

02 MARCH 2021

**TUESDAY, 02 MARCH 2021**

*The Speaker took the Chair at 9:20am.*

Prayer.

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

I bid you all a warm welcome, for your attendance this morning to carry out our work even though this is the last day of our Proceedings for this Parliamentary term, but there is belief that there are occurrences that threaten our lives from time to time. Let us trust in God in His love and kindness that your life and our life will be safe through our duties and work today.

**PRESENTATION OF PAPERS**

*Clerk read out the list of Papers pursuant to S.O.49 (2).*

1. P.P.2020/2021 No.139, Report of the Standing Orders Committee on the P.P.2020/2021 No.62, Report of the Standing Orders Review.

**PRESENTATION OF PARLIAMENTARY COMMITTEE REPORTS**

*Clerk read out the list of Parliamentary Committee Reports pursuant to S.O.52(5).*

1. P.P.2020/2021 Nu.121, Report of the Standing Orders Committee on the P.P.2020/2021 No.62, Report of the Standing Orders Review.

**MOTION BY THE LEADER OF THE HOUSE**

**Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI (Prime Minister):** Mr Speaker I rise this morning to greet the respects of the House, we have already voiced thanksgiving to God Almighty. We join together as you announce our gratitude.

*02 MARCH 2021***Motion by the Leader of the House**

Mr Speaker, since this is the last Sitting of this Term, there are still some unfinished businesses that have not been considered and discussed by the Assembly. Therefore, I rise to move a motion, that the Assembly approves all reports of the Parliamentary Committees that have not been reviewed by the Parliament including Government Responses submitted to the Office of the Clerk of the Legislative Assembly.

Before the question is put, I would like to express my gratitude to the Chairperson and all members of Parliamentary Committees. However, what is certain is that the Legislative Assembly cannot entirely review the Annual Reports of Government Ministries and Private Entities of Parliament, given the less dates scheduled in our Sitting Calendar approved by this Parliament.

Another aspect for the sake of awareness, is priority of the House is given to Government orders of the day, or Bills because this is the objective of our Parliament, the consideration and passing of Bills. Government has given detailed responses to the various recommendations and findings of the Committees, and these recommendations will serve as guidelines for future Parliamentary Committees to guide their actions and evaluations. It has been observed that the Annual Reports of all Government Ministries and Organizations are up to date, especially the information of Government finances or public accounts or audit reports. In other words, all reports are now complete for all years ending last year.

This is why Mr Speaker I once again want to express my gratitude for the work done by our Parliamentary Committees. The other specific role of the Parliament is to assess the other arms of Executive to reflect good governance, the doctrine of checks and balances of power.

I also take this opportunity to thank the Chief Executive Officers for being efficient and trying to get all the required reports, this is confirmation of these important Guidelines that are being followed by our government, that nothing should be wrong, that the status of the implementation is transparent. To know exactly the results and problems and those who caused them.

This is a word of thanks. If these duties are carried out faithfully, this means it has been given to the hands of Leaders of the country occupying the seats of their constituencies to be able to check the work faced and implemented by Government. All of these are part of the checks and balances of power.

Mr Speaker, this is the motion for the approval of lapse business of Parliament this Parliamentary term.

*Seconded by the Minister of Commerce, Industry and Labour.*

*Motion approved.*

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**ELECTORAL AMENDMENT BILL 2021**  
– first reading

**Afioga Hon FAAOLESA KATOPAU T. AINUU (Minister of Justice Courts and Administration and Electoral Commission):** Mr Speaker I move a motion, *That the Electoral Amendment Bill 2021 be read for the first time.*

*Secinded by the Minister of Education, Sports and Culture.*

*Motion approved and the Electoral Amendment Bill 2021 was read for the first time.*

**MINISTRY OF WOMEN AFFAIRS AMENDMENT BILL 2021**  
– first reading

**Afioga Hon TUITAMA TALALELEI TUITAMA:** Mr Speaker and this House, with respect I stand to a move a motion, *That the Ministry of Women Affairs Amendment Bill 2021 be read for the first time.*

*Secinded by the Minister of Commerce, Industry and Labor.*

*Motion approved and the Ministry of Women Affairs Amendment Bill 2021 was read a first time.*

**INTERNAL AFFAIRS AMENDMENT BILL 2021**  
- first reading

**Afioga Hon TUITAMA TALALELEI TUITAMA:** Mr Speaker, with respect I move a motion, *That the Internal Affairs Amendment Bill 2021 be read for the first time.*

*Secinded by the Minister of Commerce, Industry and Labour.*

*Motion approved and the Internal Affairs Amendment Bill 2021 was read for the first time.*

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**ELECTORAL AMENDMENT BILL 2021**  
– second reading

**Afioga Hon FAAOLESA KATOPAU T. AINUU:** Mr Speaker I move a motion, *That the Electoral Amendment Bill 2021 be read a second time and I wish to make a clarification.*

*Seconded by the Minister of Education, Sports and Culture and the Minister of Communications and Information Technology.*

**MR SPEAKER:** This is the opportunity for the Minister to take the floor to give his clarification.

**Afioga Hon FAAOLESA KATOPAU T. AINUU:** Mr Speaker, thank you for the opportunity. I stand with respect to discuss the amendments in the Electoral Amendment Bill 2021. The Bill seeks to amend the Electoral Act 2019, to clarify parts of the Act that helps judicial work in its interpretation in order to achieve the full spirit of the Act and its amendments. The report of the Court proceedings, referring to the nomination of candidates for the general election in April 2021, it reflects the challenges faced by the Court in the different interpretation of some parts of the Law and the spirit in which the Electoral Act 2019 was drafted.

The situation that has emerged, it seems that the Courts reading of some parts of the Law is not consistent, and it reflects the different reading of male and female judges in their interpretation of parts of the Law. And this has led to the candidates questioning the interpretation of their cases. But as you know, these cases cannot be appealed under the Laws.

It is why these parts of the Act must be clarified now, while preparing for the General Election in April 2021. If it is necessary to hold by-elections after electoral petitions. Looking ahead, incase challenges arise, and all these amendments have been incorporated into the law. I would like to elaborate on these amendments.

First, the interpretation of the 3 consecutive years to register the title of a candidate.

The purpose of the Principal Act is that it is necessary for any candidate to use a legally registered matai title in no less than 3 consecutive years from the previous years, starting from the lodgment day by the Commissioner of Election for you to become an electoral candidate.

2. Special permission, exempt carer if the legally required days to stay in Samoa are not completed.

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**Electoral Amendment Bill 2021**  
**– second reading**

This amendment specifically allows exempting a person who has nursed a person overseas and is the reason for not meeting the 305 days required to reside in Samoa and not satisfying the conditions of candidates residing in Samoa. Only people who are close relatives of the deceased are entitled to this special permission.

3. Definition of the word organization. The word organization is defined to include companies, organizations and small businesses and Churches.

4. Village representatives, women representatives and two chiefs to confirm commitment of the candidates. This amendment clarifies that only the representatives of the village or women representatives of the village are recognized by the Ministry of Women, at the time the candidate is admitted being eligible to confirm the monotaga. This does not include village representatives and women representatives who have completed their time holding these positions. The two matai who are required in the approved of candidates, must hold titles that have been legally registered, not less than 3 consecutive years towards the previous years from the date the candidate enrolled, lodgment day. And this matai must participate in civic affairs and carry out their duties, a period of not less than 3 years to the previous years from the date of nomination of candidates.

5. Admission of candidates. This amendment reinforces the need to read together clause 47 of Part 7 of the Act which states eligibility of candidates. This also clarifies the power given to the Commissioner to allow him to use official records and information that are different from the information provided in the candidate's form, before making a decision on the eligibility of the candidate. In this same amendment the power is given to the Commissioner to request the court to change its decision if the official documents to base this request are later found in evidence.

This is also the opportunity for the Commissioner to correct a mistake that was made during the nomination of the candidates. The importance of the time when the Supreme Court will handle this case related to elections will give the amendment for the limited time to deal with cases raised in the General Elections by changing of the 20 days to 25, as well as the change of 5 days to 10 days to resolve issues of the by-elections.

6. Monotaga is implemented for 3 consecutive years. This amendment has been made to equalize the 3 consecutive years towards the previous years to implement the candidate's commitment set out in section 8 of the Act. And 3 years in a row towards the previous years, which is required by section 156. And 3 years in a row towards the previous years, counting from the date the name of the candidate is officially entered.

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**Ministry of Women Affairs Amendment Bill 2021**  
– second reading

This means the official 3 years that this amendment is talking about, the 3 consecutive years towards the previous years, counting from the date the candidate is filed, lodgment day.

Mr Speaker, as this House is aware, the amendments that have been tabled, have arisen from the challenge faced by the Court when implementing parts of the Principal Act in accordance with their duties. Had it not been for the court to approve the candidates which was held in November 2020, these challenges would not have arisen, which led to these amendments.

All the aspects that occur in the implementation of a law of any country, changes in the law are constantly increasing for the improvement of the well-being and safety of citizens based on justice to respond to challenges faced by Government from time to time.

Presented with respect. Soifua and God bless.

**MR SPEAKER:** Thank you.

*Motion approved and the Electoral Amendment Bill 2021 was read a second time.*

**MINISTRY OF WOMEN AFFAIRS AMENDMENT BILL 2021**  
– second reading

**Afioga Hon TUITAMA TALALELEI TUITAMA:** Mr Speaker and respectable members of Parliament.

I would like to explain the changes to the Bill as requested in its summary. This Bill amends the Ministry of Women Affairs Act 1990.

**MR SPEAKER:** Respectable I humbly ask for a motion to note a second reading before you give an explanation.

**Afioga Hon TUITAMA TALALELEI TUITAMA:** Mr Speaker, I move a motion, *That the Ministry of Women Affairs Amendment Bill 2021 be read a second time.*

*Seconded by the Minister of Commerce, Industry and Labour.*

**MR SPEAKER:** Hon Minister you may proceed with a clarification.

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**Ministry of Women Affairs Amendment Bill 2021**  
**- second reading**

**Afioga Hon TUITAMA TALALELEI TUITAMA:** Mr Speaker in summary, this Bill amends the Ministry of Women Affairs Act 1990, to explain the meaning of the phrase, village women committee.

To recognize this Committee under the Bill and to provide the arrangement of their representatives including responsibilities and duties, for the purpose of the Bill the Committee must be registered under the Ministry to be included in any situation that is questionable about the selection of village women representative under the Bill.

In addition to this, the Bill also intends to amend the Act by clarifying the appointment of members of the Advisory Committee, who are appointed by Cabinet under the Bill. It must also ensure that the composition of the Committee comprises of more women than men. These changes are made to encourage inclusivity of all women and aims to promote gender equality.

Clause 1 Mr Speaker provides for the short title and Commencement, which will be enacted when the Ministry of Women Affairs Bill 2021 is passed, and will commence on the date of assent by Le Ao o le Malo.

Clause 2 provides for a new definition in Section 2 of the Act such as Village Womens Committee and village fono which has the same meaning in the Village Fono Act 1990.

Mr Speaker, Clause 3 provides section 12 amended, members of the village advisory, by replacing the current paragraph c and d with a new paragraph c. This amendment will remove the express number of members for the Advisory Committee instead specified member will be determined on the discretion of Cabinet on the advice of the Minister as provided for under section 13(1) of the Act.

Clause 4 provides for amendment of Section 13 of the Act to substitute the section heading to, appointment of the Advisory Committee. This amendment will also provide that the structure of members included in the Advisory Committee must be 60% women. The proposed amendment will complement Section 3 of the Bill, which encourages the promotion of women participation in decision making. Mr Speaker Clause 5 provides for an amendment of Section 15 of the Act. Meeting of the Advisory Committee to be amended in Clause (1), the expression, at least three times a year, every month. In order for the Advisory Committee to have frequent meetings. In addition to that, this Clause is further amended by the number of members of the Advisory Committee who can attend a meeting under Clause (3), so that the total is 60% of participants.

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**Ministry of Women Affairs Amendment Bill 2021**  
**- second reading**

Mr Speaker, Clause 6, provides for amendment of Section 16A of the Act. Establishing a female representative of the community, by introducing a new subsection 2 (2), so it reads, a woman must not be nominated as a Sui Tamaitai o le Nuu if she is not involved in any Village Women's Committee affairs under section 16AA.

This amendment will ensure that the selected woman, is an active member of the committee. Mr Speaker Clause 7 provides for new section 16AA, to be inserted after Section 16A, to recognize the organization of members, including responsibilities and duties of a Village Women's Committee. The Village Women's Committee must be registered with the Ministry. Clause 8 provides, saving and transitional, for any current appointed member. Those appointed under Clause 12 and Clause 13, before the commencement of the Act must continue to be a member until their term of appointment is expired or revoked. Mr Speaker with respect.

**MR SPEAKER:** Thank you. I call upon the member of Faleata West.

**Tofa Lealailepule Rimoni Aiafi (Faleata West):** Mr Speaker. Thank you for this new morning, in God's kindness and love. I came this morning with joy, but there is also a sense of sadness with our relationship, because this is the last day. These matters are important, I also wanted to give an opinion on the previous Bill, nevertheless it is alright, and I now have the opportunity going forward.

But as I have talked with the Hon Minister on several occasions, especially the Ministry, this Bill tabled regarding village women representative is important. The term emphasized is inclusivity, which includes all. It seems in this situation I want to convey, that this applies only to traditional villages. But it should state here traditional and non-traditional villages. Remember these villages in the urban area have long had representatives. The Minister is also aware of it since we both reside in Alafua, the village mayor has long requested this, but there are no women representative. Therefore, in our village of Vaitele, we have one woman representative, because we have a traditional village. But inland, there are 3 village mayors but no women representative, because of such reason that there should be a women's Committee. In my opinion, it is not possible to organize these women, and in numbers as desired by the Ministry, it is impossible to establish women representatives. Now a Women's Committee has been established in Vaitele, they also came to the Ministry for discussion. To get recognition from Government and the Ministry, there are public discussions. But this must be overlooked now. If there are three mayors or village representatives, then there should be three women representatives.



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**Ministry of Women Affairs Amendment Bill 2021**  
**- second reading**

Because women who are residing inland, there are more than 1,000 of them. Therefore, we are trying to gather them together to make everything easier, to make them the focus of all things and developments of the Government, as presented in the Bill, in the developments that will be carried out as well as vaccinations by Health and other things.

Therefore, I request to the Hon Minister, especially in going forward, that he should emphasize and take a special approach to include women in non-traditional villages. Not only in Vaitele but in other non-traditional villages with an increasing number of women, going into the future.

Another matter Hon Minister is the statement, which saddens me alone. It is said that it includes all women and aims to encourage the equality of men and women, gender equality. I do not know, but in my view, I can see that both men and women are going together at this time. As it is, the progress of women is natural. In school, work and everything. In case it is portrayed that our government did not try and implement it. Our government has been trying to do this for a long time. With respect.

**MR SPEAKER:** I call upon Hon Faumuina Tiatia Liuga, the member of Palauli le Falefa.

**Afioga Hon Faumuina Tiatia Faaolatane Liuga (Palauli le Falefa):** Mr Speaker, I just want to remind you that it would be great if the process of Bills is properly reviewed. We have already read the Electoral Amendment Bill for a second time. We thought we would be given an opportunity to deliberate it. However, the representative for Faleata has also spoken. But if I strongly believe, it would be nice if we could discuss since it is our Sitting, but no one is complaining since we have long been working. Thank you, Mr Speaker, but that is a request, let us discuss our issues properly.

**MR SPEAKER:** Thank you, Pardon me Olo. Let me clarify, the work of the House does not wait for the member who wants to speak. You all have mics you can press if you want to speak and then I know you want to stand. But I waited for 2 minutes, but our work cannot wait because we have orders that needs to proceed.

I apologise to the respects of Parliament if there seems to be a difference of opinions of elders from Aana o Tutuila and Ape, I appease you all, let us leave it unto God. We still have other matters pending. I call upon Tofa Olo.

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**Ministry of Women Affairs Amendment Bill 2021**  
**- second reading**

**Tofa Olo Fiti Afoa Vaai (Salega East):** Thank you for giving us an opportunity. Thank you, Hon Minister, for the significance of the Bill, for the recognition of the roles, of men and women in rural areas.

The only question since it is stated in the Bill, that the Cabinet will appoint these groups, village representatives. But whether we have stepped away from the plan and the current situation, where a women committee elects their own representative, the same for village council for village representative, for men.

Whether the decision will now be made directly here, the Government will appoint. Another matter I can see in the Regulations, this is where the details of these processes are stated. Whether there are any qualifications needed by Cabinet and Government is appointing men and women representatives from villages. This is quite brief.

We should also take a break; all our Bills have been passed. Thank you.

**MR SPEAKER:** A question will now be put forward Olo. I call upon the Minister to respond, the matters raised by Olo are not major.

**Afioga Hon TUITAMA TALALELEI TUITAMA:** Thank you Mr Speaker for the opportunity, in response to these queries. It is also good to ask questions to understand a subject better. Thank you for raising these matters, these are areas the Ministry have paid attention to. If this House remembers, this is not the first time that I will speak about this matter. This is the second time since the start of our meeting, which I mentioned the term inclusivity. This term means, covers all women in Samoa. This includes all villages namely traditional and non-traditional, as stated by the member. The Attorney General's office is working to remove this term traditional. So that all villages are equal, to be appointed by them. At the moment, this Bill, is to recognize the official standing of women committees in non-traditional villages. Then the change was brought forth to remove under this Bill the appointment of women representatives of traditional villages. In order to remove this provision, so that committees in urban areas are eligible, not as traditional villages, to appoint their own village women representatives, as urban and non-traditional. This is an answer to the query by Tofa Lealailepule. As for this very spirit, I am glad that the House understands. I know the spirit of this House, is to have every woman included in the Women Committee. Whether it is a traditional village, regardless, all should be included within the Committee for women. We are all aware, as some village practices are discriminatory against women who are in the Committee and those who are not in the Committee.

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**- second reading**

As for the objective of the Ministry, women are women. No matter where they are whether it is traditional or non-traditional villages, they should all be included in Women Committees. I have already elaborated the position of their duties, these parts are included, of regulations come a time. We must pass the Bill first, then regulations are drafted to further clarify these duties. All duties should be included here, like weaving committees, hygiene committee, vegetation committee and all others that are part of women committees, as part of their functions.

So, they will be divided when the Ministry sets out their responsibilities. Now our committees have begun work on it, which has long taken on their responsibilities. The only thing that has been removed, is evident in traditional villages because they are still carrying out these duties, like hygiene committees, there are different committees for everything. However, what the Ministry is trying to do, is to include all these things in one Committee, one Women Committee, where they perform all these different types of duties, such as weaving, hygiene, vegetation, environment, all these will be included in the Women's Committee.

Mr Speaker, that is the clarification to the questions raised with respect.

**Afioga Sulamanaia Fetaiai Tauilili Tuivasa (Vaimauga East):** Mr Speaker, an opportunity please.

**MR SPEAKER:** The Minister has responded. I will give you the opportunity, in case you blame the Speaker also this is our last meeting day. But when the Minister speaks the matter is clear. This is made in warning to those who will not come back, oh for those who will be coming next Term. I call upon my confident brother from Vaimauga.

**Afioga Sulamanaia Fetaiai Tauilili Tuivasa:** Thank you Afioga Pulemagafa for the opportunity. It is the feeling of this member that I wanted to give an opinion, thank you Hon Minister for this Bill. This showcases a Minister that is vigilant even though he is leaving Parliament, he is implementing the Bill, for the good of the Ministry. The only request to the Minister and the Ministry, is the word saying it is impossible to include women. What I mean is the matter whereby Government is involved in appointing women representative from in the Authority of Village Council. This is where an opinion is conveyed. The appointment of women representatives chosen from in the Authority of Village Council, is up to the village and their practices. Because I can see in the Bill, it seems this is directed by the Ministry, under the authority of village council, or women.

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**- second reading**

They say unless there is a committee and so forth. Secondly an opinion of this constituency Mr Speaker, the reason why I am sad, is that discrimination is still being noted. It is stated that 60% must be women, but at this age and the life we are living now. Men also do the same work; they can also weave the fine mats. Most of the work that are usually done by men is now also performed by women. If I look at this Bill, it emphasizes that 60% of members for the Advisory Committee are women.

Therefore, my request Hon Minister, why not implement this Bill directly towards women, and not include men. The Bill tabled seems to favour only women. But as you can see Mr Speaker and this House, the situation we are in now everyone is equal, we are able to be Ministers, a lot of positions have been given to women. The only thing not given to women is the head. The fathers are usually the head, but all other things can be done by women. This is the Bill in my view Mr Speaker, it is the reason for taking the floor. It is racist, if it states 60% women then how about men? If there is a bigger percent of men, then why is it not stated? There are no men, only women, so that they can talk about women matters, but men should not participate in Advisory Committees. With respect.

**MR SPEAKER:** I call upon the Hon Sao Faapito. We have just now met. Greetings Sao Faapito, I bid you welcome in good health.

**Afioga Hon Fiame Naomi Mataafa (Lotofaga):** Mr Speaker thank you, for recognising this member. But I wanted to take the floor regarding the matter mentioned by the previous member on the 60%.

I read the change in the Bill, that this is the Advisory Committee in the Ministry of Women. And the Advisory Committee have long been established. And I wanted to understand this 60%, it seems they are women representatives. This means they are village representatives. If I am reading it right, the other 40%, is the opportunity given to other private organisations as they used to be part of the Advisory Committee of the Ministry. And in this case the matter regarding members of these non-governmental organisations in the Advisory Committee has been restricted, to 60% women representatives. I want to leave this beside the Minister, the significance of this partnership. There are still members of non-governmental women's organisations in the Advisory Committee. It is noted in the speech by the Minister, all amendments, are to clarify and no longer confuse the perspective of who is setting up women's issues and their responsibilities.

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**Ministry of Women Affairs Amendment Bill 2021**  
**- second reading**

I want to remind the Minister, the hygiene Committee, like the General Assembly of women, it is a private registered organisation. They have long been working in partnership with the Ministry of Women. These are some of the matters I want to set beside the Minister as a reminder, the contribution and support of these non-governmental women's organisations in the country.

**MR SPEAKER:** Very well, thank you.

**Afioga Hon TUITAMA TALALELEI TUITAMA:** Thank you Mr Speaker, it seems some have garnered opinions from others. I am grateful that opportunity has been given to them. But the issues that are being raised are interesting, they also clarify and expand the matter. Maybe this is what is needed by Parliament, to respond to each of their issues, then there will be no further confusion. Mr Speaker, the matter raised by Tofa Olo, regarding the appointment. Remember under the Bill, the Women Committee elects a representative, then it is submitted for endorsement from the village council. Then it is given to the Chief Executive of the Ministry, and onto the Minister, where it is taken to Cabinet for approval, which is the process. We are currently working on it, this is the reason for the Bill, so that women committee who are not from traditional villages are entitled to nominate their women representatives. That is the purpose, to have this group mentioned, for all women to be included.

The matter raised by Afioga Sao Faapito, for this matter I should elaborate its history, because this is also why there is confusion with the appointment of the Advisory Committee. The Principal Act 1990, the Women's Advisory Committee, was to be reviewed in 1998, which emphasized the appointment of 30 women, 15 from Savaii and 15 from Upolu, Manono and Apolima from the beginning. Thus, the Afioga Sao Faapito was also in charge of this Ministry, she was a former Minister. But in my research for this matter in questioning the position of Women Committee. There was no Advisory Committee for women from the start up until now. Until the Cabinet appointed an Advisory Committee under the current policies of Government and appointed an Advisory Committee. This is the Advisory Committee we have now. There are 16 members that requested the Ministry, because there are only 3 women in the Advisory Committee, all are men. Then I said there should be a balance, emphasize for women. It is requested that 60% are women and 40% men. If we look at Cabinet appointment it will all be women. The only thing the Ministry is keen on, is for the Cabinet to be aware of the appointment of the Advisory Committee, to have less men than women. This is the spirit, as clarified in the statement with respect.

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**Ministry of Women Affairs Amendment Bill 2021**  
**- second reading**

**MR SPEAKER:** Thank you. I just want to remind you all, we had a seminar on this Bill, and we had the pre-sitting. Except the members who were absent, this means they have not upheld their oath of allegiance.

**Susuga Mulipola Leiataua Laki (Aiga i le Tai):** I know you love me, as this is my last stance. But I want to mention a few matters. Because this is one topic which was mostly important to me in many of my speeches.

This is also noted in the speech by Salega, which has not yet been covered by the Minister. There are other announcements made in rural areas, that the Cabinet or the Government are appointing women representatives and village representatives...

**MR SPEAKER:** Well since you mentioned in the beginning of your statement which is being obtained outside. No, this is the Parliament, and our Parliament does not gather garbage.

We adhere to the clarification given by the Minister, what is stated by the Minister is the opinion of Government. As for information that is aired outside, those are mainly rumours. If you hear it here first, then that is it.

I call upon the Minister to....

**Afioga Hon TUITAMA TALAILEI TUITAMA:** Mr Speaker, there is one more thing that I missed, since I have already clarified it in my response, the matter raised by Sao Faapito, regarding other Committees, saying it is the General Assembly of Women. I have already clarified; Women Committees are plans of Government. There is only one Women Committee in constituencies and each village, traditional village, there is only one Committee including all women. As for other Committees, this is not a plan of the Government.

There are other General Assembly, this was explained that day, and there is only one General Assembly for Women's Committee in Samoa. It is only the Committee that is instigated under this Ministry, all are included as part of the Ministry of Women. As for other organisations of women, those are not part of Government.

This is a clarification with respect.

**MR SPEAKER:** I will give you the opportunity for the other Bill that is related to the matter. Since the Minister has already spoken, because once the policies are discussed by the Minister that is it. If it is fine with you, we should proceed with our work hence the Chair has moved forward.

Therefore, I apologise to Susuga Mulipola, Aiga i le Tai, I will give you the opportunity in the next Bill following. Thank you.

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**Internal Affairs Amendment Bill 2021**  
**- second reading**

*Motion approved and the Ministry of Women Affairs Amendment Bill 2021 was read a second time.*

**INTERNAL AFFAIRS AMENDMENT BILL 2021**  
**– second reading**

**Afioga Hon TUITAMA TALALELEI TUITAMA:** Mr Speaker I move a motion, *That the Internal Affairs Amendment Bill 2021 be read a second time.* With respect.

*Seconded by the Minister of Commerce, Industry and Labour.*

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

**Afioga Hon TUITAMA TALALELEI TUITAMA:** Mr Speaker, in summary, this is a Bill to amend the Internal Affairs Act 1995. The objective of the Bill is as follows; (a) to remove the responsibility of consulting the village council, regarding the removal of their village representative on the grounds mentioned by the Bill. However, it is still necessary to consult the Chief Executive Officer and the Ministry in order to inform the correct village council for the selection of a representative of the village. And (b), to provide for the appropriate process followed to remove a sui-o-le-nuu from office under the Bill. It is especially for the provision of the basic guidelines of justice according to the process mentioned as the right of the representative of the village to inform them of the reasons for removal and an answer on the matter.

Mr Speaker, Clause 1, provides the short title and commencement. This Act may be cited as the Internal Affairs Amendment Act 2021 and commences on the date of assent by Le Ao o le Malo.

Clause 2 amends Section 14 of the Act, village representative and Government representative to substitute consult to inform, under Section 14(3) of the Bill. This will clearly state the provision, the office of the village representative can be removed by the Minister upon the recommendation of the Chief Executive Officer for the reasons as specified, and the Chief Executive Officer is responsible for notifying the village responsible for the nomination of a village representative.

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**Internal Affairs Amendment Bill 2021**  
**- second reading**

In addition (b), it provides for the due process of removing the office of a member of the village under the Act. In particular amendments are requested in Section 14 of the Act, which provides that a member of the village must be informed promptly of his or her removal from office, as well the opportunity to submit a response or reasons against his or her removal from office.

In short Mr Speaker and respectable members of the House, these are minor changes, there is only one term this amendment refers to, because it is under the Act where the work is carried out, there is the word consult which is now changed to the term inform.

In order to facilitate the work of the Ministry in the removal of a village member who has failed or portrayed unruly behavior to hold the position, there are powers in the Minister and the Ministry to remove office, but inform the village, then what we have now, unless they are consulted. This means that the Ministry will meet again and consult the village council who elected the village representative. This is the only minor change, just this term used in this Act. With due respect.

**MR SPEAKER:** Very well. Well let me first give the opportunity to. Well since the Sao Faapito is upstanding. I call upon the Hon Fiame the Sao Faapito.

**Afioga Hon FIAME NAOMI MATAAFA:** Thank you Mr Speaker. Perhaps the clarification given is clear as well as the reasons for changes. But in the last part, the Minister spoke on the change made on the terms consult and inform on the removal of the mayor from office. But there is also amendment under 3A (b), which states, it is possible to do a review later, in making the decision to dismiss.

The reason for taking the floor with respect, on the matter of things regarding employees, they have been removed, but there are no provisions on why they were immediately removed. As for the normal circumstances, there are steps that should be implemented before being removed. It seems it is reversed; they are dismissed first and then these steps are taken for review, under the Act. It has been stated and I understand the notion, saying it is to make the work of the Ministry easier.

I am not clear though, on what is the difficulty in consulting first before dismissal. Because that is the change made. But there is opportunity to negotiate later. This is the only aspect, this is too tough, once given they will cut it out immediately with respect to the Chair and House. As for normal work conditions of workers, there are steps taken before dismissal. This is the only issue.



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**Internal Affairs Amendment Bill 2021  
- second reading**

**MR SPEAKER:** Very well. I call upon the Hon Prime Minister.

**Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI:** Mr Speaker there are many kinds of decisions to be made, and the member who just spoke should understand it. We are talking about mayors; they cannot be compared to Government employees. There are many times when these things happen, the post is removed but a reviewed is carried out later. Well, this is our culture, it is based on giving and receiving.

There are many instances where these arise, especially in understanding later, that there is a lot of politics involved in villages. This is why, there is a lot of talk to be done in local positions, such as mayors. There are many times that it appears on the reports that the mayor is wrong, but it is later found out after consultation, no it is not the mayor who is the cause. So, it is adjusted again. There is review at the end. These things happen often, and I even get called in to it, especially these are things that happen often, whatever happens the Minister is affected, but the manner of our country is they always want to come and see me. Then I call the Minister and we talk again and find out the major presence of politics within villages, even with other sao, the elderly sao are all part of it.

Mr Speaker this is the situation, it is the norm sometimes, therefore we stop it immediately, and the appointment will be deferred. After 3,4,5,6 months, there is no mayor and no appointment the village will come, and we meet again. As for this matter, the terms mentioned in the Bill are implemented to resolve this difficult matter, Mr Speaker we are still implementing our traditions and customs in meetings with the community that call upon me, and I call the Minister and we converse. The Sao Faapito should also remember that there are similar matters within her Ministry. We call upon them to meet, there is a lot of compromise, and we all know the tool of wisdom is speech. Mr Speaker, common sense is used most of the time.

**MR SPEAKER:** Thank you. I call upon the member of Anoamaa East.

**Afioga Alaiasa Muagututi'a Moefaauouo Malagaitutogiai Sepulona Moananu (Anoamaa East):** Thank you for the opportunity. I have listened carefully to this Bill, as it says, whether it is informed, consult or negotiate, it is the same thing if the mayor carries out his duties as appointed by the village. But if they start as mentioned there is always politics involved, then the implementation of duties will fail.

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**Internal Affairs Amendment Bill 2021**  
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But there is another side, because there are different positions for mayors in rural areas. But if the relationship between the mayor in office with the Ministry is good, then the Ministry will be involved in the appointment of the mayor. This is why the Ministry should always listen to the village and who they nominated as mayor. No matter how good, or how good the services are, no, the authority lies with the village.

One other thing Hon Minister I heard the term non-traditional, this term is not easy to hear in case we who are residing in Apia and the urban area are labelled as city plunders. As for the sanctity of Samoa, it is responsible for such aspects.

I would like to ask the Hon Minister, if there is an opportunity to emphasize these nontraditional communities in the future, to signify these positions of our Government, to have a mayor, a women's committee and so forth, and remove this term non-traditional. If we look at the Electoral Act, unless you are registered and have a matai title in a traditional village where you reside, then you are able to register to run. This means, this should be reviewed, because these are some of the bigger constituencies where majority of the country reside.

This is a matter put before you Hon Minister. With respect.

**MR SPEAKER:** Very well. I call upon the Hon Prime Minister...

**Susuga Hon TUILAEPA AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI:** Mr Speaker, I just want to take the floor to discuss the matter regarding the appointment of people as public servants of the Ministry or Government under the policies of Government.

The matter is to give the responsibility in the selection of representatives, which is process we are applying now. The opportunity is given to the village. But we are all accustomed to village practices, there are times when a person voted has no use at all, they are useless not going to monitor. But there are also times when a reliable person is nominated. This is all recorded by the Ministry, the information is also given to me the opinions stating that the mayor is useless. Mr Speaker, this is not a secret, because such things happen in villages, we who are part of the decision-making body are aware of it. I have spoken about this not once or twice, to nominate a person that is useful than someone who is reliant on honor but does not go and see what is happening.

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**Electoral Amendment Bill 2021  
- consideration in detail**

How many times has the Government given support on this matter, funding was given to encourage mayors to order the untitled men to clear the roads, but when the decision came, nothing was done. Government will not spend money to pay allowances for those types of mayors if they are useless, thus we also know the decisions made in villages. The situation for such things are, once the person chosen under the recommendation of the village is useless, other members of the village will come and report them, other men. It is impossible to make a final decision, what the village says is what is done.

Mr Speaker, we all know, we are the ones making decisions, we are the ones appointing mayors. Mr Speaker, we have the freedom to speak. If the Ministry finds out that a person who have been brought forward is not good considering their understanding, the other chiefs will report on it later.

Mr Speaker, I thought there will not be much said about this Bill, since it is very clear. Also, there is a reason why the Bill was implemented, it was drafted because of what has happened. Mr Speaker, this Bill was not drafted lightly.

**MR SPEAKER:** Thank you. I believe the clarification by the Hon Prime Minister is enough to explain the matter. I have been a mayor for 9 years and have been chosen as mayor for three terms. Yes. And this is what is implemented. There is also complaint from some members of Parliament to go and sign their papers from the mayor, but it is hidden by others. This is the nature of life we are living. As for the foresight. Yes. I appease the members...

*Motion approved and the Internal Affairs Amendment Bill 2021 was read a second time.*

**ELECTORAL AMENDMENT BILL 2021  
– consideration in detail**

**MR SPEAKER:** Pursuant to Standing Orders consideration in detail starts with Clause 2.

**CLAUSE 2: Section 2 amended.**

**CLAUSE 3: Section 8 amended.**

**MR SPEAKER:** Well...

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**Electoral Amendment Bill 2021  
- consideration in detail**

**Tofa LEALAILEPULE RIMONI AIAFI:** Mr Speaker, I thought there would be an amendment on Section 8, Clause 3. There is a term in Clause 3, f3, there is a part that should be removed or changed. A recommendation was voiced for this part to be removed because it is not appropriate. I thought it was going to be done, unless it was missed or misinterpreted. Because the Bill is going to be passed, this term should be removed or changed with a suitable word. 4(3) that word stated there is de facto partner.

Another matter Mr Speaker, there is a lot of changes on this matter. The matter stated in section 2...

**MR SPEAKER:** Why would you worry if you do not have a de factor partner? I ask that you conclude, the person involved should be the one worried. But you may speak, and the Minister will answer later.

**Tofa LEALAILEPULE RIMONI AIAFI:** The section whereby the clause is too abstract on the company...Mr Speaker the previous Act was alright with the duties of Government overseas. The upcoming elections, there are people who have been accepted as candidates while they work in other countries and reside there. Since they now have this excuse, the term company is therefore abstract, the definition for organization. What I mean is, you can setup a business here and then goes live abroad, since it is now included under the Act. This should be reviewed by the Minister going forward once we come back.

Another issue is section h(b) in the village, because what is happening now, we went to register and the Commissioner's office said, only villages recognized by women, that includes these villages divided but when brought to court, the court does not accept that definition. They still submit it even though it is behind the village, there is division in the village with the nomination made, but the court will not accept it. Because if the service is carried out it is done, but the explanation given Hon Minister is not clear. The Act is not clear. It should have been put in the Bill, if the village is divided, it is only the village that is recognized by Government, where there is a mayor and so forth that should be acceptable. There are a lot of changes, but this is a matter the Minister should review in going forward if we come back. With respect.

**MR SPEAKER:** Thank you. Hon Minister and the Ministry please heed the advice of the member Lealailepule.

**CLAUSE 4: Section 11 amended.**

*Clause 2, 3 & 4 approved.*

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**Electoral Amendment Bill 2021  
- consideration in detail**

**MR SPEAKER:** Since we have arrived at our usual recess, Proceedings of the Legislative Assembly will be set aside for its usual recess and then we will come back and continue our work.

*Proceedings of the Legislative Assembly was set aside for its usual recess at 10:44 am and resumed at 11:38 am.*

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

Well I think we have received strength for the sanctity of Parliament to continue our work as well as for Government Ministries. Proceedings of the Assembly was set aside for its recess as we were considering the Electoral Amendment Bill 2021 in detail.

**CLAUSE 5: Section 18 amended.**

**CLAUSE 6: Section 47 amended.**

**MR SPEAKER:** I call upon...

**Tofa LEALAILEPULE RIMONI AIAFI:** Mr Speaker, thank you for the refreshments provided by the office. Thank you.

Perhaps these opinions voiced will be useful in future and returning to considering this Act. Because these matters are quite serious, especially us who were involved. This section 6 of the costs imposed upon the Commissioner. What happened was it also affected us with these costs, because we thought the case was, between the Commissioner and the defendant, but after the other charges carried out the mayor was affected as well. Then the mayor goes to find a lawyer, which usually ends up to the member. It is not cheap. What I mean is, a mayor, the expression that is given to them is Government representative. An employee of the Government. In other words, the Government must defend them, when such charges are made. The candidates nominated are not changed, and the application is made directly to the Electoral Commissioner. The reason why some mayors do not sign the documents, is they are following the rules given, do not sign a document for someone who has not been a matai for 3 years, or have made a monotaga for less than 3 years. The mayor cannot sign either, because the mayor will be prosecuted if he signs incorrectly.

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- consideration in detail**

However, the mayor signed it in his belief that is right, but then he is sued by the member, who came to sue. The mayor will have to go and find a lawyer to represent them. In my understanding, this is the responsibility of the Electoral office, but it does not mean that the mayor did not sign because he thought not to sign. The reason for not signing, is regarding provisions given by the Electoral Commission. As I stated, Hon Minister, these ideas are useful moving forward to review these parts because it is stated here, the case that is implemented or the conflict with the person who comes to sue, the Electoral office is sued directly, they go to defend, there is a Law Firm that does it. But now it has been imposed again on us who are affected. Well, that is the situation minister, which need be looked into moving forward. With due respect.

**MR SPEAKER:** Thank you. I apologize Hon Minister, but I will give the opportunity to the interruption then you may proceed.

I call upon the Afioga i le Sao Faapito.

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker the part which we are now discussing, it is stated under (f), the conditions required by the Act to qualify a candidate must be signed or approved. This includes the signature of the village representative. The matter that I wish to put forth Hon Minister, because I found the objective of the Bill is to illustrate the Act further so that the decisions of the Court are not doubtful.

My testimony Mr Speaker, regarding the signature of village representative whether it be men or women, is a legal requirement. But it was noticed during the process of the courts in electoral matters, that the signature was questioned. Now the representative who previously spoke stated not signing. As for me I want to speak about the mayor that signed. Mr Speaker what I meant is, if it is evident in the court cases that proceeded, that there is a question of the mayors' signature, but it is a legal requirement. This means the cases that have already been carried out, questioning the signatures of village mayors to emphasize the matter, all mayors doing this work will be challenged. So, the meaning of the question is, what exactly is the legal status and the potency of the Act that goes to the signature of the mayor? Except, Mr Speaker, the appointment of the mayor is illegal and inconsistent with the Law. Then I believe, it is a must to challenge this signature. But if the position of the mayor is well established and the signature is done, but with the matter being questioned by the court. I want to leave this beside the Minister, what will happen is, there will be no legal powers to require the mayor's signature. This is the concern.

**MR SPEAKER:** Pardon me, I call upon the Prime Minister.

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**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** The opinions conveyed on the position are important. And we will have a long discussion. Ever since I came to this House, and now I have been in this House for 40 years. The Electoral Act is still being amended.

After the elections it was part of the policy of this Political Party in Government, to form a Commission of Inquiry. Then the Cabinet tried to include in the Commission those candidates who were unsuccessful, not only with the previous elections but other past elections, for the reason that they also understand what they did. They also understand what other politicians have done. I will give an explanation.

The issue where some voted using the name of those who have died. Then the charge is made, and the testimony brought forth won, because when voters were searched, ballot papers presented. It was noted then, that these are people who have been dead for a long time, but now they have voted again in the roll. Then our ID was created for the first time, based on the Commission of Inquiry. To find a way to make our elections just. No one thought there would be other things that will happen, that will create new actions. The candidate going to pick up voters, to come and do IDs. People are smart, if Kome went there to pick them up, they are given \$20 to take them to do the ID, this person would think. This is very interesting. Then another will come by and ask, have you done an ID? But it has been done. But they say no. They get on the car and get another \$20; another ID is made making it two. Then another candidate would come again, have you done your ID? It will be the same, no, and it goes on like this, some have 10 IDs, if there are 10 candidates then 10 IDs. The question? Who is causing this to happen? The candidates.

We just heard that the Ministry has canceled the other forms that were taken to be filled out by those who are sick, to vote before official elections. But now it is seen in the report, some candidates have gone to collect these forms from their voters, for them to fill out, in the spirit that they will vote for them.

Mr Speaker, from that time until now, problems have been happening. But who is it happening to? It is happening because of these candidates running for elections. Mr Speaker, the Government is tired of making amendments, now this amendment is being proposed. It may happen now, after the election process, whether the Government comes back, because they have four candidates, and then they will come and set up Government. There will be another Commission of Inquiry, based on the circumstances of many new circumstances that have arose. But why? It is due to the candidates. Mr Speaker, it is very interesting that we try and find the truth, we try hard to find the truth, but it still happens. But that does not stop us from keep trying and trying.

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Even with these signatures, we grow tired of setting up guidelines, but there are things that may occur. Therefore, whatever we have, let us proceed, let us monitor, and observe what other issues will arise. Mr Speaker, this is the reason for taking the floor. We are tired of setting up Commission of inquiries, but there is only one spirit, let the member make their decision by the inspiration of the Spirit, then going and asking people to vote for them.

Mr Speaker, this is why we end up with amendments. After these amendments and what may happen, in our observation that it is full proof, nothing should happen again, but this will not stop finding a way to commit offence because of the greed to win.

Mr Speaker, I would like to add, but now that the questions have been asked, let the Minister answer them. But it is very useful to think that we have to think again about what we have done and the efforts to improve the elections so that the people will come, and vote based on their beliefs, which candidate they think to vote on. That is the ideal that we all strive for. The questions have been put forth, let the Minister answer them, and these are some thoughts, with the hope that this may be a good thing to do now. Unbeknownst to us, there may be some attempts by them to avoid and find loopholes. Because those are the things done by others. But these are the only things, they try and find ways, to avoid the Law, and end up in court cases here.

Mr Speaker, this is just a statement to outline the matter, but the deliberations carried out now is great.

**MR SPEAKER:** I call upon Tofa Olo, followed by Faumuina Tiatia Liuga.

**Tofa Olo Fiti Afoa Vaai:** Thank you, Mr Speaker, a contribution to the Bill is very short. It is true that this Electoral Act is the champion on amendments. It is amended after every election. I observed that other countries, it has been 20 to 30 years since the last amendment. We are all aware of the nature of it.

Second Mr Speaker on the issue of mayor. There are aspects I have noted in the Bill, it is not very strong in ordering the mayor to sign. Because this is what I have seen in the Bill, it is up to the mayor whether to sign or not, in the approval of the candidate. It appears that if the candidate is signed, the candidate is approved, but if the candidate is not signed, it is considered, and the matter is declined. The other thing is, there is no serious charge in this case, which guides the work of the mayor. I testify Mr Speaker, other candidates that compete, the constituency does not understand who signed the documents.



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My statement is true, but I just want to present it to the Minister and the Ministry in that context. Also, the mayor should sign for a candidate that will be contesting, there should a statement that they should not withdraw from doing it. The mayor has already signed, but after 2 weeks they withdraw. This just shows that there are deceptions instigated in such situation.

The matter raised by Leala, this is a member well known for hiding village mayors in Parliament, Tofa Lealailepule. With respect thank you.

**Afioga Hon Faumuina Tiatia Faaolatane Liuga:** Thank you Mr Speaker, I trust the reason why I am attentive to the Electoral Bill, because I am one member that never misses an election without court cases. There is one area that I would like to draw the attention of the Minister to, is the level of qualification.

The amendment on the re-tabling of the Bill 2019, the power of the Electoral Commissioner was inserted, to make his decision and take care of this matter. If one of the candidates takes it to court. It is not the candidates that should go to court, it is the Commissioner that should go and defend his decision. And he should make the payment. But the opinions voiced are right, because the power of Parliament was given to the Electoral Commissioner, to make the final decision, he also stands to defend the decision made and pay the fee. With respect.

**MR SPEAKER:** I call upon the member... this is your last opportunity.

**Tofa Lealailepule Rimoni Aiafi:** I believe Tofa Olo is joking with his words. The only thing you can hide, is something that has no life, you can put it in your pocket and carry it around. As for a human being, you cannot hide it, it can hide but they can still speak out.

Nonetheless, it is important, as Olo mentioned, it is up to the mayor to sign or not to sign. No, there is the law. It is clearly stated in the Bill, sign with confidence, you should not sign without knowing that nothing is done, there are provision set in the Bill. If you believe with all your heart that there is no monotaga done, do not sign it. This is why I like my mayor, not only does he do his job honestly, but he also lectures the person in the courthouse. It is very useful, there are a lot of good measures prepared by the Office, but Leala is not a person that hides people, he exposes people, thank you.

**MR SPEAKER:** I call upon the Minister of Electoral Commission.

*02 MARCH 2021*

**Ministry of Women Affairs Amendment Bill 2021  
- consideration in detail**

**Afioga Hon FAAOLESA KATOPAU T. AINUU:** Thank you Mr Speaker for the opportunity. I also thank the Leader of the House for clarifying the matter. All the opinions voiced by members are important for the consideration of Government when we return in the next Term, they are important. As explained in the presentation this morning, the spirit of the amendment, is to clarify the existing Bill. If we wish to change it, then we should change it at the appropriate time, as for now, it is only the clarification of the Bill, for the clarity of the house opposite.

**MR SPEAKER:** That was a great response Hon Minister.

**CLAUSE 7: Section 156 amended.**

*Approved.*

**CLAUSE 1 AND TITLE**

**CLAUSE 1: Short title and commencement**

**TITLE: Electoral Amendment Bill 2021**

*Approved.*

*The Electoral Amendment Bill 2021 progressed without amendments.*

**MINISTRY OF WOMEN AFFAIRS AMENDMENT BILL 2021  
– consideration in detail**

**MR SPEAKER:** Pursuant to Standing Orders consideration in detail starts with Clause 2.

**CLAUSE 2: Section 2 amended.**

*Approved.*

02 MARCH 2021

**Ministry of Women Affairs Amendment Bill 2021  
- consideration in detail**

**CLAUSE 3: Section 12 amended.**

*Approved.*

**CLAUSE 4: Section 13 amended.**

*Approved.*

**CLAUSE 5: Section 15 amended.**

*Approved.*

**CLAUSE 6: Section 16A amended.**

**MR SPEAKER:** There is an amendment for Clause 6. I call upon the Minister of Women, Community and Social Development.

**Afioga Hon TUITAMA TALALELEI TUITAMA:** I move an amendment on Clause 6 as follows.

**“AMENDMENT:**

Renumber section (2) and insert new subsection (1) as follows. (1) section 16A (1), of the Principal Act, is amended by removing the word traditional.

*Amendment approved.*

*Clause 6 approved as amended.*

02 MARCH 2021

**Ministry of Women Affairs Amendment Bill 2021  
- consideration in detail**

**CLAUSE 7: New section 16AA inserted.**

*Approved.*

**CLAUSE 8: Saving and transitional.**

*Approved.*

**CLAUSE 1 AND TITLE**

**CLAUSE 1: Short title and commencement**

**TITLE: Ministry of Women Affairs Amendment Bill 2021.**

*Approved.*

*The Ministry of Women Affairs Amendment Bill 2021 progressed without amendments.*

**INTERNAL AFFAIRS AMENDMENT BILL 2021  
– consideration in detail**

**MR SPEAKER:** Pursuant to Standing Order consideration in detail starts with Clause 2.

**CLAUSE 2: Section 14 amended.**

*Approved.*

**CLAUSE 1 AND TITLE**

**Clause 1: Short title and commencement**

**TITLE: Internal Affairs Amendment Bill 2021.**

*Approved.*

02 MARCH 2021

**Electoral Amendment Bill 2021  
- third reading**

*The Internal Affairs Amendment Bill 2021 progressed without amendments.*

**ELECTORAL AMENDMENT BILL 2021  
– third reading**

**MR SPEAKER:** I call upon the Hon Minister of the Electoral Commission.

**Afioga Hon FAAOLESA KATOPAU T. AINUU:** Mr Speaker, I move a motion, *That the Electoral Amendment Bill 2021 be read for a third time.*

*Seconded by the Minister of Education and the Minister for Communications and Information Technology*

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

**MINISTRY OF WOMEN AFFAIRS AMENDMENT BILL 2021  
- third reading**

**MR SPEAKER:** I call upon the Minister of Women, Community and Social Development.

**Afioga Hon TUITAMA TALALELEI TUITAMA:** Mr Speaker, I move a motion, *That the Ministry of Women Affairs Amendment Bill 2021 be read for a third time.*

*Seconded by the Minister of Commerce, Industry and Labour.*

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

**INTERNAL AFFAIRS AMENDMENT BILL 2021  
– third reading**

**MR SPEAKER:** I call upon the Minister of Women.

02 MARCH 2021

**Land and Titles Registration Amendment Bill 2020  
- consideration in detail**

**Afioga Hon TUITAMA TALALELEI TUITAMA:** Mr Speaker, I move a motion, *That the Internal Affairs Amendment Bill 2021 be read a third time.*

*Seconded by the Minister of Commerce, Industry and Labour.*

*The motion was approved, and the Bill was read for the third time and passed by the Legislative Assembly.*

**LAND AND TITLES REGISTRATION AMENDMENT BILL 2020  
– consideration in detail**

**MR SPEAKER:** Pursuant to Standing Orders the report of the Committee on the Bill must be approved first by the Legislative Assembly before consideration in detail.

I call on the Chairperson of the Infrastructure Committee.

**Afioga TAFUA MALUELUE TAFUA:** Mr Speaker, I move a motion, *That the Assembly approve the Report of the Committee that recommends the progress of the Land Titles Registration Amendment Bill 2020 together with Corrections.*

*Seconded by the member for Anoamaa West.*

*Report approved.*

**MR SPEAKER:** I announce that the Legislative Assembly has approved the Report of Committee on the Bill and we will now proceed with consideration in detail.

Pursuant to Standing Orders consideration in detail starts with Clause 2.

**CLAUSE 2: Section 18 amended.**

*Approved.*

02 MARCH 2021

**Land and Titles Registration Amendment Bill 2020  
- consideration in detail**

**CLAUSE 1 AND TITLE****Clause 1:** Short title and commencement.**TITLE:** Land Titles Registration Amendment Act 2020.

**MR SPEAKER:** The Committee has Corrections for Clause 1 and Title.  
I call on the Chairperson for the Committee.

**Afioga TAFUA MALUELUE TAFUA:** Mr Speaker I move a Correction on Clause 1 and Title as follows.

**“CORRECTION:**

To remove the number 2020 and replace it with the number 2021 and so the Title of the Act will be read as follow.

**Land Titles Registration Amendment Act 2021.”**

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Before the question is given, there is a suggestion I made during our pre-sitting.

It should be included, Owner of freehold land. Since it is sometimes mixed up with customary land. Therefore, Mr Speaker I advise that this phrase be included, Freehold Land. Thank you.

**Afioga TAFUA MALUELUE TAFUA:** I do not think there is a problem with that. The only thing that this House should know is that there are 3 types of land, freehold land, customary lands and lands under the Government.

**MR SPEAKER:** Just as the common saying goes, let us just continue with what we are doing now. What is the opinion of the Chairperson?

**Afioga TAFUA MALUELUE TAFUA:** It is like that Mr Speaker, I agree with you. The matter raised by Faumuina will be set aside for another day. With all due respect.

**MR SPEAKER:** The reason is that the Committee has no amendment in this section.

*Correction approved.*

*Clause 1 and Title approved with corrections.*

02 MARCH 2021

**Miscellaneous (Salaries Conditions upon Suspension) Bill 2020  
- consideration in detail**

*The Land Titles Registration Amendment Act 2021 progressed with corrections.*

**MISCELLANEOUS (Salaries Conditions upon Suspension)  
BILL 2020 – consideration in detail**

**MR SPEAKER:** Pursuant to Standing Orders, the Report of the Committee on the Bill must first be approved by the Legislative Assembly before proceeding to consider the Bill in detail.

I call upon the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker, I respectfully stand to move a motion, *That the Legislative Assembly approves the Report of the Committee that recommends the progress of the Miscellaneous Amendment Bill (Salaries Conditions upon Suspension 2020) together with Amendments and Corrections.*

*Seconded by the member for Falealili West, member for Falealili East, and the member for Palauli le Falefa.*

*Motion approved.*

**MR SPEAKER:** The Legislative Assembly has now approved the Report of the Committee on the Bill and we will now proceed with consideration in detail.

Pursuant to Standing Orders consideration in detail starts with Clause 2.

**CLAUSE 2: Airport Authority Act 2012 amended.**

**MR SPEAKER:** There is an amendment by Committee for Clause 2.

I call upon the Chairperson of Committee.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 2 as follows:

**“AMENDMENT:**

1. Under (a), replace subsection 4C as follows:



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**Miscellaneous (Salaries Conditions upon Suspension) Bill 2020  
- consideration in detail**

**(4C) The General Manager is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated; and**

2. Under (b) replace subsection 4C as follows:

**(1D) An officer or employee is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 2 approved as amended.*

**CLAUSE 3: Attorney General’s Office Act 2013 amended.**

**MR SPEAKER:** There is an amendment by the Committee for Clause 3. I call on the Chairperson of Committee.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 3 as follows;

**“AMENDMENT:**

Substitute subsection (7) as follows:

**(7) A person is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

With all due respect.

*Amendment approved.*

*Clause 3 approved as amended.*

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**CLAUSE 4: Accident Compensation Act 1989 amended.**

**MR SPEAKER:** There is an amendment by the Committee for Clause 4. I call on the Chairperson of Committee.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move to make Amendments to Clause 4 as follows;

**“AMENDMENT:**

To substitute subsection (10) as follows:

**(10) A person is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

With respect.

**MR SPEAKER:** Thank you.

**Tofa LEALAILEPULE RIMONI AIAFI:** Mr Speaker of the House.

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

**Tofa LEALAILEPULE RIMONI AIAFI:** As noted, amendments are being implemented for all parts of this Act. But there is something that is confusing to me, the wording presented by the Committee, because it is my belief, it is quite simple Mr Speaker. The Act has confirmed his or her charges, and that is it. Delete the decision, but (b) is still correct, as a result of the investigation he or she is no longer reinstated.

That is all, but the proposal made by the Committee, as a result of the investigation, the prosecution, it seems that (a) and (b) will be repeated. But it is my belief, there is only... the Acts and all the charges, but (b) is correct.

With all due respect, thank you.

**MR SPEAKER:** I call upon the Chairperson.

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**Tofa NAFOITOA TALAIMANU KETI:** Thank you for the question, I think that is the summary, as stated by the member, but if you look at the Act, it was found out by the Committee, that the English and Samoan versions were different. So, we are trying to ensure the Act is the same for the English version.

Well, looking at how it was before, it is quite different. Even though the amendment has been made twice by the Committee, but the reason for reading them out separately is because the Acts and the Offices for which this matter is addressed to are different, with respect.

**MR SPEAKER:** Thank you.

*Amendment approved.*

*Clause 4 approved as amended.*

**CLAUSE 5: Broadcasting Act 2010 amended.**

**MR SPEAKER:** There is an amendment by Committee for Clause 5. I call on the Chairperson for the Committee.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 5 as follows:

**“AMENDMENT:**

To substitute subsection (6C) as follow:

**(6C) The Regulator is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

With all due respect.

*Amendment approved.*

*Clause 5 approved as amended.*

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**CLAUSE 6: Casino and Gambling Control Act 2010 amended.**

**MR SPEAKER:** The Committee has an amendment for Clause 6. I call on the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 6 as follows;

**“AMENDMENT:**

To substitute sub-section (11) in paragraph (b) as follow:

**(3C) The Chief Executive Officer is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

**Tofa LEALAILEPULE RIMONI AIAFI:** Mr Speaker. I apologise to the Chairperson of the Committee. As for 3C (a) and (b). So, the actual correction, Chairperson, is that there will no longer be a (b), there will only be 1 and 3, so (a) and (b) will be put together please. Because if only (a) is going to be corrected, then (a) and (b) will be exactly the same.

With all due respect.

**MR SPEAKER:** Well, perhaps the....since the member has stood up too hastily but the presentation by the Chairperson in regards to the amendment is not yet finished.

Maybe if he had finished, it would have made things clearer, however, I will leave it to the Chairperson to respond to what the member stated.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker, the statement you made is the right respond to the member. I have yet to finish reading out the amendments.

Mr Speaker and the sanctity of Parliament, the amendments will be continued, as I have stated before,

**“AMENDMENT:**

To substitute subsection (1D) in paragraph (b) as follow:

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**(1D) A person is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

It is the essence Mr Speaker and Parliament, even though the wording is the same, but the drafting comes first, and the investigations are done on the evaluation of the Committee, these conditions are not the same. That is the reason for this rewording and amendments by the Committee, but in terms of legal procedures, they are still valid except for the difference in the English and Samoan versions. So, it is corrected with respect.

**MR SPEAKER:** Thank you, the matter has been made clear...

*Amendment approved.*

*Clause 6 approved as amended.*

**CLAUSE 7: Central Bank of Samoa Act 2015 amended.**

**MR SPEAKER:** There is an amendment by the Committee for Clause 7. I call on the Chairperson for the Committee.

**Tofa NAFOITOA TALAIMANU KETI:** That is right Mr Speaker; I stand to move an amendment to Clause 7 as follows:

**“AMENDMENT:**

To substitute subsection (2C) in paragraph (a) as follow:

**(2C) The Governor is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.” And**

Insert subsection (2C) into paragraph (b) as follow:

**(2C) a person is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

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**MR SPEAKER:** Very well thank you.

*Amendment approved.*

*Clause 7 approved as amended.*

**CLAUSE 8: Development Bank of Samoa Act 2010 amended.**

**MR SPEAKER:** There are amendments by the Committee. I call on the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker, I move an amendment to Clause 8 as follow:

**“AMENDMENT:**

To substitute subsection 8 as follow:

**(3C) The Chief Executive Officer is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

To substitute subsection (1D) in paragraph (b) as follow;

**(1D) A person is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 8 approved as amended.*

**CLAUSE 9: Electricity Act 2010 amended.**

**MR SPEAKER:** There are amendments to Clause 9 by the Committee. I call on the Chairperson for the Committee.

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**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker, I move to make amendments to Clause 9 as follows:

**“AMENDMENT:**

To substitute subsection (4C) as follows:

**(4C) The Regulator is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

**Tofa LEALAILEPULE RIMONI AIAFI:** Mr Speaker...

**MR SPEAKER:** I call upon the member of Faleata West .

**Tofa LELAILEPULE RIMONI AIAFI:** Thank you Mr Speaker, my question to the Chairperson, what is the connection between the Regulator and the EPC? Because the amending of the Act, it is the Electricity Act for the EPC. But the terms used here, states the Regulator. That is why I wanted to ask the Chairperson, what is the connection between the Regulator and the EPC? With all due respect.

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

**MR SPEAKER:** Well to save our time, I call upon Afioga Faumuina Tiatia...

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA:** Mr Speaker, I would like to ask the Chairperson and the Committee, if they consulted these Acts that includes the SOEs? Because it is not under the PSC. They have their own Acts that incorporates these matters under the SOEs, but it seems that this matter is being included under our Acts, which is currently in progress.

**MR SPEAKER:** I call the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Thank you respectable members for the question, perhaps if you read the Principal Act and its title, where the Committee started its consideration and this Act was submitted before Committee, for Ministries and Organizations under the Government.

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It is the same with statements made by the members, due to the fact that there are still cases in which the expenditure of the Government is affected, but after an investigation, an allegation is approved.

Therefore, the provisions of this Act, perhaps it was also before this House, in the case of changing the Act once a month, to make it possible for the management, the Chief Executive Officer, Regulator, and Director to receive the salary, all under the supervision of the Government, then it will be suspended. Now it will be approved in one month. Every other month, this is the same situation, which is the consideration by the Committee as questioned by the member.

With all due respect.

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

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

**Susuga Hon Tuilaepa Auelua Fatialofa Lupesoliai Lolofietele Neioti Aiono Galumalemana Dr. Sailele Malielegaoi:** The Regulator is the one who determines the prices if they are appropriate, so if there is a problem, then the Regulator is asked to look and give an opinion if an increase in the electricity prices is appropriate.

Well, this shows the importance of this connection, between the EPC and the Regulator, because it is not only for the electricity, but also for the information technology. And it is also reflected under our Act.

Mr Speaker, the Acts that are brought into the House, it is the standard practice, as it seeks an opinion from the Attorney General as to whether they are appropriate. That is the reason why they are scrutinized whether it is appropriate, and that is how it is worded. But I feel that this is a reasonable answer to the question raised by the lawyer Tofa Leala, and that is the reason.

**Tofa LEALAILEPULE RIMONI AIAFI:** Thank you to Hon Prime Minister, I found that there is a Telecommunication Act, which also includes the Regulator. Well, since it was explained by the Hon Leader, but I wanted the Chairperson to respond, since he is very intelligent. With utmost respect.

**MR SPEAKER:** Well, you already know the answer to that, but you still asked. That caused inconvenience for the Leader to stand up, but there is nothing wrong with the response from the fellow member, which was correct.

I call on the Deputy Speaker.



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**Tofa NAFOITOA TALAIMANU KETI:** Thank you to the Leader of Government for clarifying all these matters. But the statement by the member is accurate, perhaps the member wanted to hear the opinion of the Chairperson. The Regulator, which has already been addressed by the Leader of Government, works with the Chief Executive Officer of the EPC, in the classification of units. Do not make me speak to you in English. But I know that you are fully aware of it... all these recommendations have been approved by the Attorney General, then it is brought to be presented before this Parliament, with respect.

**MR SPEAKER:** Well done, how is that? It is now made clear...

**Tofa OLO FITI AFOA VAAI:** Mr Speaker, a point of order. The Chief Executive Officer does not categorize the price units; they are determined by the Regulator.

**Afioga Hon AFAMASAGA LEPUIAI RICO TUPAI:** Mr Speaker, I am the Minister for these things, well, the Chairperson is correct, because the price of the unit is obtained by first looking at the number of units. Thank you.

**MR SPEAKER:** Well, since it has reflected.... oh Olo, you are always looking for trouble.

*Amendment approved.*

*Clause 9 approved as amended.*

**CLAUSE 10: Electoral Commission Act 2019 amended.**

**MR SPEAKER:** There is also an amendment by the Committee for Clause 10. I call upon the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker, I stand with respect to move an Amendment on Clause 10 as follows:

**“AMENDMENT:**

Substitute subsection (7) in paragraph (a) as follow:

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**(7) The Commissioner is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated; and**

To substitute subsection (8) in paragraph (b) as follow:

**(8) A person is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

With respect.

*Amendment approved.*

*Clause 10 approved as amended.*

**CLAUSE 11: Electric Power Corporation Act 1980 amended.**

**MR SPEAKER:** There is an amendment by Committee for Clause 11.  
I call on the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 11 as follows:

**“AMENDMENT:**

To substitute subsection (1D) in paragraph (a) as follow:

**(1D) the General Manager is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

Substitute subsection (4C) in paragraph (b) as follow:

**(8) A person is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

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*Amendment approved.*

*Clause 11 approved as amended.*

**CLAUSE 12: Fire and Emergency Service Act 2007 amended.**

**MR SPEAKER:** There is an amendment by the Committee. I call on the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 12 as follow:

**“AMENDMENT:**

To substitute subsection (4C) in paragraph (a) as follow:

**(4C) The Commissioner is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated” and**

To remove the words **“payment that should be given but not received”** and Substitute with the word **“salary”**.

*Amendment approved.*

*Clause 12 approved as amended.*

**CLAUSE 13: Health Promotion Foundation Act 2015 amended.**

**MR SPEAKER:** There is an amendment by the Committee in Clause 13. I call on the Chairperson.

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**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move to make Amendments to Clause 13 as follows:

**“AMENDMENT:**

To substitute subsection (7) in paragraph (a) as follow:

**(7) The Chief Executive Officer is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated” and**

Substitute subsection (7) in paragraph (b) as follow:

**(7) A staff member is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 13 approved as amended.*

**CLAUSE 14: Housing Corporation Act 2010 amended.**

**MR SPEAKER:** There is an amendment by Committee, for Clause 14. I call upon the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 14 as follows:

**“AMENDMENT:**

To substitute subsection (3C) in paragraph (a) as follow:

**(3C) The Chief Executive Officer is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.” and**

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Substitute (1D) in paragraph (b) as follow:

**(1D) A person is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 14 approved as amended.*

**CLAUSE 15: Life Assurance Corporation Act 1976 amended.**

**MR SPEAKER:** There is an amendment by the Committee for Clause 15. I call on the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 15 as follows:

**“AMENDMENT:**

To substitute subsection (6) in paragraph (a) as follow:

**(6) The Manager is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated” and**

Substitute subsection (6) in paragraph (b) as follow:

**(6) A person is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 15 approved as amended.*

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**CLAUSE 16: National University of Samoa Act 2006 amended.**

**MR SPEAKER:** There is an Amendment by Committee to Clause 16. I call upon the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment on Clause 16 as follows:

**“AMENDMENT:**

To substitute subsection (4C) in paragraph (a) as follow:

**(4C) The Chancellor is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated” and**

Substitute subsection (7) in paragraph (b) as follow:

**(7) The Pro-Chancellor is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

To substitute subsection (3C) in paragraph (c) as follow:

**(3C) The Vice-Chancellor is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated” and**

Substitute subsection (9) in paragraph (d) as follow:

**(9) The Deputy Vice-Chancellor is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 16 approved as amended.*

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**CLAUSE 17: National Kidney Foundation of Samoa Act 2005 amended.**

**MR SPEAKER:** There is amendment by Committee to Clause 17. I call on the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 17 as follows:

**“AMENDMENT:**

To substitute subsection (10) as follow:

**(10) The General Manager is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated,”**

*Amendment approved.*

*Clause 17 approved as amended.*

**CLAUSE 18: National Provident Fund Act 1972 amended.**

**MR SPEAKER:** There is an amendment by Committee on Clause 18. I call upon the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment on Clause 18 as follows:

**“AMENDMENT:**

To substitute subsection (7) as follows:

**(7) A person is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

*Amendment approved.*

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*Clause 18 approved as amended.*

**CLAUSE 19: Oceania University of Medicine (Samoa) Act 2022 amended.**

**MR SPEAKER:** There is an amendment by Committee.  
I call upon the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Thank you Mr Speaker. It is with the same intention. I move an Amendment to Clause 19 as follows:

**“AMENDMENT:**

To substitute subsection (5) in paragraph (b) as follow:

**(5) The Chief Executive Officer is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 19 approved as amended.*

**CLAUSE 20: Ombudsman (Komesina o Sulufaiga) Act 2013 amended.**

**MR SPEAKER:** There is amendment by Committee on Clause 20. I call on the Chairperson.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 20 as follows:

**“AMENDMENT:**

To substitute subsection (6C) in paragraph (a) as follows:



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**(6C) The Ombudsman is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.” and**

Substitute subsection (4C) in paragraph (b) as follow:

**(4C) a staff member is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 20 approved as amended.*

**CLAUSE 21: Police Service Act 2009 amended.**

**MR SPEAKER:** There is amendment by Committee on Clause 21.  
I call upon the Chairperson of Committee.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 21 as follows:

**“AMENDMENT:**

To substitute subsection (8) in paragraph (b) (iv) as follows:

**(8) To avoid any doubt, a person under subsection (7) is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 21 approved as amended.*

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**CLAUSE 22: Ports Authority Act 1998 amended.**

**MR SPEAKER:** There is an Amendment by Committee to Clause 22.  
I call upon the Chairperson of Committee.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an  
Amendment to Clause 22 as follows:

**“AMENDMENT:**

To substitute subsection (2C) in paragraph (a) as follows:

**(2C) The General Manager is not entitled to his or her salary if,  
as a result of the investigation relating to the subject of his or  
her suspension, he or she is not reinstated.” and**

Substitute subsection (2C) in paragraph (b) as follow:

**(2C) an employee of officer is not entitled to his or her salary if,  
as a result of the investigation relating to the subject of his or  
her suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 22 approved as amended.*

**CLAUSE 23: Public Service Act 2004 amended.**

*Approved.*

**CLAUSE 24: Prisons and Corrections Act 2013 amended.**

**MR SPEAKER:** There is amendment by Committee on Clause 24.  
I call on the Chairperson of Committee.

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**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 24 as follows:

**“AMENDMENT:**

To substitute subsection (5) in paragraph (a) as follows:

**(5) The Commissioner or Assistant Commissioner is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.” and**

Substitute subsection (5) in paragraph (b)(ii) as follow:

**(5) A member is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 24 approved as amended.*

**CLAUSE 25: Public Bodies (Performance and Accountability) Act 2001  
amended.**

**MR SPEAKER:** There is an amendment by Committee on Clause 25.  
I call on the Chairperson of Committee.

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 25 as follows:

**“AMENDMENT:**

To substitute subsection (3) as follows:

**(3) The Chief Executive Officer is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

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**Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA (Vaimauga East):** Mr Speaker...

**MR SPEAKER:** I call upon the member of Vaimauga East.

**Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA:** It has been noted with this ongoing Bill, it seems that the wording is all the same. The amendments are phrased identically. But why not find another way to deliver it, instead of continuously taking the floor.

The reason for amending a Bill is to change the wording. But since the start of these amendments or other amendments, it is the same wording. The House is tired of hearing it. Also, keep in mind that this is the last day for this Assembly. Mr Speaker, this is the reason for my emergence. The same wording is being given.

Hon Chairperson, this is the essence in conveying my suggestion. Why not make another amendment to something else but with the same phrasing? With all due respect.

**MR SPEAKER:** I call upon the Chairperson of Committee.

**Afioga Aliimalemanu Alofa Tuuau:** Mr Speaker, no, I just want to convey the essence of gratitude to the Chairperson and the Committee, since the reason why it is done differently, because the Acts which governs each Ministry is different. Thus, why it we cannot use one wording for all the amendments, but thank you for the work, it is almost done.

**MR SPEAKER:** I implore the member, since the complaint is pointing towards us. I beseech you Olo, please Olo. This is our last day.

**Tofa OLO FITI AFOA VAAI:** Mr Speaker, no.... I offer assistance. I have no intention of making changes to the decision that you have made in administrating our work. But I am sympathetic towards you. As many of our Acts that are being amended, it has been several months now, and we have all forgotten the conditions of these Acts.

But I would just like to say this, it is just a humble suggestion, but these Acts should be noted down, to move a motion so we can pass them all so that we can adjourn, as I am concerned for you Mr Speaker.

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**MR SPEAKER:** Thank you. The proper answer for this matter has been addressed by the Chairperson of the Finance and Expenditure Committee. It is of the same spirit for the wording to be shortened. Because each Act.... just as you have all heard, each clause refers to a specific Office or Ministry or Chief Executive, so that it is in accordance with the standards of our work.

Also keep in mind, that this Parliament seeks confirmation of everything from the records of the Legislative Assembly. Therefore, even though it is long, but the Deputy Speaker and I have been working while all the members just sit and chuckle about, but we are doing all the work. If only more emphasis was put on our salaries since we are the ones suffering today. But since it is our duty, yes, as this is also the duty in the oath of allegiance. Olo, now you see what it means to uphold the oath of allegiance, although it is painfully burdensome and difficult, but it is conducted anyway. Yes. Therefore, I implore the Deputy Speaker to not stress, they are trying to annoy us, but just continue with our work. Because truth be told, if by the will of the constituency and God that you will return, this is the seat you will take, yes.

**Susuga Hon TUILAEP AUELUA FATIALOFA LUPESOLIAI LOLOFIETELE NEIOTI AIONO GALUMALEMANA Dr. SAILELE MALIELEGAOI:** Mr Speaker, I am trying to.... since I can see that it is almost 1:00pm, as I am tempted to continue our Assembly until 12:00am tonight, but I am heedful as I have noticed that some members want to speed up our work by taking a shortcut. But I often hear people yelling at me that they do not want to hear my voice. So, the answer to that is, if you do not want to listen, those people should come prepared with ear buds to put on so that they do not hear me. But there is nothing wrong if a member wants to leave, but our work continues, and I can also see that it is almost finished, let us come tonight to finish our work properly.

**Tofa LEALAILEPULE RIMONI AIAFI:** Mr Speaker, there is nothing wrong with the opinions of the Chairperson, but he should change up his tone. He is only using one tone, but it would be great if he changes his pitch once a while, or sing to us, then we will be happy to reply back. With all due respect, thank you.

**MR SPEAKER:** Do not stress over such matter.

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**Tofa NAFOITOA TALAIMANU KETI:** My feelings were almost led astray, luckily, I am a person of God. Mark my words Tofa Olo, no matter how highly you think of yourself, your feet will always be firm on the ground, because God is a loving God, God gives opportunities, and God is forbearance. These are all the things that a Member of Parliament should do when he or she enters this House.

Well, the members for Faleata and Vaimauga, I thought that the both of you were not going to interrupt me. But it has been noticed, it is my own hand that hurts my eye. Yes. But there are old common sayings, if you had not said anything I would not know that you are stupid. I did not want to use these words. This is what I was afraid of. Be patient, it is almost finished.... but if you want me to change my tone, I will make it louder. I am trying my best to convey our matter with utmost respect. For this Act, it is not possible for another Act to control another Act. Whether it is one or two sentences they are different, also each have different authorities. This is why it is distinct and considered in detail. The work conducted by the Committee was not easy. Yes. This is also what we agreed upon, it is the same thing. The Attorney General was then advised to immediately try to change all these Acts. Yes, in the conditions for which it was laid out in the Principal Act. This gentleman Lealailepule is quite moderate in matters of Law, but I do not want to praise the intelligence of a person in here. A humble heart and a forgiving heart will resolve everything. That is all, but not I will continue with the Act as my time has been wasted on you two. As Mr Speaker stated, with my constituency listening, there is no other place for me to sit for I will be sitting on that Chair. In other words, the two of you will face judgement if you return. Your interruptions are delaying the completion of our Act.

**Tofa LEALAILEPULE RIMONI AIAFI:** The only thing is that I forgive my brother. Now your tone is pleasant, and it has started to change. However, the only difference between me and my fellow member is that I am unopposed, while he is unsure.

**Tofa NAFOITOA TALAIMANU KETI:** Now you are addressing a different matter. But I am unsure because of this, is it wrong? This is Faleata speaking. Stand firm to ensure nothing like that happens. Alas, now you are recalling past issues.

**Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA:** Mr Speaker, it seems that Faleata is taking over this Parliament of Samoa.

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**Miscellaneous (Salaries Conditions upon Suspension) Bill 2020  
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**MR SPEAKER:** Well, you caused all of this when you stood up.

**Afioga SULAMANAIA FETAIAI TAUILILI TUIVASA:** Well, Pulemagafa is a bit sad, you said that I will be the one sitting on that seat and now you are saying that this member will be sitting on it.

**Tofa NAFOITOA TALAIMANU KETI:** Well, Mr Speaker, the usual words of the House as spoken by our Fathers, the Parliament will resume.

**CLAUSE 26: Samoa International Finance Authority Act 2005 amended.**

**Tofa NAFOITOA TALAIMANU KETI:** Mr Speaker I move an Amendment to Clause 26 as follows:

**“AMENDMENT:**

To substitute subsection (5C) in paragraph (a) as follows:

**(5C) The Chief Executive Officer is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.” And**

Substitute subsection (1D) in paragraph (b) as follows:

**(1D) the Chief Executive Officer is not entitled to his or her salary if, as a result of the investigation relating to the subject of his or her suspension, he or she is not reinstated.”**

*Amendment approved.*

*Clause 26 approved as amended.*

**MR SPEAKER:** Well, we have arrived at our usual recess time, since we will be finishing off our work tonight at 6:00pm.

There is a belief that this is enough work for today, let us seek additional strength. Yes. But with the love of God may He guide your life, so that we can return again tonight to conclude our work, it should not be rushed, but it would be best to take it slow so that it is properly concluded, for this is our last Assembly.

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Well, the work of the Legislative Assembly will now be set aside for its afternoon recess, and we will reconvene at 6:00pm.

This is the announcement with respect. Thank you to the sanctity of the Parliament.

*Proceedings of the Legislative Assembly was set aside at 1:05pm until 6:14pm.*