

WEDNESDAY, 7TH AUGUST 2013

Mr Speaker took the chair at 9:00am.

Prayer.

MESSAGE FROM LE AO O LE MALO

Mr Speaker announced the message from His Highness, O Le Ao o le Malo.

1. “MEMORANDUM for:

Mr Speaker:

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

1. Agriculture Store Corporation Repeal Bill 2013.

GIVEN UNDER my Hand on Tuesday 6th day of August in the year 2013.

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

2. THE CERTIFICATE OF URGENCY.

Pursuant to Standing Orders 99 (2), **I, TUI ATUA TUPUA TAMASESE EFI, O LE AO O LE MALO,** hereby issue the Certificate of Urgency to the Legislative Assembly for the meeting that will commence on Tuesday, 6th August 2013.

1. Agriculture Store Corporation Repeal Bill 2013.

GIVEN UNDER my Hand this Tuesday 6th August in the year 2013.

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

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**Road Traffic Amendment Bill 2013
– consideration in detail**

MR SPEAKER: I believe that we have arrived on this new day with the feeling that the esteemed presence of the House have joined together.

It is with the spirit of love that I greet the esteemed House on this new day. We have arrived to resume our work for today and I wish you all great sailing through our journey. I wish to greet the members of the House, in all its various honorifics, as I believe and notice that all are experiencing good health.

I would also like to extend my greetings to the esteemed guests present, the esteemed Heads of Government Ministries and Corporations; please note that we will now commence our work for today.

I also consider that we are gathered together with our country's youth who are resuming their programme as was made known yesterday. I believe that all will be patient as our Parliament moves on with its work for today.

**ROAD TRAFFIC AMENDMENT BILL 2013
– consideration in detail**

MR SPEAKER: In accordance with Standing Order 106, the Legislative Assembly should first approve the Committee Report before it can continue with the consideration in detail of the Bill.

I call on the honourable Chairperson of the Works, Transport and Environment Committee.

Tofa TUSA MISI TUPUOLA (Chairperson, Works, Transport and Environment Committee): Mr Speaker, let the honoured salutations for this esteemed gathering remain as is for it continues to be dignified as should the Parliament of Samoa. I acknowledge the presence of the Hon Prime Minister; I also acknowledge the presence of the Cabinet Ministers, the Leader of the Opposition and all the assembled members of the Parliament of Samoa.

Mr Speaker, you have already offered our prayers acknowledging our High God's kindness in making this occasion a reality today.

I stand with respect Mr Speaker to move the motion, *That the Legislative Assembly approve the Select Committee Report recommending the Road Traffic Amendment Bill 2013 progress with Amendments.*

Seconded by the member for Alataua Sisifo and the member for Palauli.

Motion approved.

MR SPEAKER: I would like to make known that the Legislative Assembly has approved the Report of the Works, Transport and Environment Committee on the Road Traffic Amendment Bill 2013.

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Road Traffic Amendment Bill 2013
– consideration in detail

The Legislative Assembly will now continue the consideration in detail of the Road Traffic Amendment Bill 2013.

In accordance with Standing Order 102, the consideration in detail will begin on Clause 2 of the Bill.

CLAUSE 2: Amendment of Clause 40.

MR SPEAKER: There is an Amendment on Clause 2 as shown in the Supplementary Order Paper.

I call on the Chairperson for the Works, Transport and Environment Committee.

Tofa TUSA MISI TUPUOLA: Mr Speaker I move an Amendment on Clause 2 which reads:

“AMENDMENT:

- i) To omit subclause (3C);
- ii) To renumber subclause (3D) to become the new subclause (3C).”

This Amendment was recommended because of contradictions with the Constitution and the independence of the Judiciary as supported and agreed upon by the Attorney General.

With all due respect.

Amendment approved.

Clause 2 approved with Amendment.

CLAUSE 3: To repeal Section 40D.

Approved.

CLAUSE 4: To amend Section 40E.

Approved.

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Road Traffic Amendment Bill 2013
– consideration in detail

CLAUSE 5: To amend Section 40K.

Approved.

CLAUSE 1 AND THE TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Road Traffic Amendment 2013.

Approved.

The Road Traffic Amendment Bill 2013 progressed with Amendments.

CONSTITUTION AMENDMENT BILL (NO. 2) 2012
– consideration in detail

MR SPEAKER: In accordance with Standing Order 106, the Legislative Assembly should first approve the Committee Report on the Bill then the opportunity is given to consider the Bill in detail.

I call on the Chairperson for the Finance and Expenditure Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG (Chairperson, Finance and Expenditure Committee): Mr Speaker I move the motion, *That the Legislative Assembly approve the Select Committee Report recommending the Constitution Amendment Bill (No. 2) 2012 progress with Corrections.*

Seconded by the member for Aleipata Itupa i Lalo.

Motion approved.

MR SPEAKER: I would like to make known that the Legislative Assembly has approved the Report of the Finance and Expenditure Committee on the Constitution Amendment Bill (No. 2) 2012.

The Legislative Assembly will now commence with its consideration in detail of the Bill.

In accordance with Standing Order 102, consideration in detail will begin on Clause 2 of the Bill.

CLAUSE 2: Article 83 amended.

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Constitution Amendment Bill (No. 2) 2012
– consideration in detail

MR SPEAKER: There is a correction on Clause 2 as shown in the Supplementary Order Paper. I call on the Chairperson for the Finance and Expenditure Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move a Correction on Clause 2 which reads:

“CORRECTION:

To omit the term “General” as it appears before the term “Auditor” but after the word “and”, and substitute therewith the term “Chief” thus it reads:

“(h) Controller and Chief Auditor, and other officers and employees of the Audit Office specified under the Article 97; or”.

Correction approved.

Clause 2 approved with Correction.

CLAUSE 3: Article 97 substituted.

MR SPEAKER: There is a Correction on Clause 3 as shown in the Supplementary Order Paper. I call on the Chairperson for the Finance and Expenditure Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move a Correction to Clause 3 which reads:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“Controller and Chief Auditor”.

Correction approved.

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Constitution Amendment Bill (No. 2) 2012
– consideration in detail

Clause 3 approved with Correction.

CLAUSE 4: New Article 97A added.

MR SPEAKER: There is a correction to Clause 4 as shown in the Supplementary Order Paper. I call on the Chairperson for the Finance and Expenditure Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move a Correction to Clause 4 which reads:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“Controller and Chief Auditor”.

Correction approved.

Clause 4 approved with Correction.

CLAUSE 5: Article 98 substituted.

MR SPEAKER: There is a correction on Clause 5 as shown in the Supplementary Order Paper. I call on the Chairperson for the Finance and Expenditure Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move a Correction on Clause 5 which reads:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“Controller and Chief Auditor”.

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Constitution Amendment Bill (No. 2) 2012
– consideration in detail

Correction approved.

Clause 5 approved with Correction.

CLAUSE 6: Article 99 substituted.

MR SPEAKER: There is a Correction on Clause 6 as shown in the Supplementary Order Paper. I call on the Chairperson for the Finance and Expenditure Committee.

Susuga Hon PAPALITELE NIKO LEE HANG: Mr Speaker I move a Correction in Clause 6 which reads:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“Controller and Chief Auditor”.

Correction approved.

Clause 6 approved with Correction.

CLAUSE 7: New Articles 99A to 99F added.

MR SPEAKER: There is a Correction on Clause 7 as shown in the Supplementary Order Paper. I call on the Chairperson for the Finance and Expenditure Committee.

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Constitution Amendment Bill (No. 2) 2012
– consideration in detail

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move the correction in Clause 7 which reads:

“CORRECTION:

To omit the word “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“Controller and Chief Auditor”.

Correction approved.

Clause 7 approved with Correction.

CLAUSE 8: Saving.

MR SPEAKER: There is a Correction on Clause 8 as shown in the Supplementary Order Paper.

I call on the Chairperson for the Finance and Expenditure Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move a Correction in Clause 8 which reads:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“Controller and Chief Auditor”.

Correction approved.

Clause 8 approved with Correction.

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Constitution Amendment Bill (No. 2) 2012
– consideration in detail

CLAUSE 1 AND TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Amendment of the Constitution (No. 2) 2012.

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

I call on the Chairperson for the Finance and Expenditure Committee.

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

“CORRECTION:

To omit the number “2012” and substitute thereby the number “2013”, thus the name of the Bill reads:

Constitution Amendment Bill (No.2) 2013.”

Correction approved.

Clause 1 and Title approved with Correction.

The Constitution Amendment Bill (No.2) 2013 progressed with Corrections.

AUDIT BILL 2012 – consideration in detail

MR SPEAKER: In accordance with Standing Order 106, the Legislative Assembly should first approve the Report of the Select Committee on the Bill then the opportunity is given for the Bill to be considered in detail.

I call on the Chairperson for the Finance and Expenditure Committee

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move a motion, *That the Legislative Assembly approve the Select Committee Report recommending the Audit Bill 2012 progress with Amendments and Correction.*

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

Motion approved.

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Audit Bill 2012 – consideration in detail

MR SPEAKER: I would like to announce that the Legislative Assembly has approved the Report of the Finance and Expenditure Committee regarding the Audit Bill 2012.

The Legislative Assembly will now commence with considering the Audit Bill 2012 in detail.

In accordance with Standing Order 102, the consideration in detail will begin in Clause 2 of the Bill.

Before the consideration in detail commences, I turn to the Chairperson for the Finance and Expenditure Committee for general Corrections on the Bill.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move the general Correction on the Bill which reads:

“CORRECTION:

To omit the term “General” as it appears in any section of the Clause and substitute therewith the term “Chief” thus the description of the title reads:

“Controller and Chief Auditor.””

Correction approved.

General Correction approved.

CLAUSE 2: Interpretation.

Approved.

CLAUSE 3: Purpose of the Act.

Approved.

CLAUSE 4: Extra-territorial application of Act.

Approved.

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Audit Bill 2012 – consideration in detail

CLAUSE 5: Act binds Government.

Approved.

CLAUSE 6: Other Acts to be read subject to this Act.

Approved.

CLAUSE 7: Criteria for appointment of Controller.

Approved.

CLAUSE 8: Disqualification.

Approved.

CLAUSE 9: Declaration of office by Controller.

Approved.

CLAUSE 10: Salary, allowances and other benefits of the Controller.

Approved.

CLAUSE 11: Establishment of the Audit Office.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move the Amendment on Clause 11(1)(b) which reads:

“AMENDMENT:

- i) *To omit the term “Deputy Controller” as it appears in clause 11(b) and substitute therewith the term “Assistant Auditor” thus it reads:*

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Audit Bill 2012 – consideration in detail

“11(1)(b) the Assistant Auditor; and”

- ii) *To omit the term “Deputy Controller” as it appears in clause 11(3) and substitute therewith the term “Assistant Auditor” thus it reads:*

“11(3) The Controller has the sole power to employ, which includes power to structure, appoint, manage, and fix remuneration and salaries of the Assistant Auditor, Officers, employees and other persons of the Audit Office on terms that the Controller thinks fit.”

Amendment approved.

Clause 11 approved with Amendment.

CLAUSE 12: General powers.

MR SPEAKER: There is an Amendment of Clause 12 as shown in the Supplementary Order Paper.

I call on the Chairperson for the Finance and Expenditure Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move the Amendment of Clause 12:

“AMENDMENT:

To insert the expression “and auditing” after the word “accounting” as it appears in paragraph (c) thus the new paragraph reads:

“12(c) generally accepted accounting and auditing principles and practices and”.

Amendment approved.

Clause 12 approved with Amendment.

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Audit Bill 2012 – consideration in detail

CLAUSE 13: Ancillary powers.

Approved.

CLAUSE 14: Functions or powers under other Acts.

Approved.

CLAUSE 15: Management letters.

Approved.

CLAUSE 16: Appointment of persons to audit.

Approved.

CLAUSE 17: Delegation.

Approved.

CLAUSE 18: Certification and return of receipts and annual return.

Approved.

CLAUSE 19: Submission, examination and approval of claims for payment.

Approved.

CLAUSE 20: Power to obtain information.

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Audit Bill 2012 – consideration in detail

MR SPEAKER: There is an Amendment of Clause 20 as shown in the Supplementary Order Paper.

I call on the Chairperson for the Finance and Expenditure Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move the Amendment of Clause 20(6) which reads:

“AMENDMENT:

To omit the expression “5 penalty units” as it appears in Clause 20 (6) and substitute thereby the expressions “50 penalty units” thus it reads:

“20(6). A person who, without reasonable excuse, fails within 14 days of receiving the direction to comply with a direction under this section, commits an offence and is liable on conviction to a fine not exceeding 50 penalty units or to imprisonment for a term not exceeding two (2) years, or both.”

Amendment approved.

Clause 20 approved with Amendment.

CLAUSE 21: Controller’s access to accounts, information, money and property.

Approved.

CLAUSE 22: Duty to give information overrides other duties and rights.

Approved.

CLAUSE 23: Legal professional privilege cannot be claimed.

Approved.

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Audit Bill 2012 – consideration in detail

CLAUSE 24: Disclosure of information by Controller.

Approved.

CLAUSE 25: Confidential information.

MR SPEAKER: There is an Amendment of Clause 25 as shown in the Supplementary Order Paper.

I call on the Chairperson for the Finance and Expenditure Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move the Amendment of Clause 25 which reads:

“AMENDMENT:

To omit the term “Deputy Controller” as it appears in Clause 25(1)(c) and substitute therewith the term “Assistant Auditor” thus it reads:

“25(1)(c). the Assistant Auditor or an officer or employee of the Audit office;”

Amendment approved.

Clause 25 approved with Amendment.

CLAUSE 26: Power to surcharge.

Approved.

CLAUSE 27: Power to recover unsatisfied surcharge.

Approved.

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Audit Bill 2012 – consideration in detail

CLAUSE 28: Appeals against surcharge.

Approved.

CLAUSE 29: Audit of public assets, public liabilities, public equity and public money.

Approved.

CLAUSE 30: Audit of financial statements of public bodies and related entities.

Approved.

CLAUSE 31: Audit of subsidiaries of public bodies.

Approved.

CLAUSE 32: Accountable authorities of public bodies and audited subsidiaries.

Approved.

CLAUSE 33: Submission of financial statements by accountable authorities.

Approved.

CLAUSE 34: Functions of related entities.

Approved.

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Audit Bill 2012 – consideration in detail

CLAUSE 35: Audit of non-controlled entities.

Approved.

CLAUSE 36: Audit of statutory and local authorities.

Approved.

CLAUSE 37: Request for audits.

Approved.

CLAUSE 38: Audit for examination or investigation.

Approved.

CLAUSE 39: Comments on proposed audit report.

Approved.

CLAUSE 40: Audit reports of public bodies.

Approved.

CLAUSE 41: Audit reports on any examination or investigation.

Approved.

CLAUSE 42: Tabling of audit reports.

Approved.

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Audit Bill 2012 – consideration in detail

CLAUSE 43: Performance audits.

Approved.

CLAUSE 44: Requirements for performance audits.

Approved.

CLAUSE 45: Requirements for environmental audits.

Approved.

CLAUSE 46: Requirements for IT audits.

Approved.

CLAUSE 47: Performance audit of public bodies.

Approved.

CLAUSE 48: Special power to inspect private bank accounts.

Approved.

CLAUSE 49: Exemption from liability.

MR SPEAKER: There is an Amendment by the Committee on Clause 49 as shown in the Supplementary Order Paper.

I call on the Chairperson for the Finance and Expenditure Committee.

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Audit Bill 2012 – consideration in detail

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker I move the Amendment of Clause 49 which reads:

“AMENDMENT:

To omit the term “Deputy Controller” as it appears in Clause 49 and substitute therewith the term “Assistant Auditor” thus as it reads:

“49. The Controller and Auditor General, the Assistant Auditor and any officer or employee of the Audit office, or any other person acting on behalf of, or with the authority of the Controller, is not liable for anything done or omitted to be done, or purported to have been done or omitted to be done, or purported to have been done in good faith in carrying out the functions, duties and powers under this Act or any other Act.”

Amendment approved.

Clause 49 approved with Amendment.

CLAUSE 50: Resolution of disputes.

Approved.

CLAUSE 51: Payment of public money if receipts lost or destroyed.

Approved.

CLAUSE 52: Audit fees.

Approved.

CLAUSE 53: Regulations.

Approved.

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Audit Bill 2012 – consideration in detail

CLAUSE 54: General offences and penalties.

Approved.

CLAUSE 55: Repeal and consequential amendments.

Approved.

CLAUSE 56: Delegations under the Ordinance.

Approved.

CLAUSE 57: Appointments under the Ordinance.

Approved.

CLAUSE 58: Fees under the Ordinance.

Approved.

CLAUSE 59: References to “Controller and Chief Auditor” in other Acts.

Approved.

CLAUSE 60: Rights of Audit Office employees preserved.

Approved.

CLAUSE 61: Transitional regulations.

Approved.

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Audit Bill 2012 – consideration in detail

SCHEDULES.

Approved.

CLAUSE 1 AND THE TITLE:

CLAUSE 1: Short title and commencement.

TITLE: Audit Bill 2012.

MR SPEAKER: There is a Correction by the Committee of Clause 1 and the Title as shown in the Supplementary Order Paper.

I call on the Chairperson for the Finance and Expenditure Committee.

Susuga Hon PAPALIITELE NIKO LEE HANG: Mr Speaker, I move the Correction of Clause 1 and the Title which reads:

“CORRECTION:

To omit the number “2012” and substitute thereby the number “2013”, thus the title of the Bill reads:

“Audit Bill 2013.””

Correction approved.

Clause 1 and Title approved with Amendment.

The Audit Bill 2013 progressed with Amendments and Corrections.

MR SPEAKER: The Chair notes the voices of this side of the House are inaudible. If the Members are weary, there is hot water ready outside to make a cup of coffee as we are also nearing our usual recess. It is preferred that a response is heard when the question is put as there will be no balance if you sit idly.

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AGRICULTURE STORE CORPORATION REPEAL BILL 2013
 – first reading

MR SPEAKER: I call on the Hon Minister of Finance.

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA (Minister of Finance): Mr Speaker I move a motion, *That the Agriculture Store Corporation Repeal Bill 2013 be read the first time.*

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

Motion approved and the Agriculture Store Corporation Repeal Bill was read the first time.

AGRICULTURE STORE CORPORATION REPEAL BILL 2013
 – second reading

MR SPEAKER: I have in my hand a Certificate of Urgency signed by His Highness, the Head of State, the Legislative Assembly will now commence with the second reading of the Bill.

I call on the Hon Minister of Finance.

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: Mr Speaker I move the motion, *That the Agriculture Store Corporation Repeal Bill 2013 be read a second time and I wish to clarify it.*

Seconded by the Minister for Women, Community and Social Development.

MR SPEAKER: I call on the Hon Minister of Finance for his clarification.

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: Mr Speaker and the esteemed House, this Bill is a result of the Governments continued efforts to privatise its corporations. The intention of the Bill is therefore to first dissolve the current Corporation.

Second, ownership of these assets will be transferred to the successful bidder when it comes to bidding time. Another matter would be the legislating of the new company after the tender. This Bill will repeal the Principal Act that provides for the establishment of the Corporation in 1975.

Mr Speaker, as the esteemed House is aware this Bill was withdrawn yesterday, as there were amendments that the Cabinet needed to insert to ensure that Government assets should not be sold together with the business, but placed in a position where rental arrangements are in place for those who will be using the building, or buildings thereon, as well as the land.

The intention was to first ensure consumer protection so that the agricultural products are not monopolized by the company who will take over the Corporation.

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Agriculture Store Corporation Repeal Bill 2013
– second reading

In addition, the farmers should be able to afford these services at a reasonable price for their farming activities and providing crops for national consumption and export.

Second, the Cabinet reconsidered that the employment of the current staff will not be affected when the Corporation is privatised.

This is the reason behind the Bill; to dissolve the Corporation and restructure it as a private business protection Government assets and the employment of those currently employed there with all due respect. May this Meeting be blessed.

MR SPEAKER: Well done; thank you for your clarifications Hon Minister on the Bill. The floor is now open to members who wish to comment.

I beg tolerance of this side of the House as the opportunity is first given to the Deputy Leader of the Opposition, then we will proceed accordingly.

I call on the esteemed member.

Afioga Hon AEAU PENIAMINA LEAVASEETA (Falealupo): Thank you for the opportunity Mr Speaker. I stand with respect suited to the esteemed Parliament to comment on the Bill in a quiet voice because it is ordered by Mr Speaker. The reason we were persistent on the last bill we considered is because there are bills that are harmful and there are bills that we fully support. However we will attempt to comment on the Bill brought forward by the Minister responsible for the Agriculture Store.

Gratitude is expressed for the intention to privatise. The reason behind this sentiment is that the country has seen that beds and other unnecessary goods are being sold but these are useless in the farms. It is probable that there was bankruptcy because the Management was unsuitable. This Corporation is specific to agriculture and it not be made known as it is a matter of fact. There were complaints and suggestions given to the general public and it was also heard by the Management and the Corporation. Why? The Government was taking over the business of the private sector. How about now? That is probably why it went bankrupt. This is important to me as a farmer....

MR SPEAKER: I beg tolerance to the speaking member there is a point of order. I call on the Hon Minister of Finance.

Afioga Hon Faumuina Tiatia Faaolatane Liuga: Mr Speaker I believe the allegation that the Corporation is bankrupt is serious. If the member considers the previous two years, the Corporation is not bankrupt but has begun to improve. This is the reason it is being privatised and its revenue is slowly increasing.

The other products in which the member commented on as not agricultural products but a farmer does not live under a banana tree. The reason wooden boards, roofing iron and other similar products are sold is because farmers also receive benefits under concessions of certain agricultural products.

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Agriculture Store Corporation Repeal Bill 2013
– second reading

Agricultural products also include lumber which are forestry products related to agricultural products. However, if there is shelter...

In the past, farmers made shelter under the banana leaves but since the world has advanced, houses should be built. Wooden boards and nails are needed and the intention is that these products are all found in one store.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: (Prime Minister): A point of order Mr Speaker.

MR SPEAKER: I beg tolerance of the Hon Minister, I call on the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: The member for Falealupo is commenting on matters he remembers from the past, but it has been over 40 years and he has not returned to Falealupo. He is unaware that farmers are now living in houses made of wooden boards, cement and roofing iron. This is why there are issues with the water catchment. The member should return to Savaii and advise the constituency to stay away from the water catchment area.

That is my recommendation. The member is correct on the events of the past but it has been cons since he has returned to Savaii.

MR SPEAKER: I call on the esteemed Member that your concerns have been made clear and understandable with regards to comments on beds, tables and related matters.

I call on the member.

Afioga Hon AEAU PENIAMINA LEAVAISEETA: Thank you Mr Speaker. These are the things that are brought in modern times like mattresses and beds for a farmer to sleep on. These are not needed in the farms.

The farmer needs affordable fertilizer or free supply by Government. Those are the necessities for a farmer. Both of you do not have plantations but this should be the priority as the farmers are listening in. What does a farmer want? They do not want a bed, they do want the things that you are aiming towards, they want the affordable chemicals, fertilizer but not beds and mattresses.

MR SPEAKER: I beg tolerance to the esteemed member. I give the opportunity to the Hon Minister for his response.

I call on the Hon Minister.

Afioga Hon Faumuina Tiatia Faaolatane Liuga: I would like to thank the esteemed member for Falealupo. I did not mention any mattresses; I only mentioned lumber, roofing iron and nails.

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Agriculture Store Corporation Repeal Bill 2013
– second reading

I have seen the house of the esteemed member and those items are present, but you are quick to point out.... His constituency is unaware that the water pipes were replaced within five years because what happened in the past will reoccur.

The water pipes were dug up and given to the villagers and new pipes were brought from Apia. Those newly installed water pipes will have to be replaced again if the member continues to use the land around the water catchment area. Neiafusu aquifer will soak in all the water at the expense of Falealupo, but I did not mention any beds Mr Speaker; every human being needs to sleep.

MR SPEAKER: I call on the esteemed member for Falealupo to continue with his comments.

Afioga Hon AEAU PENIAMINA LEAVASEETA: Mr Speaker, the Hon Minister tires himself unnecessarily.

It seems that the Hon Minister is following the style of the Hon Prime Minister in changing the subject. We have come to the subject of water when I was speaking about mattresses but no matter.

Recently, the Agro Store broadcast an advertisement that there would be a vehicle circling around Upolu. Perhaps you know the ad? It comes twenty times a night, 7 nights a week in 2 months and what is the purpose? Only one broadcast is needed and the public will be aware. By the way, who asked them for such a service? Its common sense. What is the purpose of pursuing something when you get nothing in return? No wonder it is bankrupt – and now it will be sold.

MR SPEAKER: I beg tolerance of the member. I give the opportunity to the Hon Minister for his clarification.

Afioga Hon Faumuina Tiatia Faaolatane Liuga: Mr Speaker, the member is incorrect. A business that is in need of revenue cannot allow vehicles to circle the island. This is the reason land trials were removed from under the Agriculture Store, because it is not a Ministry but a Government Corporation that seeks to gain revenue.

In 2001, using assets for non value added activities was protected and thus this Corporation is being dissolved and ownership transferred to a skilled entrepreneur for the benefit of the Corporation with all due respect.

Afioga Hon AEAU PENIAMINA LEAVASEETA: Thank you; Mr Speaker, I empathize, but it is important that we recognize these minute details because our funds are being thrown to the wind without any benefit. If we consolidate what we have, we would not be bankrupt but instead earn a profit; these recommendations are useful for Government entities that are involved in the same situations.

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Agriculture Store Corporation Repeal Bill 2013
– second reading

Finally, we are grateful for this initiative. My appeal and the appeal of the farmers is that such a venture is not ceased because this service will not be offered at a low price from private companies. The farmers are struggling. Ok – There is foreign aid and it should be used to subsidise the goods for cheaper prices. We do not request for much, all we need is fertilizer and weed killer and anything to assist the farmers. Private companies cannot subsidize these goods because they can always mark up the prices. The only way these hopes for the Agriculture Store will become reality is if there are no expenses.

That is the request with all due respect.

MR SPEAKER: Well done. I now call on the member for Aana Alofi No. 3.

Afioga TOEOLESULUSULU CEDRIC POSE SALESA SCHUSTER (Aana Alofi No. 3): Thank you Mr Speaker for the opportunity. Thank you also for this Bill. There is one section I would like to understand Mr Speaker. Regarding clause 5 as the esteemed Hon Minister has commented on that no company holds monopoly. However, the wording stipulates a person. If it is possible for the term to be specified, not only to stipulate a single person, but also a company that would bid for and acquire this opportunity.

Thank you.

MR SPEAKER: Very well, thank you. I now call on the member for Faleata West.

Tofa LEALAILEPULE RIMONI AIAFI (Faleata West): Thank you Mr Speaker for the opportunity. I wish to greet the honourable and esteemed members today.

Just a brief comment on the Bill. I first of all convey my appreciation to the Hon Minister and the Ministry for their efforts on this Bill. I am sure that this initiative has taken a while to be completed and it has come to fruition at this time Hon Minister. If you recall, the dissolution of the Ministry of Works led to the establishment of many companies and new businesses and has raised the quality of work and services.

This process has continued with the Ministry of Agriculture. However, this is the intention of the Government; once the private sector is prepared to absorb these services, it would be placed upon them to make it easier and further increase competition between businesses.

Firstly, as a member I am not happy with the Samoan translation of dissolution, which is ‘faataapeina’ as given in the Bill. This word seems to mean that a bomb would set off to break apart something that we are not happy with. Would it be possible to use the word ‘faamatuu’ which means released as it appears to progress in that manner.

I believe that there are outstanding debts and loans of the Corporation. The question is how the new Store will progress with these?

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– second reading

One area that is prioritized with these changes is the surety given by the Government in the protection of our people who are currently employed within the Corporation.

It is a must that there should be an opportunity or option given to those who wish to retire, so that they receive pay offs. As for those who wish to be made redundant, they should be given compensation if they wish to discontinue in the new organisation. For it is true that there is a provision to continue the employment of the employees, but there is also power given to the new company to retire them because it will be operated as a business. Currently, even if a chemical sells or not, you will still get paid on Government pay day. However, this may not be the case with the change and the employees should prepare accordingly.

During the dissolving of other Companies, the employees were made shareholders and when their services were to be terminated, the employee would flag the fact that they are shareholders. This complicates the issue, and to this day, there are attempts to try and revive other entities which operate like this.

This is an advantageous endeavour based on what we have seen, there are other businesses within the country who have pursued this service, and their undertaking is excellent, because if I were to go to the Agriculture Store and a product is not available there, I could easily go to another business that sells similar products.

The funny thing is if we go to the business, there would only be two employees; the salesperson and a casual roaming in the back, and yet it is nearly as big but better stocked. These are the kinds of matters that we should look at in order to move forward.

A suggestion to the Government regarding other Ministries who should be moving in this direction is the Polynesian Airlines. If we were to probably plan it, we can see that, there are other entrepreneurs who are running their own small aviation companies travelling to and from Tutuila, it is competing and it is profitable. I am certain that Polynesian has had enough time to develop and dissolve in order to compete and grow like other private companies.

With all due respect. Thank you.

MR SPEAKER: Well done thank you for your comments.

I beg tolerance to the member who wishes to speak as I first give the opportunity to the Hon Prime Minister.

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**CLARIFYING SPEECH OF THE PRIME MINISTER IN
PARLIAMENT WEDNESDAY, 7TH AUGUST 2013 ON THE SECOND
READING OF THE AGRICULTURE STORE CORPORATION
REPEAL BILL 2013**

Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI: Mr Speaker, the member for Faleata West has named other entities that should be privatised.

The House should be made aware that the Bill is part of the Government initiative to privatise Corporations so that Government detaches from commercial operations but gives the opportunity to the entrepreneurs to operate these ventures.

I recall in the year 1989 when the hotel Tusitala was first dissolved, there was also quite a lot of tension within the Parliament due to the fact that Government strategies were not fully understood.

During a sitting, I explained to the Opposition of the day that this dissolution is no different from a pet cow. It is fattened and then sold. That is when it has the most value rather than leaving it and then it is struck down with a terrible illness and it is left with only skin and bones then it would have no selling value. There was also a lot of tension at that time and some sighed, "Oh the Government assets are wasted".

These are some of the Government entities that were privatised; Vaifima, the Tusitala hotel and the Bank of Western Samoa. The bank was privatised when it had substantial revenue.

The response of the Government at that time was that more profit will be earned. Now we have witnessed that the venture has expanded and there are many branches throughout the country.

In addition, the television station, SamoaTel, and Polynesian Airlines were privatised. It is not the domestic airline that services the inter-island route but the international airline that had flights to America. There were two 737 crafts and one 767 craft that flew straight from here to America. The Coconut Mill and the Public Works Department was also privatised. The construction of roads has now been privatised and it has profited and much opportunity is available for contractual work with the Government. In addition, those who once worked in government have now gone and made their own businesses.

It is now that we experience the rewards of the farsighted initiatives of our Government, but there was so much apprehension at the time when it first began. The only difficult problem that the Government has noticed is that once it has privatised there is not enough opportunity for the public to buy shares. This is the reason why the Unit Trust Organization of Samoa was established so that people can go to UTOS with their money, knowing that not all profits will go to those from overseas or to those who are wealthy, as there is something that can be done to benefit the whole of this country. This is why the Ministry of Finance was tasked with setting up UTOS. SamoaTel could not be privatised until UTOS was established as the Government was certain that telecommunications is a money making venture and the successful bidding company cannot claim one hundred per cent ownership.

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This is why UTOS was established first, it gives an opportunity to enable a senior citizen to invest his \$50 into UTOS to buy shares thinking, I own this company, it is mine, it is mine! We can no longer say that companies are owned by those who are rich. This is a weakness that all countries in this world experience with regards to privatisation; the wealthy would take it all without giving any opportunity to the general public to own assets that government has privatised.

Mr Speaker, this is another addition to the policies of the Government to slowly move away from current commercial operations with the utmost surety that it would create great progress for the country once the entities are privatised, rather than the Government continuing to operate as such because there is always the mindset, as is with the Trust Estate employees, "Never mind its public property".

This is why most of the land under the Trust Estates was released to the public to be cultivated.

Mr Speaker, I wish to include these additional comments on this Bill today; this is the strategic policy of the Government that is still continuing.

MR SPEAKER: Thank you Hon Prime Minister for your clarification. I now call on the member for Falealupo.

Afioga Hon Aeau Peniamina Leavaiseeta: Mr Speaker, the Hon Prime Minister has commented on the same matter that I rise to query.

Hon Prime Minister, thank you for your clarification. The essence in which the Hon Prime Minister commented towards Government policies concerning this area is very important. However, I wish to put forward my opinion as there is cause to speak on it and explain it further, and I know it cannot be easily believed. There are many in this country that the Government should not forget, the farmers are poor, have low incomes, work is difficult and they do not own any assets. So I cannot be assured that Companies can impose their own costs...in relation to the powers of the Agro Store, it is impossible.

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

MR SPEAKER: Your comments are clearly received esteemed member. I now call on the Hon Prime Minister to clarify this topic.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoui: I only stand to correct the member. When I worked for the Treasury Department, there was a study conducted by a Peace Corp named Mike Munch on building a main store to assist farmers.

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At the conclusion of this study, the Treasury Department management had a meeting and recommendations were given to the Minister of Finance who at the time was also Minister of Agriculture. The Minister of Agriculture then was the Honourable Muagututia Pinati. We were in that circle of people who set up the Store, about 38 years ago. During that time, there was almost no store that sold any agricultural equipment. This was the reason for the study conducted by Mike Munch which showed that in those days, stores did not sell such goods as it was not profitable. This is why a Bill was tabled and passed in Parliament for the establishment of this store.

Mr Speaker, regarding the farmers that the honourable member mentioned. When we talk about farmers it seems like farmers in the rural areas are different from us here who do not understand.

I am also a farmer; we are all discussing a topic that we know well. All of us grew up in plantations. We are all aware and I know very well what farmers from my village need. In addition, as for the assets; you are against it as you were against the road switch and importation of right hand vehicles, but what has happened? There are now many farmers who have their own assets; they have their own vehicles.

Mr Speaker, the reason why I stand is to remind the member that we are all farmers. There are a small number of us who do not have plantations, but the rest of us are all farmers. In case the member thinks that this side does not understand what is necessary, I wish to remind him once again.

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MR SPEAKER: I think that the member for Falealupo has understood and is clear on the resolved issue. Is there a new topic you wish to bring forward?

Afioga Hon AEAU PENIAMINA LEAVASEETA: I do not understand. It further complicates the topic. Hon Prime Minister consider the period you mentioned which was 38 years ago. You were talking about theory but I am speaking about the practical side. Consider thoroughly what is useful ...can fertilizer be bought from this?

MR SPEAKER: I beg tolerance of the member as I give the opportunity to the Hon Prime Minister for his explanation.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: A person who does not understand the purpose of implemented and non-implemented programs implies ignorance on their part. This side fully understands the explanation that I have put forward.

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Within Gods word it is emphasized that whoever knows the right thing to do and fails to do it, for him it is sin. The member for Falealupo, you are a deacon but I see that you do not understand the Word. The person who knows what should be done but refuses to understand, that is a total reflection of that person. Since you moved to that seat, you stray from the topic at hand but Samoa knows better.

Afioga Hon AEAU PENIAMINA LEAVASEETA: Thank you, thank you for your trouble. Please take a seat while I respond in kind. Mr Speaker, thank you, my friend tires himself unnecessarily. I wish to conclude.

MR SPEAKER: I beg tolerance member for Falealupo to please take a seat.

To set our Proceedings on the right course regarding opportunities given, that is the Speakers discretion. It is not a Members role to instruct another member be seated. Despite this, it is out of respect that the opportunity will be given.

I now call on the esteemed member to conclude his comments.

Afioga Hon AEAU PENIAMINA LEAVASEETA: Thank you Mr Speaker. It is only our relationship as ex Saint Joseph students being display. There is one policy of the HRPP likened to a pet that is fattened for the purpose of sale. What has happened is the land has Tuberculosis and it is not fattened nor has it reached the point of sale. Now it is gone, and the farmers are paying the costs.

That is my speech but before I sit, there is no company that can lower a price on any chemicals below the cost of profit, but the Agriculture Store can with the assistance of aid given from overseas. This is the challenge....subsidise!

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: A point of order, Mr Speaker.

MR SPEAKER: You are clearly understood member, but I beg tolerance as I give the opportunity to the Hon Prime Minister.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker, the member for Falealupos comments are clearly understood; the Agriculture Store can bring in chemicals and sell below the cost price so that it will be bankrupt. See his logic, a Saint Joseph student is not like that. Mr Speaker, let me tell this story as it is very important.

The first missionary to Niue was a Samoan who had just graduated from the Malua Theological College. He travelled with a Niuean who was holidaying in Samoa.

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They travelled by canoe and when they neared the shores of Niue, the Niuean told him, “Go on ahead I feel ill. But when you reach the village; after you are welcomed, tell them my name and that I am ill and am waiting in this cave”. I have visited this cave. This missionary also has a memorial stone in the middle of town just like John Williams. So the missionary went and once he reached the village he walked into the House and the untitled men of the village rushed to him and brutally beat him. With the little breath he had, he said “There is a Niuean at the shore,” and at that time the elderly rushed to kiss and greet him, but the missionary was terribly wounded by the Niuean greetings.

This is how the Niueans greet; they fight first to show their happiness and harmony. This is why you should not be surprised member for Falealupo. If we squabble as Saint Joseph students, it is Niuean type squabbles. God bless this meeting.

Tofa Lefau Harry Schuster (Vaimauga West): Mr Speaker a point of order please before the Saint Joseph debate continues.

MR SPEAKER: I call on the member for Vaimauga West; Tofa Lefau Harry Schuster as the previous member’s comments have been clearly received, to my understanding you are also part Niuean.

Tofa Lefau Harry Schuster: I am part Niuean and am also an ex Saint Joseph student; but there is a point of order on the comments made by the Hon Prime Minister.

Us Niueans did not come to Samoa for leisure but to work in the German plantations. Others came to attend Malua Theological College and others met each other the Niuean way. The Hon Prime Minister is very accurate in his comments and the Hon Minister of Women, Community and Social Development is well aware of this as he is married to one of my relatives.

MR SPEAKER: I am of the opinion that it may have been a holidaying Niuean who travelled with the missionary.

Tofa Hon Tolofuaivalelei Falemoe Leiatuaa (Minister of Women, Community and Social Development): Mr Speaker.....

MR SPEAKER: Be upstanding if you are married to a Niuean.

Tofa Hon Tolofuaivalelei Falemoe Leiatuaa: She is Niuean but is a lady of this country. We all know that Niueans immigrated more than a hundred years ago and they have come to occupy the town area. This means that those who immigrated are the intelligent ones, and chased the Samoans further inland.

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This is why the Hon Prime Minister is correct with his comments and I would like to listen to this exchange with the Deputy Leader of the Opposition as their words are on par, but once the Leader of Opposition stands, it is irrelevant. The debate between the elderly statesmen is good, with all due respect.

MR SPEAKER: I beg tolerance to the honourable member for Falealupo. I have observed that as you both prolong your argument it draws out our time. I think member for Falealupo that your comments have been clearly received but I call on you to conclude.

Afioga Hon Palusalue Faapo II (Leader of the Opposition): Mr Speaker.....

MR SPEAKER: Leader of the Opposition.....

Afioga Hon Palusalue Faapo II: A point that needs clarification.

MR SPEAKER: What is it that you wish to understand?

Afioga Hon Palusalue Faapo II: With regards to Government policies that.....

MR SPEAKER: Your comments should not be towards.....

Afioga Hon Palusalue Faapo II: No, I will not take notice of a torn blind at the back of a house. I will not waste my time in responding.

MR SPEAKER: I call on the member for Falealupo to continue with his comments.

Afioga Hon AEAU PENIAMINA LEAVAISEETA: Mr Speaker, thank you for the final opportunity. I seek the pardon of the Parliament, as it is important to communicate our side of things.

Hon Prime Minister, at least our opinion has been put forward because I believe it is also the feeling of all the farmers. I would like us to concentrate on whether these changes would alleviate the burden on farmers in terms of the costs of agricultural products that assists them in their work.

This is the essence with which the member for Falealupo stands thank you.

MR SPEAKER: Thank you for your advice, thank you for your comments. I call on one member for Salega; Afualo Wood Uti Salele.

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Afioga AFUALO WOOD UTI SALELE (Salega): Thank you Mr Speaker, I congratulate the member who just completed his speech. This is the norm with Parliamentary debates; there is conflict and disagreement but the goal is to seek benefits for our country and in this case through this important Bill.

I congratulate the Hon Minister of Finance on the importance of this Bill as it clearly sets out the primary motive of the Government in its policies to collaborate with corporations and the private sector. It is evidence that Government continues to follow through with its policies. I congratulate you on this.

In regards to privatising of the Agricultural Store, this is a good initiative as there are many benefits such as mentioned by the Hon Prime Minister. It has been fattened and perhaps it is being privatised to further fatten this venture with competition.

I pose a recommendation towards the Hon Minister of Finance. Many of the comments concern costs because there will be competition. As legislated, these goods are not included under the list of products that can be sold to foreigners. Whatever the decision, please reconsider this as it can assist the business owners who will be operating these businesses.

Also, prices for many of these products are not made by the Price Control Board. Can some assistance be given to the farmers with regards to the prices of necessary products? The Board could assist in terms of prices in case the prices are overly adjusted and it can hurt the farmers even more. Thank you.

MR SPEAKER: Thank you for your comments esteemed member. I think that the comments made by the member have concluded. I shall give the last opportunity to the member for Faleata East.

Tofa AVEAU TUALA LEPALE NIKO PALAMO (Faleata East): Thank you Mr Speaker for the opportunity. Thank you also to the Hon Minister and the Ministry for the explanation of this Bill.

I stand to make a brief comment. To my thinking there is a difference in privatising to gain revenue in selling individual entities like the ones that the Hon Minister of Finance mentioned. This matter concerning the Agriculture Store, as I am certain is a matter that the Government is not aiming to earn any money from as the member for Falealupo has mentioned. I seek the attention of the esteemed meeting; the farmers almost cannot afford the current prices of the fertilizer and chemicals due to its high cost. However, the Agriculture Store is under the Government and much help can be given. I am certain that this is the reason the Ministry of Agriculture brought in lumber and beds as was mentioned by the Hon Minister of Finance, it is because they are expensive from companies that import them. This is an attempt to ease the burden on the country. I have a view.....

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MR SPEAKER: I beg tolerance to the speaking member as I give the opportunity to the Hon Minister of Finance for his clarification.

Afioga Hon Faumuina Tiatia Faaolatane Liuga: A point of order. I did not state that the cost of lumber, roofing iron and nails sold at the Agriculture were cheap. I stated that it would be more affordable to purchase these products in one establishment but the prices are determined by their mark-up. It is a public body of the Government but the Corporation will no longer rely on subsidies from the Government.

With all due respect.

MR SPEAKER: Well done. I call on the esteemed member to continue with his comments.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Thank you Hon Minister. That is the reason for which I put my thoughts forward; it might be the reason Agriculture Store undertook this endeavour.

Regarding the Agriculture Sector; I think that it is similar to the Tourism sector as these two sectors involve the country as a whole and would stand to benefit the country as well. There is an option that the Government can do.....

Afioga Hon Le Mamea Ropati (Minister of Agriculture and Fisheries): Mr Speaker.....

MR SPEAKER: I beg tolerance esteemed member as you mentioned the Ministry of Agriculture. I now call on the Hon Minister of Agriculture and Fisheries.

Afioga Hon Le Mamea Ropati: I wish to assist with the comments of the member who will probably cover the cost of agricultural products and with the comments of previous members. I am of the opinion that there is confusion in this area.

The Agricultural Store is a business, whereas the Ministry of Agriculture is not. The store as a business is not the same as the Ministry. As the Hon Minister has reiterated, the aid received from overseas is not given to businesses. It is true that it includes agriculture, but overseas aid is not given to assist businesses but they are given to the Ministry. This is also why the Government cannot subsidize with regards to this matter because unfortunately it is a business. With businesses, it means that they compete like other businesses overseas. However, overseas aid is direct to Ministries like this Ministry including other Corporations; this is exactly where agriculture can be directly helped.

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It is also similar to the financial assistance from the World Bank and other overseas Agencies. This is how help can be given to our farmers, but it cannot be given under a private business, it is not a Ministry.

This is my input, on the comments from the esteemed members; there is some confusion as noted in their speeches, thank you.

MR SPEAKER: Thank you for your input Hon Minister of Agriculture and Fisheries. I call on the member.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Hon Minister, I seek your pardon if I have given a wrong explanation of the Ministry of Agriculture. No, I am commenting directly on the Agriculture Store.

The assistance the Hon Minister of Agriculture and Fisheries mentioned is not on a daily basis; there are certain periods and time frames. Which means the assistance given to farmers is inconsistent. It is not like this Store, it is true that it is a business but it is a business that is subsidised by Government. This is also where the Government has focused on certain areas....

Afioga Hon Le Mamea Ropati: Mr Speaker, I wish to address this once more.

MR SPEAKER: I beg tolerance member, as I give the opportunity to the Hon Minister for his clarification.

Afioga Hon Le Mamea Ropati: The Government does not give assistance to businesses like the Agriculture Store. If you were to glance at our annual budget, the Government does not grant such funds. They work on their own to earn money. If money is required to upgrade, loans are made and other things just like other businesses. However, all Government funds are in the Main Budget, as it directly concerns the Ministry of Agriculture. These funds enable the Ministry to provide much needed services to the farmers. This is what I wish to clarify once more, so that these two entities are not confused.

This is my input with all due respect.

MR SPEAKER: Well done thank you for your contribution on the issue. I call on the member to continue with his comments.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: I will not debate with the Hon Minister. If the Hon Minister were to look at the Main Budget last year, the Government gave \$600,000 to the Agriculture Store to pay its debts. I do not know exactly the current debt, if the Hon Minister were to look through that Budget.

Anyhow, I will speak about....

MR SPEAKER: I call on the Hon Minister.

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Afioga Hon Le Mamea Ropati: Mr Speaker, it was not money given in assistance. It is similar to a loan or something akin to it. These funds were not granted to assist the store in purchasing products so that it can continue operating.

It seems that the member is still confused with what I am aiming towards.

MR SPEAKER: Well done; I think that the esteemed member has now fully understood. I believe that you are now clear on the issue but I will give the opportunity for you to conclude your comments.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Well, I will not dwell on the topic as the Hon Minister has a differing opinion; whether it was a loan or not, it is Government funds nonetheless.

However, Mr Speaker the thoughts that I wish to put forward is that if you were to glance at the Ministry of Tourism that is under the Government, these two sectors are similar. They are different from other companies that were privatised like Polynesian and others.

Afioga Hon Faumuina Tiatia Faaolatane Liuga: Mr Speaker.....

MR SPEAKER: I beg tolerance member as I give the opportunity to the Hon Minister responsible for this Bill.

I call on the Hon Minister of Finance.

Afioga Hon Faumuina Tiatia Faaolatane Liuga: A point of order and clarification. STA and the Agriculture Store are different. The Agriculture Store is under the category of trading body, whereas STA is a service for the country that is targeted towards tourists, with all due respect.

MR SPEAKER: I beg tolerance Hon Minister, the members explanations are far from the matter at hand. I advise the member to comment on the matter so that our Meeting may progress as we are drawing near to our recess time.

Tofa AVEAU TUALA LEPALE NIKO PALAMO: Thank you - the main thought of this member is that assistance is given to the Agriculture Store especially for fertilizer and chemicals.

If there was a plan for this entity to be placed under the Ministry of Agriculture in order to help the country, this would be wondrous. As you know, there is nothing preventing a company from operating such a business; there is an opportunity for a person to establish their own store selling the same products.

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This is the exact method that should be done for this entity because it is the belief that there is not enough profit generated from this Corporation. What I wished to put forward is that there are different entities that should be privatised. This Corporation is the greatest assistance the Government can offer the farmers.

The thoughts of this member have concluded, thank you.

MR SPEAKER: Well done – the Hon Prime Minister shall respond.

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker, this is a matter that the Opposition does not seem to grasp.

It is the shifting away of the Government from business ventures and giving the opportunity to the private sector to contribute. There is not just one store that sells agricultural products and for the Government to continue to mingle in this industry is inappropriate; this is the most important help that is given to farmers. It is the assistance in providing accessibility to agricultural products.

With many stores stocking these items, hardly any people are shopping at the agricultural store. This means that it is totally inappropriate for Government to continue in this activity.

Mr Speaker, I think that this matter is now very clear for today.

Afioga Hon Palusalue Faapo II: Mr Speaker I seek clarification.

MR SPEAKER: The opportunity shall be given.

Afioga Hon Palusalue Faapo II: The foremost endeavour that the Opposition is aiming towards is assistance for the farmers. Regardless if the store goes bankrupt the farmers have received help, fertilizer.....

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: Mr Speaker, it seems that they are mocking the Stores state of bankruptcy. This is what you all want, for the store to go bankrupt and you will sit there and mock it. Do you see how ill-sorted your comments are?

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

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: This is an enormous misfit. You want a bankruptcy, but once it reaches bankruptcy you will stand there once more and claim that the Government purposely pursues bankruptcy? You are commenting back and forth and that is not how a Party is led. If you have one stand point, maintain your stance.

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This is what is currently happening. First it was said that it is bankrupt, bankrupt, bankrupt? Why is it bankrupt? It is due to the lowering of prices.

Mr Speaker, these people should understand their views rather than rocking back and forth.

Afioga Hon Palusalue Faapo II: Mr Speaker with all due respect, there is no back and forth. The only position that the Opposition is taking is that assistance be given to the farmers. CSO is given to EPC, so why not give them GST?

Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi: And what do you think is being done? What is being done to the plantations? Are we doing nothing for the farmers? This is why it is unfortunate that a car was given to you when you have not yet planted a plantation and you only roam around Apia?

Afioga Hon Palusalue Faapo II: Mr Speaker.....

MR SPEAKER: Leader of Opposition, the Chair will make its observations. The Chair has noted from the comments from that side involved bankruptcy. This is why the Government attempts to put forward ways to avoid bankruptcy, but you are set in making sure that bankruptcy occurs. This goes to reflect that perhaps.....

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

MR SPEAKER: I beg tolerance as I finish my comments before you can begin.

Afioga Hon Palusalue Faapo II: Your comments should be corrected.

MR SPEAKER: Let me finish. Sit down. Take a seat as I respond to this side. You cannot correct the Chair. I wish to clarify your purpose and comments made today as it is unfortunate that your side has opposing opinions.

The Government is attempting to respond to the topic in a reasonable and logical manner, but you continue to seek justification for your comments.

I beg tolerance esteemed member but it is now the moment for explanations. As for your recommendations, they have been clarified. How many times have we deliberated on this matter that a legislation should be with Cabinet. It has now been presented so give appropriate suggestions as deemed fit.

I believe that we have reached the time for our usual recess; the proceedings of the Legislative Assembly shall be set aside for its usual recess for today.

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Proceedings of the Legislative Assembly were set aside at 10:44am for its usual recess and resumed at 11:17am.

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

I am certain that refreshments provided were well received, and I am certain that some strength has been gained to continue on with our orders of today. I am also certain that this is our last Meeting day. I believe that we should continue with our duties at hand for today. I convey my gratitude to the esteemed and prominent attendance of all the members of the House, especially the support of our country listening in.

Before the Proceedings can begin, the Chair must make an announcement on the code of conduct of the House and the relationship with which we need to complete the orders of today. I humbly beseech the honourable members commenting during deliberations, specifically the Leader of Opposition and the Opposition. We are not meeting alone as the whole country is also listening in to our proceedings. As it is certain, this House has already been chosen, your dignity and honorifics in the traditional sense remains. I do not need to instruct this House as Laupua found it unnecessary to instruct Tamafaiga. In the deliberations of our meeting, appropriate boundaries must be adhered to. Whatever heights our deliberations reach, I believe that this will not be misinterpreted or taken personally as I am confident in the ability of our members to be above all that. As in times of rough weather and when there are forces against us, we have the wisdom to keep the peace. However in moments when a member seeks to or attempts to justify that his views are right then this causes errors from time to time.

I have touched on this because of your relationship with the Chair, may you all have empathy, there is no intention to sound arrogant for it is more important to the Speaker that our relationship is kept sacred and dignified. If there is also an offense observed in my duty, I will humble myself for when sacred birds are in flight then there is no room for ordinary ones. Once the ancient orators whisk is in place, the sinnet whisk holder maintains respect.

I am certain from what you all have observed in the past the Chair attempts to maintain order, however there are still those who do not pay attention to these attempts. The intention is that our Standing Orders are adhered to and our dignified relationship is maintained. When the Chair makes a ruling, it is to maintain order and the Members should empathise.

This is the announcement with all due respect so that there is no protest but instead compliance as we are also present in this House with observing students. This House is the mirror for the future; we will stand at the helm and reflect on the conduct of our Leaders. This is why I could not leave this unsaid in case the country is of the view that our views are off topic and the intention is that our proceedings are put in order to maintain the dignity of the House.

7TH AUGUST 2013

Agriculture Store Corporation Repeal Bill 2013
– second reading

This is my announcement with all due respect. I now call on the Hon Minister responsible for the Bill.

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: Mr Speaker, thank you very much for the opportunity to clarify other topics that have not been clarified.

I will first explain that this Bill is a repeal Bill. The Public Bodies (Performance & Accountability) Act 2001 administers the Corporation. This legislation also allows the Corporation to operate as a business and they do not rely on the Government for financial assistance, they rely on their gross profit. That is the overview.

The comments on the intention of the Bill is clearly answered under Clause 6 that sets out that a Company that will win the bidding will continue to operate the Agriculture Store. This means that the trading relationships remain unchanged with companies it bought goods from and sold goods to.

A member also stated that an individual should not purchase this company.

If the esteemed member were to look under Clause 5 (1), it is stated there, no individual is eligible to purchase the Store. It is very clear. This will avoid any monopoly of the market because the farmers would suffer and it would affect the country as a whole. This is the intention which is to create accessibility to products at an affordable price.

In the case of the Samoan translation of the word dissolved, it is unfortunate that the member is not present but the use of this word is correct. It is similar to how the Parliament would dissolve or 'faataape' once it has reached the end of its tenure. It is also similar in the case that the Corporation should be dissolved or 'faataape' and to legalise roles to be transferred.

The posed question in regards to assets, debts and investments is clear under Clause 6 (d); in the case of assets the intention of the Cabinet is to lease these assets at the price in which the assets of the Government are sold, with the exception to the land and building as clarified.

Regarding the question posed for an option to be made available to farmers, it is clear under Clause 7, Cabinet will make appropriate decisions regarding the bidding process and the protection of assets and the welfare of its employment.

There was also another who spoke that other products should be under MCIL so that they are able to control the price and avoid increases. It is a good recommendation, if it does not already exist, it is appropriate and it is requested that the responsible Minister and the Ministry make it official.

The intention is that when the Bill is passed by Parliament, then the 1975 Act will be repealed.

Thank you Mr Speaker and the esteemed members of this Parliament. Soifua.

7TH AUGUST 2013

Agriculture Store Corporation Repeal Bill 2013
– second reading

MR SPEAKER: Allow the Hon Minister to conclude. I call on the member if there was an overlooked issue.

Afioga Tocolesulusulu Cedric Pose Salesa Schuster: Thank you Mr Speaker for the opportunity. Perhaps my understanding is different from the explanation made by the Hon Minister regarding Clause 5.

My understanding of the bill is that no one person can purchase the Store but a Company can bid and if successful monopolise the market. If for example there was a company and it is the only company that joins....

MR SPEAKER: It has been clearly received; the opportunity shall be given to the Hon Minister to respond.

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: It has been clearly received. I know that if the member were to look under Clause 7 where the conditions state, “Cabinet may approve such conditions necessary for giving full effect to the tender process and due administration of such process.” The Cabinet holds the final approval.

With all due respect.

MR SPEAKER: Very well thank you. I think that this topic has been clarified. It will be further clarified once we reach its consideration in detail.

Motion approved and the Agriculture Store Corporation Repeal Bill 2013 was read a second time.

AGRICULTURE STORE CORPORATION REPEAL BILL 2013
– consideration in detail

MR SPEAKER: I have in my hand the Certificate of Emergency signed by His Highness the Head of State for this Bill. The Legislative Assembly will commence with its consideration in detail.

In accordance with Standing Order 102, the consideration in detail will begin from Clause 2 of the Bill.

CLAUSE 2: Dissolution of the Corporation

Approved.

7TH AUGUST 2013

Agriculture Store Corporation Repeal Bill 2013
– consideration in detail

CLAUSE 3: Validation of incorporation

Approved

CLAUSE 4: Transfer and vesting of assets, etc.

Approved.

CLAUSE 5: Monopolisation.

Approved.

CLAUSE 6: Transitional and saving.

Approved.

CLAUSE 7: Conditions.

Approved.

CLAUSE 8: Repeal.

Approved.

SCHEDULE:

Approved.

7TH AUGUST 2013

**Agriculture Store Corporation Repeal Bill 2013
– consideration in detail**

CLAUSE 1 AND THE TITLE:

CLAUSE 1: Short Title and commencement.

TITLE: Agriculture Store Corporation Repeal Bill 2013.

Approved.

The Agriculture Store Corporation Repeal Bill 2013 was passed without Amendments.

MR SPEAKER: I believe that we have reached the end of our work for today and due to the urgent bills needed by the Government, our Meeting had to progress.

I convey my deepest gratitude to the dignity and esteem of our Assembly. I feel that before we proceed to the third reading of the Bill, it should be made known that we will adjourn straight after until the next Sitting day. I wish to convey my appreciation to the dignity of our House for your respectful opinions and foresight with regards to our proceedings today. I believe that we were able to fully reach our intentions as we were joined with the Divine Spirit of God.

I now pray for the Hon Minister of Finance to move a motion for the Bill to be read a third time.

**AGRICULTURE STORE CORPORATION REPEAL BILL 2013
– third reading**

Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA: Mr Speaker I move a motion, *That the Agriculture Store Corporation Repeal Bill 2013 be read a third time.*

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

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

7TH AUGUST 2013

Agriculture Store Corporation Repeal Bill 2013
– third reading

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

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

Prayer.

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

TUESDAY, 8TH OCTOBER 2013

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

Mr Speaker took the Chair at 9.00am.

Prayer.

MESSAGE FROM LE AO O LE MALO

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

“MEMORANDUM for:

Mr Speaker:

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

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

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

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