lord for assistance in times of weakness as I firmly believe there is nothing that God cannot do.

We will now proceed with our orders of the day. I acknowledge the support and prayers of the Constituency and families. Let us pray to the Lord to lead us in our duties for the day.

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PRESENTATION OF PAPERS

Clerk read out the list of Papers pursuant to Standing Order 48.

1. P.P.2014/2015 No. 245, Samoa Water Authority Annual Report 2013/2014.

PRESENTATION OF SELECT COMMITTEE REPORTS

1. P.P.2014/2015 No. 246, Report of the Health and Social Services Committee on the National Provident Fund Amendment Bill 2015.
2. P.P.2014/2015 No. 247, Report of the Health and Social Services Committee on P.P.2014/2015 No. 128, Annual Report of the Ministry of Health for the Year 2012/2013.
3. P.P.2014/2015 No. 248, Report of the Primary Production Committee on P.P.2014/2015 No. & P.P. 2014/2015 No.180, Annual Reports of the Development Bank of Samoa for the Year 2013 & Year 2014.
4. P.P.2014/2015 No. 249, Report of the Justice Committee on P.P. 2014/2015 No. 93, Report of the Samoa Law Reform Commission on the Prisons Act 1967, Report 04/11.
5. P.P.2014/2015 No. 250, Report of the Justice, Police and Prisons Committee on P.P.2014/2015 No.121, Report of the Samoa Law Reform Commission on the Criminal Procedure Act 1972, Report 07/12.
6. P.P.2014/2015 No. 251. Report of the Works, Transport and Environment Committee on P.P.2014/2015 No. 81, 82, 83, 84 & 85, Annual Reports of the Samoa Land Corporation for the year 2006, 2007, 2008, 2009 & 2010-2012.
7. P.P. 2014/2015 No. 252, Report of the Works, Transport and Environment Committee on P.P. 2014/2015 Nu. 147, 148 & 149, Annual Reports of the Land Transport Authority for the years 2011, 2012 & 2013.
8. P.P. 2014/2015 No. 253, Report of the Health and Social Services Committee on P.P. 2014/2015 No.40 & P.P. 2014/2015 No. 41, Annual Reports of the Samoa Housing Corporation for the Years 2012 & 2013.
9. P.P. 2014/2015 No. 254, Report of the Health and Social Services Committee on P.P. 2014/2015 No. 9, Annual Report of the Samoa National Kidney Foundation for the year 2011-2012.
10. P.P. 2014/2015 No. 255, Report of the Works, Transport and Environment Committee on P.P. 2014/2015 No. 122, Statement of Corporate Objectives of the Samoa Water Authority for 2015-2017.

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Presentation of Select Committee Reports

11. P.P. 2014/2015 No. 256, Report of the Primary Production, Commerce, Industry and Labour on P.P. 2014/2015 No. 195, Annual Report of the Ministry of Commerce, Industry and Labour for the Year 2012-2013.
12. P.P. 2014/2015 No. 257, Report of the Works, Transport and Environment Committee on P.P. 2014/2015 No. 95, 50th Annual Report of the Samoa Trust Estates Corporation for Year Ending 30th June 2012.
13. P.P. 2014/2015 No. 258, Report of the Works, Transport and Environment Committee on P.P. 2014/2015 No. 17, Annual Report of the Electric Power Corporation for the Financial Year 2013.

MOTION OF THE BUSINESS, STANDING ORDER, HOUSE AND ELECTORAL COMMITTEE

Tofa AGAFILI PATISELA ETEUATI TOLOVAA (Deputy Chairperson of the Business, Standing Order, House and Electoral Committee): Thank you Mr Speaker for the opportunity. I thank the Chair for the prayer of thanksgiving to the Father for His guidance and love for us all. I also acknowledge the choice of the Constituency and the Deputy Speaker supports it. The Deputy Speaker also supports the blessings bestowed upon the Member.

I stand to move a motion, *That the Legislative Assembly approve Susuga Seiuli Ueligitone Seiuli to be appointed as a Member of the following Committees:*

- (i). *Officers of Parliament Committee.*
- (ii). *Government Administration Committee.*

Thank you.

Seconded by one of the Members for Individual Voters, Susuga Hon Papaliitele Niko Lee Hang, one of the Members for Faasaleleaga No.1, Afioga Hon Gatoloaifaana Amataga Alesana Gidlow, Member for Aleipata Itupa i Lalo and one of the Members of Individual Voters, Afioga Maualaivao Pat Ah Him.

Motion approved.

MR SPEAKER: There will come a time when the Clerk of the Committees the Member has been appointed to will elaborate on the proceedings of Parliamentary Committees.

Debate continued on the consideration in detail of the Food Bill 2013.

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FOOD BILL 2013 – consideration in detail

MR SPEAKER: Pursuant to Standing Order 106, the Assembly must first approve the Committee Report on the Bill before consideration takes place. I call on the honorable Chairperson.

Afioga Hon GATOLOFAIFAANA AMATAGA ALESANA GIDLOW (Chairperson of the Health, Social Services, Internal Affairs, Community and Social Development Committee): Mr Speaker before I move the motion, I acknowledge the spirit of thanks as voiced this morning for the presence of the Spirit of the Lord ever present in our work. I also greet and acknowledge the new Member for Sagaga le Usoga, Susuga Seiuli Ueligitone Seiuli, welcome to the Parliament.

Mr Speaker I move a motion, *That the Legislative Assembly approve the Committee Report recommending the Food Bill 2013 progress along with its Amendments and Corrections.*

Thank you.

Seconded by the Deputy Speaker, one of the Members for Individual Voters and the Member for Aleipata Itupa i Lalo.

Report approved.

MR SPEAKER: The Assembly will now proceed to consider the Food Bill 2013 in detail. Pursuant to Standing Order 102, consideration in detail commences on Clause 2.

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Purposes.

Approved.

CLAUSE 4: Relationship with other Acts.

Approved.

CLAUSE 5: Safe food.

Approved.

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CLAUSE 6: Suitable food.

MR SPEAKER: There is a Committee Amendment on Clause 6(2) as printed in the Supplementary Order Paper.

I call on the honorable Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
Mr Speaker I move an amendment on Clause 6(2) as follows:-

“AMENDMENT:

To omit the number “8,000” and substitute thereby the number “10,000”, and omit the number three (3) and substitute thereby the number five (5) years thus (2) reads:

“(2) A person who contravenes subsection (1) commits an offence and is liable upon conviction to a fine not exceeding 10,000 penalty units or to imprisonment for a term not exceeding five (5) years or both.”

MR SPEAKER: I call on the Member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker, I wish to share thoughts on this clause of the Bill. Before I address the Bill, I would like to greet the Member for Sagaga le Usoga on behalf of my Constituency. I wish you the best on your calling. I envy you as you have just started your five years while we are nearing the end of ours. You are not a stranger in this Parliament and this work is not measured by your physical attendance but by your voice; if the constituency hears you making noise you will surely come back next year.

I acknowledge the Hon Minister of Health who has recently returned from Fiji with Honors which is indicative of a vigilant Minister. I trust once this Parliamentary Term is finished the Hon Minister will surely return in the next Term because of his many qualifications.

Honorable Chairperson of the Committee, this Bill was first tabled on October 8th 2013 and now it has just been referred back to Parliament. Therefore, my first question is why it was delayed because now we do not have a copy. Albeit this, the change in numbers initiated by the Committee is quite substantial with 10,000 per unit converting to \$100,000. It seems like a penalty for committing a serious crime like murder or something similar. I recommend the Chairperson review this and highlight why the penalties are like this because it is unrealistic. Yesterday we considered the SIFA Bill and the fines were only \$10,000 with overseas companies being fined 10,000 per unit which converts to \$100,000. Therefore, I ask the honorable Chairperson for the reason of this substantial penalty.

Thank you.

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MR SPEAKER: Thank you, the Members concern is noted. I grant opportunity to the honorable Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Thank you Mr Speaker, I also acknowledge the Member for the very important question. First, I address the question on the delay. There were many instances when the committee rooms were not available for the Committee to carry out its investigations and to present a sound and completely accurate Report.

Regarding the second question voiced on the matter the substantial penalty. The Bill is in reference to the health of the public and in ensuring that people live long healthy lives. It is the purpose of the Bill that people are not careless about preparation of food for the public. If the Member observes the Bill in Clause 2, and Clause 6(2) being amended so that it relates to the penalty in Clause 5(2). I trust the Member has grasped the idea now.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker....

MR SPEAKER: I beg pardon of the Member, I grant first opportunity to the Hon Prime Minister.

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI NEIOTI SAILELE MALIELEGAOI (Prime Minister): Mr Speaker may I just ask. We are in an era of catered food and if we were to order food during Independence for 1,000 people and it was not prepared properly, the whole Parliament of Samoa could die including the thousands of invites. This penalty fee is too small.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker, I seem to have forgotten that the Hon Prime Minister holds a degree in law; Doctor of Laws. Honorable Chairperson what I mean to say is that the penalty fee of \$100,000 should also reflect an appropriate prison term. If the prison term is five years or a fine of \$100,000 I doubt there would be any Samoan who could pay that amount. I guess people would rather serve time and in two years they would be free. Honorable Chairperson this is inconsistent with penalties in other legislations. The purpose of all Government laws are for the safety and health of the people. Thank you.

MR SPEAKER: Thank you. I believe the honorable Chairperson has clearly delivered and addressed the question voiced. It is also noted the Member sympathizes with the caterer in case they have to pay such a large fine. However the Chairperson and Committee feels it is relevant to ensure the preparation of food is carefully considered. I recognize the Hon Prime Minister.

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Susuga Hon TUILAEP A FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, I would like to address the statement in reference to being sympathetic caterers. It is this kind of sympathy that is wrong. If the caterers are fined with a small amount then perhaps they will continue in the error especially if there are a number of people being served by the caterer. These days even a minute ingredient put in food can take out whole governments and everyone in it, especially the greedy people who eat their food straight away. I guess those who eat slow would be safe while the others are affected. It is why I said this fine is very small.

Afioga Hon PALUSALUE FAAPO II (Leader of Opposition): Mr Speaker, point of clarification.

MR SPEAKER: Are you addressing the Chairperson or Hon Prime Minister?

Afioga Hon PALUSALUE FAAPO II: The both of them.

MR SPEAKER: Direct your statement to the honorable Chairperson.

Afioga Hon PALUSALUE FAAPO II: Mr Speaker these things that the Hon Prime Minister is speculating on will never happen. This side of the House is trying to recommend that the penalty be reasonable. It is too expensive for the caterer.

Susuga Hon TUILAEP A FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I still aim to support the Chairpersons statement. I do not wish to break the laws of procedures by disrupting another Members interruption. I support the Chairperson because these things have happened overseas. We need to be cautious because of the influx of technology and the bad and good knowledge that is coming from foreign nations. We need to consider that we have people being deported back due to breaking the law. We have a program that rehabilitates these law breaks, but there are times one may crack and apply their learned knowledge to carry out such gruesome acts.

Mr Speaker I acknowledge the Ministry of Health for the Bill because we are constantly moving forth in the world and the availability of illegal methods can enable anyone to break the law and kill numerous people. A single person willing to execute their hatred for another will not have any regard for the others that will fall victims to the crime. A criminal will only care that their enemy has been dealt with.

MR SPEAKER: Thank you Hon Prime Minister. I grant opportunity to the honorable Chairperson.

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Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Mr Speaker, there are still questions and of course corrections on the Bill, I wish to add two comments to the response by the Hon Prime Minister in relation to the Bill. The Leader of Opposition claims that these things will never happen in Samoa, but the belief of the Minister of Health is, “Prevention is better than cure.” This Bill is based on that belief.

Secondly, there is no price for loss of lives due to poor preparation of food. Thank you.

Amendment approved.

Clause 6 approved as Amended.

CLAUSE 7: False descriptions of food.

MR SPEAKER: There is an Amendment as printed in the Supplementary Order Paper. I call on the honorable Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Mr Speaker, I move an amendment on Clause 7 as follows:

“AMENDMENT:

(i) Clause 7(3):

To omit the number “5,000” and substitute thereby the number “8,000” and omit the number “two (2)” and substitute the number “three (3)” years thus (3) reads:

“(3) a person who contravenes subsection (1) commits an offense and is liable upon conviction to a fine not exceeding 8000 penalty units or to imprisonment for a term not exceeding three (3) years or both.”

(ii) Clause 7(4):

To omit the number “8000” and substitute thereby the number “5,000” and omit the number “three (3)” and substitute thereby the number “two (2)” thus (4) reads:

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“(4) A person who contravenes subsection (1) commits an offence and is liable upon conviction to a fine not exceeding 5000 penalty units or to imprisonment for a term not exceeding two (2) years or both.”

MR SPEAKER: Thank you. I call on the Member for Faleata West.

Tofa LEALAILPULE RIMONI AIAFI: The Hon Prime Minister has just laid his support for the appropriate increase of the penalty, but here we have the decrease in penalty.

Where is the consistency in the Committee amendments? At first it claims to maintain the penalty in the Bill, and now we come to decreasing the imprisonment time from 10 to 8 or lower. What exactly is the correct purpose?

MR SPEAKER: I grant opportunity to the Hon Prime Minister first followed by the honorable Chairperson.

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, I stand firm in my support for the Committee in their stance because they are firm in the adage that ‘a wise man seeks counsel’. The penalty imposed is appropriate.

MR SPEAKER: I call on the Member for Faleata East.

Tofa AVEAU TUALA LEPALE NIKO PALAMO (Faleata East): Mr Speaker I am a Member of the Committee and I will clarify the matter in question.

MR SPEAKER: Yes, please clarify the matter for the Member for Faleata West.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: If the Bill is observed carefully, the bulk of the Bill or the purpose is not aimed specifically at an individual person but at large companies that import goods from overseas. To elaborate further, a company can afford an \$80,000 fine. If the company imports a cargo of herring and they are expired, then it is suitable to impose that large sum for the penalty. The other fines reach up to millions of dollars because it is appropriate. It is also being considered to enforce a fine on the false labeling of imported goods. It does not refer to an individual labeling their cooking if it is wrongly labeled. The Bill refers to large companies importing food. Thank you.

MR SPEAKER: I apologize to the Leader of Opposition but the Member is now concluding his concerns voiced.

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Tofa LEALAILEPULE RIMONI AIAFI: I thank the Member of the Committee. We have yet to consider Clause 11 which covers the imported goods as mentioned by the Member. I support the notion on Clause 11 but at the moment we are currently considering individual persons and restaurants. I was directing my queries to the honorable Chairperson but the Hon Prime Minister has responded.

It is what I was trying to shed light on, but thank you Speaker.

MR SPEAKER: Place your faith in your brother in the Committee who has just emphasized that the Bill refers to large companies importing goods from overseas. I grant opportunity to the Leader of Opposition.

Afioga Hon PALUSALUE FAAPO II: Mr Speaker I acknowledge the Member from this side of the House in his clarification of the Bill. The reason for our constant questioning is because we do not understand. Thank you.

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, perhaps the Leader of Opposition had a fight this morning with his wife before he came. The clarification was very clear and it seems that you are the only one who does not understand.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Mr Speaker I would like to point out to the Leader of Opposition that our Committee works together without any bias. Thank you.

MR SPEAKER: Well, worry not, the Leader of Opposition will be saying the same thing if this side also makes progress. Afioga Tafua, do you wish to speak before I grant the opportunity to the Hon Minister of Health?

Afioga Hon TUITAMA TALALELEI TUITAMA (Minister of Health): Mr Speaker I would like to clarify the Member for Faleata West on the differences in the penalties. Observe that Clause 5 provides for food while Clause 7 is on other descriptions. The penalty for food and descriptions of food should have different penalty fines. Thank you.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker, Clause 10 provides for promotions and advertisements which also notes the increase in the penalty fine of \$10,000.

MR SPEAKER: I apologize to the Member for Faleata West your time is up.

Amendment approved.

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Clause 7 approved as Amended.

CLAUSE 8: Labeling requirements.

Approved.

CLAUSE 9: Expiry and best before dates.

Approved.

CLAUSE 10: Food for Infants and children.

Approved.

CLAUSE 11: Import and Export of Food.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker....

MR SPEAKER: What Clause?

Tofa LEALAILEPULE RIMONI AIAFI: Clause 11 Mr Speaker.

MR SPEAKER: I grant opportunity to the Member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI: I thank the Committee for continuing with the penalty fines for this section as we are now considering large companies from overseas which provide millions of herring and...therefore I question the honorable Chairperson of the Committee whether they carried out an investigation on the contents of the herring that is said to be for *faalavelave*? Has the Committee queried the Minister on that matter? And does it imply that if it is for *faalavelave* then is not suitable for consumption? Furthermore, the boxes of herring that are not recycled are re-sold from retail shops. The same applies to corned beef which we happily consume all the time but are now being told not to.

Honorable Chairperson are these concerns covered in the penalty fines? Thank you.

MR SPEAKER: I call on the honorable Chairperson.

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Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
Thank you Mr Speaker, I also acknowledge the observant Member for the wonderful question that further enlightens the Bill and of course the investigations of the Committee. The Member touched on the differences in herring and the Committee queried those who import these goods. The company owners stated that the difference is that mackerel is expensive and herring is affordable. The matter of safety for consumption is that it is very safe for public consumption. Thank you Mr Speaker.

Clause 11 approved.

CLAUSE 12: Inspection of Imported food.

Approved.

CLAUSE 13: Certificate of Health.

Afioga TOEOLESULUSULU CEDRIC POSE ALESA SCHUSTER
(Aana Alofi No.3): Mr Speaker....

MR SPEAKER: What clause Member for Aana Alofi No. 3?

Afioga TOEOLESULUSULU CEDRIC POSE ALESA SCHUSTER
(Aana Alofi No. 3): Mr Speaker Clause 13.

MR SPEAKER: I grant opportunity to the Member, certificate of Health.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER:
Thank you Mr Speaker for this opportunity. I take this opportunity to greet the newest Member of Parliament honorable Member for Sagaga le Usoga. I congratulate the Member and acknowledge the Constituency. I wish the Member the very best with his duties as representative of the Constituency.

Mr Speaker the reason why I question this section is that part 3 refers to food business and the fines imposed on catering businesses that might disrupt the health of large populations due to improper preparation of food. However there are certain cases where families cater to funerals or weddings and have the family members prepare the food for large gatherings. I observe that there is no provision in the Bill to monitor the catering of such events. I believe the health of people will be gravely endangered also, thank you.

MR SPEAKER: I call on the honorable Chairperson.

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Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Thank you Mr Speaker. The matters which the Member has voiced have been considered in the Bill especially with licensed caterers. The concerns voiced by the Member will be provided for in the Regulation following. Thank you.

MR SPEAKER: Thank you.

Clause 13 approved.

CLAUSE 14: Operators of food businesses.

Approved.

MR SPEAKER: I recognize the Deputy Leader of Opposition.

Afioga Hon AEAU PENIAMINA LEAVAISEETA (Falealupo): Mr Speaker, it is very important that the Committee voice the importance of dismissing the notion that there are boxes of herring specifically for *faalavelave*. I am the Deputy Chairperson of the Committee. The Committee voiced complaints and this was considered inaccurate. The Committee deems that any and all herring that come to our shores are consumed by the public which therefore negates the notion that there are specified cases for consumption and a selection for *faalavelave*. It is important to note the Committee recommends that the notion be dismissed.

MR SPEAKER: Very well. I grant opportunity to the Member Aana Alofi No.3.

Afioga TOESULUSULU CEDRIC POSE SALESA SCHUTER: I thank the honorable Chairperson of the Committee for clarifying the matter. The matter that is confusing is the fact that since there is no Regulation that provides for training or a project that assists in censoring the non-commercial caterings carried out in villages including the catering in our ecclesias as we are aware, thank you.

MR SPEAKER: Thank you. I trust the honorable Chairperson has noted the matter...I grant opportunity to the honorable Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Mr Speaker, if a church decides to do a BBQ they would have to pay a license fee which is now included in the Bill. Other preparations will be included in the Regulation.

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MR SPEAKER: Thank you.

CLAUSE 15: Operators to ensure that food can be traced.

Approved.

CLAUSE 16: Food handlers.

Approved.

CLAUSE 17: Responsibility of the Ministry.

Approved.

CLAUSE 18: Food and Nutrition Policy Committee.

MR SPEAKER: There is a Committee Amendment on clause 18(1) as printed in the Supplementary Order Paper.

I call on the honorable Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
Mr Speaker I move to amend Clause 18(1) as follows:

“AMENDMENT:

To omit paragraph (g) and insert new (g) as follows:

**“(g) a representative from the Ministry of Education,
Sports and Culture.”**

Thank you.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker....

MR SPEAKER: I call on the Member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI: Thank you. This section is one of the most important in the Bill and I thank the Ministry for the aerobics programs broadcast on Television and the cooking programs as they are very helpful to the nation.

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I also acknowledge the Committee in reference to balanced diet and the inclusion of the Ministry of Education. However I believe that (g) should not be omitted because (g) provides for a representative from Organizations of the country that deal with the production of food. Perhaps it would be better if (h) was to be removed as it is unclear if there is an actual private-sector that is responsible for food consumers. There is only a sector for caterers which I know of, but not of consumers. The Ministry of Education should still be included but could the honorable Chairperson elaborate on the need for this otherwise it is best to have it removed. Thank you.

MR SPEAKER: To save the honorable Chairpersons time, I grant opportunity to the Member for Aana Alofi No. 3.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Mr Speaker thank you for the opportunity. First, I wish to query Clause 18 in the matter of nutrition and food policy to clearly state its purpose. I understand that there is a nutrition division in the NHS unit. Is this the same person dealing with referrals or is there another representative of the Ministry of Health? Does this mean that there is no chief nutritionist?

Secondly Mr Speaker, I wish to inquire whether the Committee has considered a representative from the NHS in running the hospital.

Thirdly Mr Speaker, I believe section (b) should have been removed as forestry is no longer under the Ministry of Agriculture. Thank you.

MR SPEAKER: I call on the honorable Chairperson.

Afioga Hon GATOLOAIFAANA AMAGATA ALESANA GIDLOW: Mr Speaker I wish to express my gratitude to the Members for the queries.

The first question as voiced by the Member for Faleata West is very accurate. Mr Speaker, it is not in the amendments but the order of the sub-clauses should be with (g) followed by... (g) was to be changed to (h) and (h) to be changed to (i). It was supposed to be part of our correction in the Amendment. However in saving time, the representative from the private sector remains as well as a representative from a responsible body for the national food standards plus the Ministry of Education.

MR SPEAKER: I call on the Hon Prime Minister.

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, there is an organization known as the Consumer Protection Association that includes those who consume food and those who purchase other items such as car engines. It is not that they eat car engines, with respect, it refers to those purchasing the goods from other people and that is the matter the Member for Faleata West is concerned about.

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Therefore the purpose of the Bill is that consumers are considered especially in reference to the phrase ‘Label Consumer Protection’ which involves all persons who purchase goods for cooking or other items whether it be car engines or whatever, the quality standards on the goods should be enforced on those importing these products.

MR SPEAKER: I call on the honorable Chairperson to confirm the Amendment on the Bill. I call on the Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
The correction is that the old paragraph (g) be omitted and insert the new paragraph (g) as follows; (g) a representative from the Ministry of Education, Sports and Culture, and replace the old sub-clause (g) with (h), and replace the old sub-clause (h) with (i).

MR SPEAKER: To ensure the correct interpretation of the Bill it should be recorded as such.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
Thank you.

Amendment approved.

Clause 18 approved as Amended.

CLAUSE 19: Functions of the Committee.

Approved.

CLAUSE 20: Food Safety Officers.

Approved.

CLAUSE 21: Power of Director General to issue directional and controls

Approved.

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CLAUSE 22: Privileges statements.

Approved.

CLAUSE 23: Approvals.

Approved.

CLAUSE 24: Powers of entry and search.

Approved.

CLAUSE 25: Closing Orders.

Approved.

CLAUSE 26: Assistance from the police.

Approved.

CLAUSE 27: Sampling.

Approved.

CLAUSE 28: Appointments of analyst and certificate of analyst.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker....

MR SPEAKER: What Clause?

Tofa LEALAILEPULE RIMONI AIAIF: Clause 28 please.

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MR SPEAKER: I grant opportunity to the Member.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker remember our Government has established SROS, they are the ones responsible for most of these things. Perhaps this Organization should also have a representative in the analysis of food rather than looking for another specialist. Thank you.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Mr Speaker, if section 18(2) is observed fully, the Hon Minister has the discretion to appoint three persons with the skill and knowledge to assist the Committee. Thank you.

Clause 28 approved.

CLAUSE 29: Copy of certificate.

Approved.

CLAUSE 30: Rights to request a second test.

Approved.

CLAUSE 31: Cost of analysis.

Approved.

CLAUSE 32: Seizing food or associated things.

MR SPEAKER: There is an Amendment. I call on the honorable Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Mr Speaker I move to Amend Clause 32 as follows:

“AMENDMENT:

To insert new sub clause (5) to read:

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“(5) An order issued by the Judge under subsection 4 may state that the released food for associated thing is safe.”

Amendment approved.

Clause 32 approved as Amended.

CLAUSE 33: Destruction and disposal of seized food or associated things.

Approved.

CLAUSE 34: Offences involving misleading conduct.

Approved.

CLAUSE 35: Offences involving obstruction of officers.

Approved.

CLAUSE 36: Offences involving publishing non-complying advertisements.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker....

MR SPEAKER: What Clause?

Tofa LEALAILEPULE RIMONI AIAFI: Clause 36 Mr Speaker.

MR SPEAKER: I grant opportunity to the Member.

Tofa LEALAILEPULE RIMONI AIAFI: SPAGHL always stressed the importance of advertisements. Has the Committee considered quering the Ministry on their stance? The TV is full of beer, soda and junk food advertisements everyday which appeals to the children. It is out of control.

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Are there any provisions for these aspects? Furthermore, is the Ministry doing any other work to counter these advertisements? I acknowledge once more the efforts of the Ministry on the aerobics programs. However, I believe the advertisements should be implemented by the Ministry.

Thank you.

MR SPEAKER: I grant opportunity to the honorable Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW: Thank you Mr Speaker. I also acknowledge the Member for the question and also the advice. It is the very reason why the Bill should be approved so that the Ministry can proceed to draft Regulations so concerns voiced by the Member can be minimized. Thank you.

Clause 39 approved.

CLAUSE 37: Offences involving donation of unsafe food.

Approved.

CLAUSE 38: Offences by body corporate.

Approved.

CLAUSE 39: Evidential presumptions.

Approved.

CLAUSE 40: Order to pay expenses.

Approved.

CLAUSE 41: Order to forfeit and dispose of food or associated thing.

Approved.

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CLAUSE 42: Order to cease use of label, etc.

Approved.

CLAUSE 43: Order to restrict or prohibit dealing with food.

Approved.

CLAUSE 44: Protection from personal liability.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker.

MR SPEAKER: What Clause?

Tofa LEALAILEPULE RIMONI AIAFI: Clause 44 Mr Speaker.

MR SPEAKER: I grant opportunity to the Member.

Tofa LEALAILEPULE RIMONI AIAFI: This is the same Parliamentary Committee that considered the Health Promotion Bill that was passed last month. The establishment of the new Division was passed in this legislation. There should have been an amendment specific to this during that time, correct me if I am wrong but I believe it should also be included in this clause, with respect.

Clause 44 approved.

CLAUSE 45: Delegation.

Approved.

CLAUSE 46: Regulations.

Approved.

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Food Bill 2013 – consideration in detail

CLAUSE 47: Fees and forms.

Approved.

CLAUSE 48: Reference to standard works.

Approved.

CLAUSE 49: Transitional.

Approved.

CLAUSE 50: Consequential amendments.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Food Act 2013.

MR SPEAKER: There is a Committee Correction. I call on the honorable Chairperson.

Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:
Mr Speaker I move a correction on Clause 1 and Title as follows:

“CORRECTION:

*To omit the number “2013” and substitute thereby the number
“2015” thus the title reads:*

FOOD ACT 2015.”

Correction approved.

Clause 1 and Title approved as Corrected.

The Food Bill 2015 progressed with Corrections and Amendments.

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SLAUGHTER AND MEAT SUPPLY BILL 2014
– consideration in detail

MR SPEAKER: Pursuant to Standing Order 106, the Legislative Assembly is to first approve the Committee Report before consideration in detail of the Bill.

I call on the honorable Chairperson of the Primary Production, Commerce, Industry and Labour Committee.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI (Chairperson of the Primary Production, Commerce, Industry and Labour Committee): Thank you Mr Speaker. Based on its investigations the Committee resolved to recommend the Assembly, *That the Slaughter and Meat Supply Bill 2014 progress with Corrections.*

Question was not put to the motion.

MR SPEAKER: I now declare that the Legislative Assembly has now approved the Primary Production, Commerce, Industry and Labour Committee Report on the Slaughter and Meat Supply Bill 2014.

The Assembly will now proceed to consider the Slaughter and Meat Supply Bill 2014 in detail.

Pursuant to Standing Order 102, consideration commences on Clause 2 of the Bill.

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Purpose.

Approved.

CLAUSE 4: Application.

Approved.

CLAUSE 5: Responsibility of the Competent Authority.

Approved.

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**Slaughter and Meat Supply Bill 2014
– consideration in detail**

CLAUSE 6: Authorised officers.

Approved.

CLAUSE 7: Duties of authorized officers.

Approved.

CLAUSE 8: Powers of authorized officers.

Approved.

CLAUSE 9: Powers of arrest.

Approved.

CLAUSE 10: Reporting of offences.

Approved.

CLAUSE 11: Meat Advisory Committee.

Tofa LEVAOPOLO TALATONU (Gagaemauga No.2): Mr Speaker....

MR SPEAKER: I grant opportunity to the Member.

Tofa LEVAOPOLO TALATONU: I wish to query the honorable Chairperson if there is to be an advisory board for the slaughter of meat or is this a different advisory committee?

MR SPEAKER: I call on the honorable Chairperson.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: The query is useful to clarify this part of the Bill. This Committee comprises those who will make decisions on the quality of the meat.

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**Slaughter and Meat Supply Bill 2014
– consideration in detail**

Tofa LEVAOPOLO TALATONU: Mr Speaker, do any of the members of this Committee have any qualifications because it seems that a great part of the work will rely on the employees and experts. If it is to be an advisory board such as those already existing, it is inappropriate.

MR SPEAKER: We shall leave the matter to the Ministry. I believe no member can be included in the Board without proper cause.

Clause 11 approved.

CLAUSE 12: Delegation of Powers.

Approved.

CLAUSE 13: Slaughtering facilities.

Approved.

CLAUSE 14: Exempted persons.

Approved.

CLASUE 15: Approval of establishments.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker.

MR SPEAKER: I grant opportunity to the Member.

Tofa LEALAILEPULE RIMONI AIAFI: First of all honorable Chairperson, I would like to query the status of our mobile slaughter units? Furthermore, would there be an added cost if cattle farmers were to use the mobile slaughter unit? Would there also be a supervisor if I needed to slaughter my cattle all the way in Safata? Can the Hon Minister advise on additional costs by the Ministry and on the state of the mobile slaughter units that was promised to arrive before the slaughter house was to be operational?

Thank you.

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– consideration in detail

MR SPEAKER: I grant opportunity to the honorable Chairperson.

Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI: Thank you for the question. It is my understanding that approval of this Bill will determine the preparations. Nevertheless the costs will be arranged in consideration of the traveling expenses from island to island, ferry fares and so forth. I believe the Ministry will utilize discretion on affordable costs when needed.

Tofa LEALAILEPULE RIMONI AIAFI: A lot of meat is being slaughtered in family homes for *faalavelaves* and consumed by the communities. Is this matter considered in the Bill and whether there will be restrictions or not?

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Mr Speaker....

MR SPEAKER: I call on the Member.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: I am a Member of the Committee.

MR SPEAKER: Please assist the honorable Chairperson.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: The Bill provides a legal framework for our meat slaughter as well as the meat intended for sale. It is the very reason why this Bill exists. The Ministry plans to bring in mobile units but it is determined on the approval of the Bill. It is hoped that each island; Savaii and Upolu alike will have a mobile unit. Furthermore, the slaughter house will be provided for in legislation as well as the slaughtering of animals easing the concerns raised by the Member.

MR SPEAKER: Thank you. I grant opportunity to the Hon Minister.

Afioga Hon LE MAMEA ROPATI (Minister of Agriculture and Fisheries): Thank you Mr Speaker. I stand to briefly elaborate on the queries from the Member. The mobile units will arrive at the end of the year. The World Bank insists the approval of the Bill before the units are to be brought over. Each island of Savaii and Upolu will have a mobile unit to ensure efficiency for families that need this service. The mobile unit can be hired but with the supervision of the meat slaughter specialist to ensure safety of the meat for consumption and for sale.

The Bill that we have just approved goes hand in hand with this Bill as it aims to provide safe meat for consumption. Both Bills are to be passed as are the conditions from the World Bank.

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– consideration in detail

I urge the Member to observe the Bill carefully in reference to the last question raised. The operation of the slaughter house will take some time to develop and the public will need time to familiarize with it. There are numerous obstacles that need to be addressed before the slaughter house is to be in full operation. At the moment when the Bill is approved, it will ensure the arrival of the mobile units for slaughtered meat to be sold at the stores. Thank you.

MR SPEAKER: I acknowledge the clear explanation by the Hon Minister and the Members of the Committee. For the information of the public, this will be the first time that we will be slaughtering our own meat. However for the safety of meat to be consumed and used for our *faalavelave* the Bill provides that guarantee. I recognize the Member for Aana Alofi No. 3, what is your concern?

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: It is on the very same topic but as we are only specific on cattle, what about the pigs and chickens that are being used by families? Has the Ministry considered slaughter houses in reference to these animals used for *faalavelave* and other village functions? Thank you.

MR SPEAKER: I call on the Hon Minister.

Afioga Hon LE MAMEA ROPATI: Observe Clause 18 which provides for pigs, lamb, chickens, ducks and perhaps someday it will include pigeons. I have just returned from Australia after observing the slaughtering process in Australia and hopefully someday we will be at that level, but for now we will start small with the cows and pigs. The main purpose is insuring adequate meat is being supplied and will not cause harm to the public. The cows being used traditionally often get dragged through the mud in *faalavelaves* which then causes the meat to be infected with numerous diseases. The Bill is the approach of the Government to ensure and provide for safety of meat being slaughtered for the public. Thank you.

CLAUSE 16: Applications.

Approved.

CLAUSE 17: Inspection of establishment.

Approved.

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Slaughter and Meat Supply Bill 2014
– consideration in detail

CLAUSE 18: Number of approved slaughter houses.

Tofa LEALAILPULE RIMONI AIAFI: Mr Speaker I wish to direct my question to the Hon Minister. The Bill clearly provides for a slaughter house in Upolu but why not one in Savaii? I acknowledge the Hon Minister for clarifying the misunderstanding that the establishment of the slaughter house is pending on the approval of the Bill. However this Bill was first tabled on the 18 March 2014. Nevertheless my question remains, why will there only be a slaughter house for Upolu and not Savaii. Thank you.

Afioga Hon LE MAMEA ROPATI: With all due respect the mobile units will be available for Savaii and Upolu while the main slaughter house will be set up in Upolu. The venture is costly which is why there is a mobile unit to service Savaii. However the Government and the Ministry will ultimately establish a permanent slaughter house for Savaii once things have settled.

That is my response with due respect.

MR SPEAKER: I recognize the Member for Aana Alofi No.3.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Mr Speaker I wish to ask the Hon Minister in regards to Clause 18. There are certain requirements that the Ministry must first meet in terms of exporting meat to American Samoa which could possibly cause a delay with our slaughter house. Discussions with members from Tutuila highlighted that there are numerous legal preparations needed in getting approval from the USTA and certifying the slaughter house. Therefore I ask the Hon Minister whether the Ministry is prepared to meet all the requirements in order to gain approval and certifications so that there will not be any delays with the slaughter house once it is completed.

MR SPEAKER: I grant opportunity to the Hon Minister.

Afioga Hon LE MAMEA ROPATI: Thank you for the question. That is the very reason why our meat exports to Tutuila have been difficult because Tutuila is under the jurisdiction of America and they require certification of animals being slaughtered in the slaughter house. It is why our slaughter house is important so that our meat can be exported overseas including Tutuila. In time if there is a huge supply we will then expand to export with Tonga and neighboring countries. At the moment we are trying to build our cattle farms to make this project possible. The nation of Vanuatu is exporting meat to New Zealand, Australia and neighboring islands. Currently the Ministry is concentrating on the local supply of meat.

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Slaughter and Meat Supply Bill 2014
– consideration in detail

As we are all aware, countries like New Zealand need a stamped seal on the meat that certifies that the meat is safe for consumption. This project is spearheaded by the World Bank and they are ensuring all necessary requirements are met so that we may be able to export internationally. Thank you.

MR SPEAKER: I grant opportunity to the Member for Faasaleleaga No. 4.

Afioga PESETA VAIFOU TEVAGA (Faasaleleaga No. 4): Thank you Mr Speaker for the opportunity but I wish to ask a question before the Hon Minister moves away from this topic. The previous Member queried a slaughter house for Savaii, I second this. There are unforeseen circumstances that may occur like natural disasters that might temporarily halt the operation of the ferry service. The meat will be wasted and it is why it is important to establish a permanent slaughter house for Savaii. Thank you.

MR SPEAKER: I call on the Deputy Chairperson.

Afioga Hon AEAU PENIAMINA LEVAISEETA: Thank you Mr Speaker I am of the same opinion with the Members regarding this matter. At the moment, we have plenty of cows in Savaii that need to be exported to Tutuila. Our humble request Hon Minister is for the Ministry to pay for the mobile unit expenses to ship our cows to Upolu for slaughter. It will be fair on our citizens in Savaii as we are not really sure how many years it will take for our slaughter house in Savaii to be established. Thank you.

MR SPEAKER: Thank you.

Afioga Hon LE MAMEA ROPATI: The mobile units will not be transporting animals to Upolu for slaughter. The unit is a mobile slaughter house that will slaughter the meat and pack them for sale. The reason why we are building a slaughter house for Upolu first is because the majority of restaurants, hotels and so forth are located here and they need a permanent facility for the quantity that needs to be supplied. The Ministry and Government will eventually build one for Savaii cost permitting. Savaii is not being forgotten in this project. Thank you.

Clause 18 approved.

CLAUSE 19: Responsibilities of operators.

Approved.

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Slaughter and Meat Supply Bill 2014
– consideration in detail

CLAUSE 20: Operator to share responsibility and to provide facilities and assistance.

Approved.

CLAUSE 21: Suspension and revocation of approval.

Approved.

CLAUSE 22: Notification to the Authority.

Approved.

CLAUSE 23: General hygiene and hygiene process control.

Approved.

CLAUSE 24: Record-keepings and traceability.

Approved.

CLAUSE 25: Humane slaughter.

Approved.

CLAUSE 26: Conditions for dealing with or selling meat.

Approved.

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**Slaughter and Meat Supply Bill 2014
– consideration in detail**

CLAUSE 27: Inspection and health marking.

Approved.

CLAUSE 28: General offences.

Approved.

CLAUSE 29: Offences against authorised officers.

Approved.

CLAUSE 30: Compounding of offences.

Approved.

CLAUSE 31: Forfeiture of non-complying meat.

Approved.

CLAUSE 32: Costs of seizure and destruction.

Approved.

CLAUSE 33: Compensation not payable.

Approved.

CLAUSE 34: Protection from personal liability.

Approved.

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**Slaughter and Meat Supply Bill 2014
– consideration in detail**

CLAUSE 35: Forms.

Approved.

CLAUSE 36: Regulations

Approved.

CLAUSE 37: Transitional.

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Slaughter and Meat Supply Act 2014.

MR SPEAKER: There is a Correction on Clause 1 and Title in accordance to the Supplementary Order Paper.

Afioga Hon LEAUEPE TOLEAFOA APULU FAAFISI: Mr Speaker I move Correction on Clause 1 and Title as follows:

“CORRECTION:

To omit the number “2014” and replace it with the number “2015” thus the Bill reads:

SLAUGHTER AND MEAT SUPPLY ACT 2015.”

Correction approved.

Clause 1 and Title approved as Corrected.

The Slaughter and Meat Supply Bill 2015 progressed with Corrections.

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**National Provident Fund Amendment Bill 2014
– consideration in detail**

MR SPEAKER: I believe we are nearing the time for our usual break for the morning. We will now proceed to take our break for the day and will reconvene with our Orders when we return.

I invite members of the public to join us. It will be a good opportunity to get acquainted with the new Member from Sagaga le Usoga.

Proceedings of the Legislative Assembly will now be set aside for its normal recess hour.

Proceedings of the Assembly were set aside for its normal recess at 10.47am and resumed at 11.21am.

MR SPEAKER: I acknowledge Members of the Chamber for our Orders of the morning. I believe we have arrived at the second part of our Orders of the day and I thank you for your patience.

I trust we have all managed to gain strength and rejuvenation from our morning refreshments. We went on our break while we were still considering our Bills.

**NATIONAL PROVIDENT FUND AMENDMENT BILL 2014
– consideration in detail**

MR SPEAKER: Pursuant to Standing Order 106, the Assembly must first approve the Committee Report on the Bill before consideration in detail of the Bill commences.

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

Susuga Hon PAPALIITELE NIKO LEE HANG (Chairperson of the Finance and Expenditure Committee): Mr Speaker I move a motion, *That the Assembly approve the Committee Report that recommends the progress of the National Provident Fund Amendment Bill 2014 along with Corrections and Amendments.*

Seconded by the Deputy Speaker, one of the Members for Faasaleleaga No.1, Afioga Hon Gatoloaifaana Amataga Alesana Gidlow, Member for Sagaga le Usoga and the Member for Aleipata Itupa i Lalo.

Motion approved.

MR SPEAKER: I declare that the Assembly has now approved the Finance and Expenditure Committee Report on the National Provident Fund Amendment Bill 2014.

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**National Provident Fund Amendment Bill 2014
– consideration in detail**

The Assembly will now proceed to the consideration in detail of the National Provident Fund Amendment Bill 2014.

Pursuant to Standing Order 102, consideration of the Bill begins on Clause 2.

CLAUSE 2: Staff of the Fund.

Approved.

CLAUSE 3: Crediting of contributions to accounts.

Approved.

CLAUSE 4: Members' accounts.

Approved.

CLAUSE 5: Rate of interest.

Approved.

CLAUSE 6: Death Benefit.

MR SPEAKER: There is a Committee Amendment on Clause 6 as printed in the Supplementary Order Paper.

I call on the honorable Chairperson of the Committee.

Susuga PAPALITELE NIKO LEE HANG: Mr Speaker I move an amendment to Clause 6 as follows:-

“AMENDMENT:

To omit the “Clause 6” stated herein and renumber the provisions that follow.

Amendment approved.

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**National Provident Fund Amendment Bill 2014
– consideration in detail**

Clause 6 approved as Amended.

CLAUSE 7: Withdrawals and elections on date of entitlement.

Approved.

CLAUSE 8: Insertion of new provision.

Approved.

CLAUSE 9: Transitional

Approved.

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: National Provident Fund Amendment Act 2014.

MR SPEAKER: There is a Committee Amendment on clause 1 and title as printed in the Supplementary Order Paper.

I call on the honorable Chairperson.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move Correction on Clause 1 and Title as follows:-

“CORRECTION:

*To omit the number “2014” and replace it with the number “2015”
thus the title reads:*

NATIONAL PROVIDENT FUND AMENDMENT ACT 2015.”

Correction approved.

Clause 1 and Title approved as Corrected.

*The National Provident Fund Amendment Bill 2015 progressed with
Corrections and Amendments.*

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CRIMINAL PROCEDURE BILL 2015 – second reading

MR SPEAKER: I call on the Hon Minister of Justice and Court Administration.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, can we please proceed to the next Bill as the Hon Minister has not been seated yet.

CENTRAL BANK OF SAMOA BILL 2015 – second reading

MR SPEAKER: I call on the Hon Prime Minister.

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I move a motion, *That the Central Bank of Samoa Bill 2015 be read for the second time and I wish to elaborate on it.*

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

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, the Central Bank of Samoa Bill 2015 is to further stabilize the Central Bank of Samoa, with its provisions on the Board, its duties and powers. The Central Bank of Samoa is the controlling bank over all the commercial banks in Samoa like ANZ, Westpac, Samoa Commercial Bank of Samoa and DBWS. Mr Speaker all these Banks are under the authority of the Central Bank. The Bill repeals the Central Bank of Samoa Act 1984, the Banking Ordinance 1960 and the Board of Western Samoa Act 1974.

The first legislation was established in 1984 but was drafted in 1983. The first Appropriation tabled in 1983 by the Government addressed the operation of the State and the dim state of the country. The Government at the time took leave not long after the strike because they could not respond to the protest of the public servants requesting for an increase in wages due to the terrible financial situation we were in. Not only was the cash flow affected, but the reserves as well. At the time, we witnessed the empty stores in the country. I recall the first time the Government reviewed ways to revive the financial state; there were 23 Bills that were amended within a short period of time. The QC at the time, Crannog from Canada was asked how fast the Attorney Generals Office could re-draft the legislation as the Parliament was to meet in just a few weeks. Crannog replied that it would take a year for all 23 Bills to be drafted; this included the Customs Bill and the separation of the custom duties and excise rates.

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Central Bank of Samoa Bill 2015 – second reading

The aforementioned are some of the alternatives the Government observed to enhance the financial state of the country. At the same time the Central Bank legislation was being drafted. It was from then on that all monetary transactions were overseen by the Ministry of Finance.

The Bill was then passed to regulate the financial matters of the State which included the financial policies, our international reserves and exchange. There were also policies on the exchange adjustments that were set up in the early stages of the Government. The Bill has been amended from 1984 and until now has included new Amendments. The main purpose of the Bill is to support the policies to ensure stability for the Government in its fiscal and monetary policies. It also includes the transactions of all the Banks with reference to interest, investments and loans. The Central Bank monitors the transactions and services of all the Banks to ensure optimum service and ensure the Bank does not go bankrupt as it will definitely affect the economy. Bear in mind that the large nations have reunifications that includes the whole world. This is why we are regulating these aspects and the initiation of the changes stemmed from our economic decline between 1979 and 1982. It is still guiding our works through transparency as evident in publication of our statements for public knowledge. As some may know, our country has now become a middle income level country and is no longer a developing nation as of January last year.

Mr Speaker the Amendments on the Central Bank of Samoa Bill 1984 are now consolidated in this Bill.

MR SPEAKER: Thank you. I believe the Members of the Chamber have noted the early beginnings of the Central Bank and its progress.

I grant opportunity to the Member for Faleata East.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Thank you Mr Speaker. I also acknowledge the clarification by the Hon Prime Minister and wish to add that this Member supports the Bill.

There is a part of the Bill, although already clarified by the Governor, that should be put to the Hon Minister.

Hon Prime Minister, regarding the appointing of the Audit Committee. The Board of Directors comprises four Non Executive members. The Audit Committee will comprise members from the Board. The reason why I voice my concern is because this Committee plays a crucial role and the Bill emphasizes conflict of interest. However there will be conflict of interest because the Committee will comprise two Members from the Board. The Audit Committee has the power to remove the Governor under the discretionary advice of the Cabinet then to the O Le Ao o le Malo. This Committee holds significant power. It is why I humbly recommend to the Hon Minister to perhaps reconsider the Audit Committee to be independent of the Board. Thank you.

MR SPEAKER: Thank you. The concern of the Member is noted.

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Central Bank of Samoa Bill 2015 – second reading

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker the Audit Committee is a new concept that has just been accepted globally. If I recall correctly, it has been 8 years since a large company in America moved to computerized records because of audit issues. Auditors are not always right and it is why Audit Committees were created within the Board. The Board members understand because they deal with the Management and they understand the operations and the solutions made by the Management. One issue is the misinterpretation of conflict of interest by many people. A person without connections can be qualified but be more problematic. This misinterpretation reflects ignorance. Discretion and good decision making is exercised in these instances. It all depends on the flow of information. This is why the decision was made to appoint from the Board because they deal with the CEO and they are presented the information but they cannot know the entire record. The members understand better the auditing process instead of an independent person.

MR SPEAKER: Thank you. Member for Gagaemauga No. 2, I grant you opportunity as I believe the concerns raised have been addressed....

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER: Mr Speaker....

MR SPEAKER: I recognize the Member....

Afioga Toeolesulusulu Cedric Pose Salesa Schuster: It is the very reason why I voiced my concern. It means that the Committee will audit the Board, and the Board will audit the Board....

Susuga Hon Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: The Committee is not auditing the Board, the Committee is to audit the Management; the Director and staff. It is what I meant when I said that they use the information given to them but they do not have the entire information.

MR SPEAKER: I call on the Member for Gagaemauga No. 2.

Tofa LEVAOPOLO TALATONU: Thank you Mr Speaker for the opportunity. I first acknowledge the Ministry and the Hon Minister for the vigilant observation in regards to enhancing the service of the Central Bank.

Hon Minister I have noted the long list of objectives for the new Bill and the amendments proposed. There are almost 10 and it seems that the Bill and these amendments provide for the international reserves and the foreign exchange as well as the auditing of the Bank. My question is whether these are only provided for now in this amendment but how then was the legislation enforced....

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Central Bank of Samoa Bill 2015 – second reading

MR SPEAKER: I beg pardon of the Member.

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, remember that any new Bill that will replace an Act does not replace it entirely as you see there is the use of the word ‘continuation’ which means that the provisions of the old Act carry on to the new Bill. I am surprised the Member does not understand or perhaps you did not attend the briefing?

Tofa LEVAOPOLO TALATONU: Thank you Hon Prime Minister but I was present. Nevertheless I am grateful that now the operations done illegally are to be....

Susuga Hon TUILAEPFA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, if the Member was present and he still does not understand then I believe that any explanation would be useless to the Member. The Member simply refuses to understand.

Tofa LEVAOPOLO TALATONU: Mr....

MR SPEAKER: You have run out of opportunities.

Tofa LEVAOPOLO TALATONU: I have not finished my speech please?

MR SPEAKER: The Member for Gagaemauga No.2 has expired the two opportunities.

Motion approved and the Central Bank of Samoa 2015 was read a second time.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker we want an opportunity to assist on the Bill?

MR SPEAKER: This is the second reading.

Tofa LEALAILEPULE RIMONI AIAFI: So we are going to continue?

MR SPEAKER: It will be referred to the Committee and referred back as usual.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker, my concerns were but brief....

MR SPEAKER: I apologize to the Member, the question has been put? Please be mindful of the Chairs duty...there will be an opportunity during the consideration in detail of the Bill once it returns from Committee....

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Central Bank of Samoa Bill 2015 – second reading

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker I have the utmost respect for the Chair. However I will report you to the Samoa Victim Support for emotional abuse, nevertheless I thank you.

MR SPEAKER: Obey the orders. Pursuant to Standing Orders, the Bill will be referred to the Finance and Expenditure Committee for consideration and to report back to the Assembly in the next three months.

CRIMINAL PROCEDURE BILL 2015 – second reading

MR SPEAKER: I call on the Hon Minister of Justice and Court Administration.

Afioga Hon FIAME NAOMI MATAAFA (Minister of Justice and Court Administration): I greet the Chair and distinguished Members of the House. I stand to make a statement on the Criminal Procedure Bill 2015. I also thank the Chair for the adjustments in the Order Paper. Now both Bills can be explained together. Mr Speaker this Bill....

MR SPEAKER: I beg pardon of the Hon Minister, but a motion must be moved before you make your explanatory speech.

Afioga Hon FIAME NAOMI MATAAFA: Thank you. Mr Speaker, I move a motion, *That the Criminal Procedure Bill 2015 be read a second time.*

Seconded by the Minister of Commerce, Industry and Labour.

MR SPEAKER: I grant opportunity to the Hon Minister.

Afioga Hon FIAME NAOMI MATAAFA: Mr Speaker this Bill will repeal and replace the Districts Courts 1969 The Bill modernizes the District Court Act 1969 by removing archaic provisions no longer applicable today and implies the language used. It also applies reformed arrangements relating to the Constitution, powers and procedures of the District Courts of Samoa and the Division of the Courts. These changes are designed to enhance the administration of the Districts Courts and procedures with regard to proceedings heard and determined in it.

Mr Speaker and distinguished Members of the House that is the brief explanation of the Bill.

MR SPEAKER: Thank you. I grant opportunity to the floor and I recognize the Member for Gagaemauga No. 2.

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Criminal Procedure Bill 2015 – second reading

Tofa LEVAOPOLO TALATONU: Mr Speaker, thank you for the opportunity. I shall be brief. I wish to acknowledge the services of the Courts and the proposed improvements. However it is my concern that many public properties have been damaged due to court appeals. I assume that some who made applications for appeals have passed on. Most people overseas travel here to apply for court appeals but it appears that there are still internal issues with the Ministry. Therefore I would like to ask whether there are plans for this service to be improved. Thank you.

Afioga Hon Fiaame Naomi Mataafa: Mr Speaker I note that the Member is referring to the Land and Titles Court when we are discussing the District Courts.

Tofa LEVAOPOLO TALATONU: I mean to include everything Hon Minister.

MR SPEAKER: The Members question will be dismissed as we have not yet come to that Bill.

I grant opportunity to the Member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker it is best to ask the Hon Minister directly because there are two bills being presented at the same time; the Districts Courts Bill 2015 and the Criminal Procedure Bill 2015. Are we discussing both of them or are we discussing the District Court Bill?

MR SPEAKER: No, we are on the Criminal Procedure Bill 2015.

Tofa LEALAILEPULE RIMONI AIAFI: I asked because the Hon Minister clarified the Bill to follow but if that is the case we will comment on both.

Tofa Levaopolo Talatonu: Mr Speaker it was the very reason why I voiced my concern on the matter because this is a different Bill we are considering compared to the explanation that was given. I agree that we should now proceed with the two or maybe we should just approve them now.

MR SPEAKER: Yes, well I will now put the question.

Afioga Hon Palusalue Faapo II: I am trying to assist on the matter Mr Speaker because there is confusion. There are two different Bills that the Members should comment on instead of muddling them up together to pass them together at the same time.

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Criminal Procedure Bill 2015 – second reading

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker, I will now voice my thoughts on the Bill presented. I acknowledge the Hon Minister for the Bill and you have the support of this Constituency. The emphasis of the Bill is on Criminal Procedure. It is something that should have long been in place to provide for the process of the judicial services especially as the processes are very slow.

First, the court procedures are restricted by legislation because of the legal requirement that there should be assessors. However there is an amendment providing that the Chief Justice or any Judge may execute a sentencing without assessors except for life sentencing trials. It is very important Hon Minister that the assessors appointed for these posts meet a standard minimum qualification. It is noted that the selection of these people are not provided for.

Secondly, I query the power granted to citizens to issue an arrest. At the moment, the Ministry of Police are the only ones with the authority to do this, however the Bill provides for any member of the public to make an arrest against any persons they are certain has committed a crime. It is also being provided in the Bill that any citizen arrest should be for a criminal act with an imprisonment term of three years or more.

You are now allowed to arrest any member of the public for any crime committed without fully knowing if that person is already charged with a similar crime. I believe the provision should be the same for that person that has committed a crime. The safety of the public must be carefully considered in this Bill incase the accused may cause harm to the complainant.

This week on Monday, my brother in law had his house broken into and everything was stolen within an hour. The Ministry of Police was informed and they stated that there are escaped convicts on the loose and their whereabouts are unknown. Therefore my concern is that if the prisoners have escaped, the public should have been made aware of this especially in the Faleata areas around Vaitele. The names and pictures of these escapees should have been publicized so that the public could prepare.

Thirdly Mr Speaker, Section 33 of the Bill provides the Judge or Registrar to issue a search and seize warrant; I thought only the Judge was given the power to issue these papers. Nevertheless the Member supports and acknowledges the Bill. Thank you.

MR SPEAKER: Thank you. I grant first opportunity to the Susuga Papalii before Tofa Levaopolo. I call on the Member for Faasaleleaga No.2.

Susuga PAPALII LIO FAAVAIVAIOMANU TAEU MASIPAU (Faasaleleaga No.2): Mr Speaker and respective Members of the House, I wish to convey my gratitude to the Hon Minister for the Bill. I agree that the previous Bill is long overdue and the amendment is for the best. I wish to voice my thoughts on the assessors. I commend the provision for a term of five years for an assessor within the Judicial Service Commission.

22 APRIL 2015

Criminal Procedure Bill 2015 – second reading

There is also the provision for a total of 250 assessors and my only request is that they are selected from across the country whether it is Savaii or whatever village as the assessor is very important. I believe that the wealth of cultural knowledge of an assessor is important in advising the Judges on their sentencing. Hon Minister it is noticed that the majority of the Assessors all reside in the town on freehold land while it is my belief that wise counsel also resides in the rural villages especially with regards to these types of cases needing in depth wisdom on our Christian and cultural values. This is the humble request Hon Minister. Furthermore the Bill provides for the Registrar to review the list of assessors in January every year and perhaps this may be an opportunity to consider bringing in the elderly who are knowledgeable in our culture. It is my humble recommendation to the Hon Minister. Thank you.

MR SPEAKER: Thank you for the recommendation. I call on Tofa Levaopolo.

Tofa LEVAOPOLO TALATONU: Thank you Mr Speaker. The Bill in its entirety is accepted in its overview. The only part where I wish to voice my concern is on the section whereby a person can arrest another.

I wish to query the Hon Minister through the Speaker whether the Ministry has considered the security of the people in this part of the Bill. If an untrained person like me tries to restrain a burglar in my home, it could possibly put me in harms way. People who go out of their way to commit such crimes always go prepared with weapons.

It is why I voice my concern and recommend that this be left to the Ministry of Police for they have the skill and training to approach such situations. Thank you for the opportunity.

MR SPEAKER: Thank you. I call on the Hon Minister. I beg pardon of the Hon Minister, but I recognize the Member. I call on Afioga Tafua, the Member for Aleipata Itupa i Lalo.

Afioga Tafua MALUELUE TAFUA (Aleipata Itupa i Lalo): Mr Speaker with all due respect the section in which the two Members have voiced concerns on have always been in the Bill; citizens arrest. It simply means that a citizen of Samoa has a right to try and restrain the culprit. It is however dependent on that persons common sense in assessing the situation. If you are a petite person like me, you should not attempt to capture a culprit with the same physical build as the Member for Gagaemauga No.2. Nevertheless, a citizen may disarm or attack the culprits legs and not the head as you will be charged by the Police.

Thank you.

MR SPEAKER: I grant opportunity to the Member for Faleata West.

22 APRIL 2015

Criminal Procedure Bill 2015 – second reading

Tofa LEALAILEPULE RIMONI AIAFI: Mr Speaker, I will now voice my thoughts on the Bill presented. I acknowledge the Hon Minister for the Bill and you have the support of this Constituency. The emphasis of the Bill is on Criminal Procedure. It is something that should have long been in place to provide for the process of the judicial services especially as the processes are very slow.

First, the court procedures are restricted by legislation because of the legal requirement that there should be assessors. However there is an amendment providing that the Chief Justice or any Judge may execute a sentencing without assessors except for life sentencing trials. It is very important Hon Minister that the assessors appointed for these posts meet a standard minimum qualification. It is noted that the selection of these people are not provided for.

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This week on Monday, my brother in law had his house broken into and everything was stolen within an hour. The Ministry of Police was informed and they stated that there are escaped convicts on the loose and their whereabouts are unknown. Therefore my concern is that if the prisoners have escaped, the public should have been made aware of this especially in the Faleata areas around Vaitele. The names and pictures of these escapees should have been publicized so that the public could prepare.

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MR SPEAKER: Thank you. I grant first opportunity to the Susuga Papalii before Tofa Levaopolo. I call on the Member for Faasaleleaga No.2.

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Criminal Procedure Bill 2015 – second reading

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MR SPEAKER: Thank you for the recommendation. I call on Tofa Levaopolo.

Tofa LEVAOPOLO TALATONU: Thank you Mr Speaker. The Bill in its entirety is accepted in its overview. The only part where I wish to voice my concern is on the section whereby a person can arrest another.

I wish to query the Hon Minister through the Speaker whether the Ministry has considered the security of the people in this part of the Bill. If an untrained person like me tries to restrain a burglar in my home, it could possibly put me in harms way. People who go out of their way to commit such crimes always go prepared with weapons.

It is why I voice my concern and recommend that this be left to the Ministry of Police for they have the skill and training to approach such situations. Thank you for the opportunity.

MR SPEAKER: Thank you. I call on the Hon Minister. I beg pardon of the Hon Minister, but I recognize the Member. I call on Afioga Tafua, the Member for Aleipata Itupa i Lalo.

Afioga Tafua MALUELUE TAFUA (Aleipata Itupa i Lalo): Mr Speaker with all due respect the section in which the two Members have voiced concerns on have always been in the Bill; citizens arrest. It simply means that a citizen of Samoa has a right to try and restrain the culprit. It is however dependent on that persons common sense in assessing the situation. If you are a petite person like me, you should not attempt to capture a culprit with the same physical build as the Member for Gagaemauga No.2. Nevertheless, a citizen may disarm or attack the culprits legs and not the head as you will be charged by the Police.

Thank you.

MR SPEAKER: I grant opportunity to the Member for Faleata West.

22 APRIL 2015

Criminal Procedure Bill 2015 – second reading

Tofa Lealailepule Rimoni Aiafi: Thank you to the Hon Minister. The Member is correct there is an addition to the provision which states that the criminal offence should be one that renders a imprisonment term of three year or more. My view is that if it is to be allowed, then it should be opened to any criminal act no matter the term of imprisonment. But you are correct about an assault that I can be charged because the only option would be to whack the culprit with a 2/4.

MR SPEAKER: I remind the Members of the House to exercise discretion as some listeners of the public may take wrongly to our words. The purpose of the Bill is to protect and not to encourage action. It is best to exercise caution because the culprit may not be charged but the citizen carrying out the arrest. There are other ways to solving such problems instead of further breaking the law. I grant opportunity to the Member for Aleipata Itupa i Lalo.

Afioga TAFUA MALUELUE TAFUA: Mr Speaker there is one more section of the Bill that needs to be emphasized, the disclosure of evidence from witnesses. There is a section whereby the accused or his or her lawyer can request for the list of witnesses. There should be a provision to protect the witnesses. I trust the Judges will exercise discretion on the matter and not allow the accused to receive information about the witnesses. Thank you.

MR SPEAKER: I give the opportunity to the Hon Minister for the response.

Afioga Hon FIAME NAOMI MATAAFA: Thank you Mr Speaker. I acknowledge the Members who raised concerns on the matter. I also acknowledge the Member who elaborated on the citizen arrest and yes it has always been included in the Bill. Samoa is not the only country that exercises this provision giving citizens the right to make an arrest. Mr Speaker for the Parliamentary records, the Bill we are currently discussing is the Criminal Procedure Bill 2015. I apologize for the clarification made on the Bill that will be considered next as was noted by some of the Members. Mr Speaker, the concerns and suggestions will be considered and reviewed by the Committee and hopefully the concerns and suggestions and the priorities of the Bill will have been emphasized when it is referred back to the Chamber for the third reading.

Thank you.

Motion approved and the Criminal Procedure Bill 2015 was read a second time.

MR SPEAKER: Pursuant to Standing Orders the Criminal Procedure Bill 2015 will be referred to the Justice, Police & Prisons and Land & Titles Committee for consideration to report back to the Assembly within three months time.

22 APRIL 2015

DISTRICT COURTS BILL 2015- second reading

MR SPEAKER: I call on the Hon Minister.

Afioga FIAME NAOMI MATAAFA: Mr Speaker I move a motion, *That the District Courts Bill 2015 be read a second time.*

Seconded by the Minister of Communications and Information Technology and the Minister of Commerce, Industry and Labour.

Afioga FIAME NAOMI MATAAFA: Mr Speaker I have already explained the contents of the Bill. Is that sufficient or perhaps they can be carried forward in our Hansard?

MR SPEAKER: I believe the Members have agreed upon it. The two Bills have been clarified and it is now time for the Bills to be referred to the Committee. The Committee is open for queries when it is time for consideration in detail.

Motion approved and the District Courts Bill 2015 was read a second time.

MR SPEAKER: Pursuant to Standing Orders, the District Courts Bill 2015 will be referred to the Justice, Police & Prisons and Land & Titles Committee for consideration to report back to the Assembly within three months time.

I call upon the Hon Prime Minister for the motion.

MOTION TO CHANGE SITTING HOURS

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker I move a motion, *That the Sitting hours return to the hours stipulated in Standing Order 31(1).*

Seconded by the Deputy Prime Minister, Minister of Commerce, Industry and Labour and the Minister of Communication Information Technology.

Motion approved and the Sitting hours returned to its normal hours in accordance to Standing Order 31(1).

MR SPEAKER: I believe we have come to the end of our Orders of the day as we have completed our work as printed in the Order Paper with the consideration of the Bills under a state of urgency. With all due respect, I humbly acknowledge the respective Members of the Chamber; the Hon Prime Minister and Cabinet and also the Leader of Opposition and that side of the House. Thank you for the work today. We have completed our work thanks to the love and kindness of our Father in Heaven. I acknowledge the patience and presence of the Members for this month.

22 APRIL 2015

Motion to Change Sitting Hours

We still have reports yet to be received from the Parliamentary Committee and now we have referred additional work to the Parliamentary Committees. The Chair humbly requests that the Parliamentary Committees complete the consideration of the referred matters and present their Reports in our May Sitting. It is crucial that some of the important Bills such as the Electoral Bills are not delayed and I trust the honorable Chairperson of the Committee will adhere to this request. The Chair and Members of the Parliament request that the reports on the Bills be presented on the May 26th Sitting.

I acknowledge once again the new Member, Susuga Seiuli. The Chamber has voiced its blessings on your election and we trust you will be in support of our work. There will come a time when the Office of the Legislative Office will carry out their induction. The Clerk of the Legislative Assembly is available for queries and is here to assist on any matter. I also acknowledge the nation this time of the day. I acknowledge your patience and service Samoa. The Parliament is blessed for the prayers and continuous support. I also acknowledge the prayers of the Clergy and the Servants of the Lord constantly praying for the successful future of the Parliament and all of Samoa. I thank also the Heads of the Government Departments and I wish you all the very best with your duties.

Before we adjourn our Sitting, I ask the Member for Faleata West to conclude our Proceedings with a word of prayer.

Proceedings of the Legislative Assembly were adjourned at 12.17pm, until 9.00am on Tuesday, 26th May 2015.

