

26 MAY 2015

**TUESDAY, 26<sup>TH</sup> MAY 2015**

*The Legislative Assembly met at 9.20am pursuant to the Parliamentary Sitting Schedule Programme 2015.*

Prayer.

**MESSAGE FROM LE AO O LE MALO**

*The Speaker announced the Message from His Highness, O Le Ao o le Malo.*

**“MEMORANDUM for:**

**Mr Speaker:**

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

1. Infants Amendment Bill 2015.
2. Tax Information Exchange Amendment Bill 2015.
3. Police Service Amendment Bill 2015.
4. Income Tax Amendment Bill 2015.
5. Constitution Amendment Bill (No.2) 2015.
6. Value Added Goods and Services Tax Bill 2015.
7. Electoral Amendment Bill (No.2) 2014/2015.
8. Appropriation Bill 2015/2016.

**PRESENTED** under my **Hand** this 25<sup>th</sup> day of May in the year 2015.

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

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### WELCOME SPEECH BY MR SPEAKER

**MR SPEAKER:** With utmost respect I greet everyone in all your honorific salutations this morning and the presence of the Hon Prime Minister and the Cabinet and all the notable members of the House.

This scheduled sitting day is for us to resume our set tasks and duties according to our programme.

I acknowledge everyone's presence in good health and spirit.

I also greet the general public listening, in all your dignified statuses, the notable Heads of State owned enterprises and Ministries, well done on your efforts and services to the Government.

Welcome and greetings to the teachers and children gathered before us today given the ongoing Parliamentary Awareness Program commencing from Pre-Schools to Secondary Schools and Colleges in the aim to witness the country's decision making. In the saying, *O le aso ma le filiga, o le aso ma le mataigatila*, we today and you tomorrow. The main objective is for you to gain awareness of Samoa's Parliament work. We are gratified for your presence in essence this morning.

I also acknowledge Samoa and your support, Your Highness, O Le Ao o le Malo and your Good Lady, the Council of Deputies pardon the Orators of the country in your significant statuses and the Church Leaders, May God's Word be Anointed and the works of this Parliament be Blessed.

### PRESENTATION OF PAPERS

*The Clerk read out the tabling Papers pursuant to Standing Order 48.*

1. P.P. 2015/2016 No. 3, Scientific Research Organisation of Samoa Annual Reports 2013-2014.
2. P.P. 2015/2016 No. 4, Public Service Commission Annual Report 2011-2012.
3. P.P. 2015/2016 No. 5, Public Service Commission Annual Report 2012-2013.
4. P.P. 2015/2016 No. 6, Ministry of Foreign Affairs and Trade Annual Report 2011-2012.
5. P.P. 2015/2016 No. 7, Samoa Sports Facilities Authority Annual Report 2013-2014.
6. P.P. 2015/2016 No. 8, Public Accounts for the Financial Year 30 June 2014.
7. P.P. 2015/2016 No. 9, Samoa Housing Corporation Annual Report for the Year 2014.
8. P.P. 2015/2016 No. 10, Government Responses on P.P. 2014/2015 No. 132, Report of the Education Committee on P.P. 2014/2015 No. 33, 34, 35, 36 & 37, Samoa Qualifications Authority Annual Reports for the Years 2008/2009, 2009/2010, 2010/2011, 2011/2012 & 2012/2013.

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### PRESENTATION OF SELECT COMMITTEE REPORTS

*The Clerk presented the tabling Select Committee Reports pursuant to Standing Orders 51(5).*

1. P.P. 2015/2016 No. 11, Report of the Justice Committee on the Community Law Centre Bill 2014.
2. P.P. 2015/2016 No. 12, Report of the Business, Standing Orders, House and Electoral Committee on the Media Council Bill 2014.
3. P.P. 2015/2016 No. 13, Report of the Foreign Affairs, Trade and Revenue Committee on the Geneva Conventions Bill 2015.
4. P.P. 2015/2016 No. 14, Report of the Primary Production Committee on the Electoral Amendment Bill (No. 2) 2015.
5. P.P. 2015/2016 No. 15, Report of the Primary Production Committee on the Constitution Amendment Bill (No. 2) 2014.
6. P.P. 2015/2016 No. 16, Report of the Finance and Expenditure Committee on P.P. 2014/2015 No. 53, 54 & 55, Public Accounts for Financial Year 2011, 2012 & 2013.
7. P.P. 2015/2016 No. 17, Education Committee Report on P.P. 2014/2015 No. 158, Samoa Post Corporate Plan 2015-2017 & P.P. 2014/2015 No. 176, Samoa Post Statement of Objectives 2015-2017.
8. P.P. 2015/2016 No. 18, Education Committee Report on P.P. 2014/2015 No. 159, Education Committee Report on 2011-2012 & P.P. 2014/2015 No. 205, Samoa Post Annual Reports 2013/2014.

### MOTION OF THE BUSINESS, STANDING ORDERS, HOUSE AND ELECTORAL COMMITTEE

**Tofa AGAFILI PATISELA ETEUATI TOLOVAA (Deputy Chairman):**

Thank you Mr Speaker before I move the motion I wish to extend appreciation for the prayer of offering this morning for God's love and kindness that has enabled Parliament to reconvene this morning.

A word of welcome has already been given by the Leader of the Government and the Cabinet, Leader of the Opposition, the Parliament of Samoa and everyone gathered before the House hence the given presented statement is solely supported.

I rise with respect Mr Speaker to move, *That in accordance with Standing Orders 46, Lapsed Business (Bills only) from the 2014/2015 session be carried forward as printed in the Supplementary Order Paper 2015/2016 No. 1.*

Thank you.

*Seconded by one of the members for Individual Voters, Susuga Hon Papaliitele Niko Lee Hang, member for Aleipata Itupa i Lalo and the member for Alataua West.*

*The motion was approved and the Legislative Assembly had progressed Lapsed Business on Bills pursuant to the Supplementary Order Paper 2015/2016 No. 1.*

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### MOTION FOR SUSPENSION OF STANDING ORDERS

**Susuga Hon TUILAEPFA FATIALOFA AUELUA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI (Prime Minister):** Mr Speaker I appreciate the invocation that has enabled the regathering of members this morning to proceed with Lapsed Business of Parliament.

Greetings Government Heads and selected school students in our Sitting Proceedings this morning.

I see that the children have become matured and eligible to rendering compulsory service (monotaga), I believe you are over 25 years old and in case one of you will execute what we are currently discussing comes the next election, you must heed that unless we retire then you can overtake our role in Parliament, thus give respect to those who deserve it.

Mr Speaker, I have two motions this morning pursuant to our orders.

The first motion, since consultations of these Bills with members is now through this morning, I rise to move the motion, *To set aside Standing Orders 100(1), to allow the second reading of the following Bills the next sitting day.*

Secondly, given the importance of the two Bills, the Electoral Amendment (No.2) Bill and the Constitution Amendment Bill (No.2) 2014, I move the motion, *To suspend Standing Orders 106 and Standing Orders 107 to allow the Consideration and third reading of the two Bills the next sitting day.*

Those are the motions your honor.

*Seconded by the Deputy Prime Minister, Minister of Public Enterprises, Minister of Communication and Information Technology.*

*The motion was approved and Standing Orders 100(1), 106 & 107 were suspended.*

### FOOD BILL 2015 – third reading

**MR SPEAKER:** For the information of this Parliament, this consideration of this Bill proceeded on the 22 April 2015.

I call the Hon Prime Minister in the absence of the Minister of Health.

**Susuga Hon TUILAEPFA FATIALOFA AUELUA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker, I move with respect, *That the Food Bill 2015 be read a third time.*

*Seconded by the Deputy Prime Minister.*

*The motion was approved and the Food Bill was read a third time and had passed the Legislative Assembly.*

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**SLAUGHTER AND MEAT SUPPLY BILL 2015 – third reading**

**MR SPEAKER:** For the information of Parliament the consideration of this Bill was held on the 22<sup>nd</sup> April 2015.

I call the Hon Minister of Agriculture and Agricultural Store.

**Afioga Hon LE MAMEA LEMALU SU'A LEATUAVAO TUILETUFUGA ROPATI MUALIA (Minister):** I give sincere appreciation to God for His abiding love and protection upon everyone this morning. Thank you also Mr Speaker for the wonderful prayer you offered earlier. In addition I appreciate you for acknowledging for presenting all the chief titles of mine, the village and district are hearing this and I do not belittle their great respect.

Hence I rise with respect, *That the Slaughter and Meat Supply Bill 2015 be now read a third time.*

*Seconded by the Minister of Works, Transport and Infrastructure, Minister of Communications and Information Technology and the Minister of Natural Resources and Environment.*

*The motion was approved and the Bill was read a third time and had passed the Legislative Assembly.*

**NATIONAL PROVIDENT FUND AMENDMENT BILL  
2015 – third reading**

**MR SPEAKER:** For the information of Parliament, this Consideration of this Bill was scheduled on the 22<sup>nd</sup> April 2015.

I call the Hon Prime Minister or the Minister of Finance.

**Susuga Hon TUILAEPFA FATIALOFA AUELUA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker I move, *That the National Provident Fund Bill 2015 be read a third time.*

*Seconded by the Deputy Prime Minister.*

*The motion was approved and the Bill was read a third time and had passed the Legislative Assembly.*

**NATIONAL PROVIDENT FUND BILL 2015  
– consideration in detail**

**MR SPEAKER:** Pursuant to Standing Orders 106, the Assembly should firstly approve the Report of the Committee on the Bill to allow the Consideration of the Bill into detail.

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**National Provident Fund Bill 2015  
– consideration**

I call the Chairperson of the Health, Social Services, Internal Affairs, Community and Social Development Committee.

**Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW (Chairperson):** Mr Speaker before I rise, I support the invocation delivered this morning for us to embark with our set duties. Greetings to the dignified Parliament and distinguished guests, specially the general public and the Government.

Mr Speaker I rise to move the motion, *That this Legislative Assembly approves the Report of the Committee which recommends, That the National Provident Fund Amendment Bill 2015 progresses with Corrections.*

Thank you.

*Seconded by the Deputy Speaker, one of the members for Individual Voters, Susuga Hon Papaliitele Niko Lee Hang, and the member for Aleipata Itupa i Lalo.*

*The Report was approved.*

**MR SPEAKER:** I announce that the Report of the Health, Social Services, Internal Affairs, Community and Social Development of the National Provident Fund Amendment Bill 2015 is now approved.

The Legislative Assembly is now scheduled to consider the National Provident Fund Amendment Bill 2015 in detail.

Pursuant to Standing Orders 102, the consideration commences of the Bill commences with Clause 2.

**CLAUSE 2: Principle Amendment.**

*Approved.*

**SCHEDULE:**

*Approved.*

**CLAUSE 1 AND COMMENCEMENT:**

**CLAUSE 1: Short title and commencement.**

**TITLE: National Provident Fund Amendment Bill 2015.**

**MR SPEAKER:** We have the Committee's Correction to Clause 1 and the Title.

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**National Provident Fund Bill 2015  
– consideration**

I call the Hon Chairperson of the Committee.

**Afioga Hon GATOLOAIFAANA AMATAGA ALESANA GIDLOW:**  
Mr Speaker I move the Correction to Clause 1 and the Title as follows:

**“CORRECTION:**

*To insert (No. 2) in the Title of the Bill to be read as:*

**National Provident Fund Amendment (No. 2) 2015.”**

*Correction was approved.*

*Clause 1 and the Title was approved as Corrected.*

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

**INFANTS AMENDMENT BILL 2015 – first reading**

**Afioga Hon FIAME NAOMI MATAAFA (Minister of Justice and Court Administration):** Mr Speaker I greet everyone and our visiting Guests this morning. I rise with respect to move, *That the Infants Amendment Bill 2015 be now read a first time.*

*Seconded by the Deputy Prime Minister and the Minister of Public Enterprises.*

*The motion was approved and the National Provident Fund Amendment Bill 2015 is now read a first time.*

**TAX INFORMATION EXCHANGE AMENDMENT BILL 2015  
- first reading**

**Tofa Hon TUILOMA LAMEKO (Minister for Revenue):** Mr Speaker I rise to move, *That the Tax Information Amendment Bill 2015 be now read a first time.*

*Seconded by the Minister of Public Enterprises.*

*The motion was approved and the Bill was read a first time.*

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**POLICE SERVICE AMENDMENT BILL 2015 – first reading**

**Afioga Hon SALA FATA LISATI PINATI (Minister of Police and Prisons):** First and foremost I wish to acknowledge and greet the notable House.

Mr Speaker I rise to move, *That the Police Service Amendment Bill 2015 be now read a first time.*

*Seconded by the Minister of Works, Transport and Infrastructure, Minister of Education, Sports and Culture, Minister of Natural Resources and Environment.*

*The motion was approved and the Police Service Amendment Bill 2015 was read a first time.*

**Afioga Hon Fiame Naomi Mataafa:** Mr Speaker, I wish to ask something please....

**MR SPEAKER:** I acknowledge the Minister of Justice and Court Administration.

**Afioga Hon Fiame Naomi Mataafa:** I wish to ask your honor, since we are progressing with the first reading of the Bills, do we have copies of these Bills please, I do not have any copies.

**MR SPEAKER:** Pardon the Office the Hon Minister did not attend, bring her a file please. We had a briefing yesterday and all members were given a file each. Please lend her file of these Bills.

**INCOME TAX AMENDMENT BILL 2015 – first reading**

**Tofa Hon TUILOMA LAMEKO:** Mr Speaker and the dignified members of the House, I rise to move with respect, *That the Income Tax Amendment Bill 2015 be now read a first time.*

*Seconded by the Minister of Public Enterprises and the Minister of Communication and Information Technology.*

*The motion was approved and the Income Tax Amendment Bill 2015 was read a first time.*

**CONSTITUTION AMENDMENT BILL (NO. 2) 2015  
– first reading**

**Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker I rise to move, *That the Constitution Amendment Bill (No.2) 2015 be now read a first time.*



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**Value Added Goods and Services Tax Bill 2015 – first reading**

*Seconded by the Deputy Prime Minister.*

*The motion was approved and the Constitution Amendment Bill (No.2) 2015 was read a first time.*

**VALUE ADDED GOODS AND SERVICES TAX BILL 2015  
– first reading**

**Tofa Hon TUILOMA LAMEKO:** Mr Speaker and the dignified members gathered in the House, I rise with respect to move, *That the Value Added Goods and Services Tax Bill 2015 be read a first time.*

*Seconded by the Minister of Public Enterprises.*

*The motion was approved and the Value Added Goods and Services Tax Bill 2015 was read a first time.*

**ELECTORAL AMENDMENT BILL (NO.2) BILL 2015  
- consideration in detail**

**MR SPEAKER:** Pursuant to Standing Orders 106 the Assembly must approved the Report of the Committee to allow the Bill's consideration into detail.

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

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI (Chairperson):** Mr Speaker I move, *That this Assembly approves the Report of the Committee which recommends the progress of the Electoral Amendment Bill (No.2) 2015 with Amendments.*

Thank you.

*Seconded by the member for Siumu.*

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker....

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

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**Electoral Amendment Bill (No. 2) Bill 2015  
- consideration in detail**

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker, since the Report is regulated under a legislation I submit in Parliament, hence I rise to make a short Amendment to the Committee's submission. In addition to the final submission by the Committee inserts the following words: *Subject to this Act and subsection.*

That is the motion your honor.

*Seconded by the Deputy Prime Minister.*

**Afioga Hon FIAME NAOMI MATAAFA:** No I mean to elaborate the reasons for this new amendment, because according to the Standing Orders it must be approved first under the legislation before we can review it. In light of the Committee's report however, Clause 5 states a different view of the Committee from the presented legislation, the intention of the amendment is to allow deliberation and discussion on Clause 5. This must be guided through a statement I wish to present upon your approval Mr Speaker or when we have the consideration in detail of the Bill for Clause 5.

**MR SPEAKER:** I believe we are on the right track according to our set orders for today hence we must follow our Order Paper and we if we reach the matter requested by the Hon Minister the motion will be put forward for consideration either to accept or reject as we progress. But I cannot respond as of yet since we have just started the consideration of the Bill. That is my decision Fiame.

**Afioga Hon FIAME NAOMI MATAAFA:** Thank you your honor, I recognize your permission to deliberate the Committee's amendment to Clause 5 by the House, thank you.

*The Report of the Committee was approved.*

**MR SPEAKER:** I now announce that the Assembly now approves the Report of the Primary Production, Commerce, Industry and Labour Committee on the Electoral Amendment Bill (No.2) 2015.

The Assembly is now scheduled to consider the Electoral Amendment Bill (No.2) 2015.

Pursuant to Standing Orders 102, Consideration of the Bill commences with Clause 2.

**CLAUSE 2: Clause 5 amended.**

*Approved.*

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**Electoral Amendment Bill (No. 2) Bill 2015  
- consideration in detail**

**CLAUSE 3: Clause 19 substituted.**

**MR SPEAKER:** The Committee has an Amendment to Clause.  
I call the honourable Chairperson of the Committee.

**Afioga Hon LEAYPEPE TOLEAFOA APULU FAAFISI:** Mr Speaker I move the Amendment to Clause 3 as follows:-

**“AMENDMENT:**

*At the end of paragraph (b) subsection (2), insert a new paragraph as follows:-*

**UPON THE EXCEPTION that a running candidate for the Urban Constituencies in the General Elections 2016 must be registered before the deadline provided for at least 6 months residential requirement within the boundaries of the urban constituencies.”**

Respectfully, thank you.

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker with the moved motion, I personally support the Amendment by the Committee and the additional statement in relation to the eligibility of candidates. Also note that this House approved another Amendment in the first Electoral Act on the requirement that a person must reside on freehold land for a period of at least 6 months before registration.

This new Amendment came directly from the Committee and was passed to Cabinet for their review and approval thus confirming the eligibility of candidates to reside on freehold land within the boundaries of the urban seats. Critically this Amendment takes note of the first approved Amendment which allows the transfer of Individual Voters Roll to the two Urban Seats Roll automatically. However that is the spirit of the law to protect voters residing outside the boundaries of the designated constituencies for the urban seats.

In compliance to normal procedures, the Amendment before the Assembly this morning was referred to the Committee very shortly for their final review. That is the explanation respectfully.

**MR SPEAKER:** I recognize the member for Faleata West.

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**Electoral Amendment Bill (No. 2) Bill 2015  
- consideration in detail**

**Tofa LEALAILEPULE RIMONI AIAFI (Faleata West):** Thank you for the opportunity Mr Speaker, thank you Chairperson for the amendment and the Report. I wish to note the eligibility of Individual Voters and a soon to be proposed amendment, how is this so? Since we no longer have candidates for Individual Voters and its eligibility in the Principle Act the introduction of Urban Seats indisputably will have its Roll. This excludes residents within the boundary but those outside the boundary should be excluded from the Roll nor vote for the Urban candidates as it will contradict the purpose of the Electoral Office to encourage voters to vote upon their areas of residency. That is the interpretation, thank you.

**MR SPEAKER:** Well done. The member's view is well taken, honourable Chairperson did you want to speak?

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI:** Very well thank you. In light of this section residents outside the boundary will be given this last chance to vote in the 2016 Election after that, they will no longer be eligible under the Urban Seat boundary. That is the response given the Act and power vested by His Highness, Le Ao o le Malo to draft a Transitional Regulations acting on the advice of the Cabinet. All these will be considered later on.

Respectfully, thank you.

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

**MR SPEAKER:** Very well.

**Tofa LEALAILEPULE RIMONI AIAFI:** Secondly your honor. It seems that the Committee is contradictory on this part, because in my belief, does this mean that there will be two separate Rolls in the Election, the Individual Roll and the Area Roll in accordance to the member's statement?

**MR SPEAKER:** I wish to assist the member of Faleata West.

**Tofa LEALAILEPULE RIMONI AIAFI:** Very good.

**MR SPEAKER:** I must remind you as this is our Committee's Report wherethus the main objective and strategic target is to arrange the voters in this Roll, this is the last time for this boundary to be drawn up therefore those outside the Boundary should move to the district where the Boundary is pointing, this is exactly the intention of the Committee lest we think lightly of those who...pardon the constituency of Aleisa and villages that will be affected by Cabinet's Directive today, these villages will be very difficult to rearrange thus once the Elections is completed, then the voters have a choice of their own but let us make effective the Boundary we will approve today.

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**Electoral Amendment Bill (No. 2) Bill 2015  
- consideration in detail**

**Tofa LEALAILEPULE RIMONI AIAFI:** Mr Speaker, thank you for the clarification, clearly we have different opinions on this subjectmatter. The question is simple, we no longer have representatives for Individual Voters and we do not have amendments to reflect these changes.

This other question is also easy, how many Rolls will we use and how do we transfer the Individual Roll to Urban Seat Roll? Because the Urban Roll will be the only Roll used in the ballot. How is this change possible because the Individual Roll will no longer be used?

**MR SPEAKER:** I get your point member for Faleata West. Pardon me I believe the matter is well defined by taking its simplicity.

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

**MR SPEAKER:** Pardon one of the members for the Individual Voters, Afioga Maualaivao Pat Ah Him, I firstly recognize the member for Palauli le Falefa.

**Afioga Hon FAUMUINA TIATIA FAAOLATANE LIUGA (Palauli le Falefa):** Thank you Mr Speaker. The Individual Voters Roll that was mentioned is the choice and right of an individual. Therefore, firstly, a person must choose the Roll within or outside the Boundary.

Mr Speaker, secondly, these men should know very well the boundary and beyond because in simple meaning, we have another representative beyond that point hence the candidates must be well aware of these set boundaries.

Secondly I agree with the amendment spoken by the Hon Minister for eligibility of candidates in the urban seats. In query if a New Zealand resident resides on freehold land for 6 months, is he entitled to this requirement? If this is upon based on the law we are discriminating our own law, respectfully.

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

**MR SPEAKER:** I beg tolerance honourable Leader of the Opposition, I will...before I grant you the chance. I call one of the members for Individual, Afioga Maualaivao Pat Ah Him.

**Afioga MAUALAIVAO PAT AH HIM:** Thank you for the opportunity Mr Speaker, well done for managing our proceedings and the deliberating matter.

With utmost respect to the Chairperson, the Leader of the Government and the House, lest the constituents for Individual Voters view that they no longer have representatives in the House, no we still have Individual Voters members in the House.

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**Electoral Amendment Bill (No. 2) Bill 2015  
- consideration in detail**

We have not yet completed the amendments to the Constitution which officially gave the divisions of constituencies for Individual Voters. Respectfully Mr Speaker for the information of those in this Roll incase they think the Roll will be discarded when not in consideration of...

**Tofa Lealailepule Rimoni Aiafi:** Mr Speaker, point of order given the member's statement that is seemingly directed at me.

**MR SPEAKER:** I will grant you the opportunity but let us listen intently to what he is saying, I get his.....

**Tofa Lealailepule Rimoni Aiafi:** Fine, then give me a chance your honor? Thank you very much.

**Afioga MAUALAIVAO PAT AH HIM:** Very well thank you everyone, I do not mean to point fingers rather the intention is lest a word is misinterpreted because according to what I heard, this Roll will no longer exist. Otherwise we have completed...accordingly, this Roll will automatically receive the Urban Voters transfers as the Individual Voters will no longer exist. Where will it go then? That is the whole purpose Mr Speaker respectfully.

**MR SPEAKER:** Well done, I get your view.

**Tofa Lealailepule Rimoni Aiafi:** Thank you. I apologise one of the members for Individual Voters, a Roll is different from a voter hence I said the Roll should not be utilized anymore. An eligible voter can still vote given their rights whereas the Roll should be omitted because it no longer has voters, for instance if this is the intention of the Ministry, therefore give Safata and Aana the chance to vote until further amendments is made in to another Parliamentary term if that is the case.

**MR SPEAKER:** Your view is well taken member for Faleata West.

**Tofa Lealailepule Rimoni Aiafi:** We should have law for everyone.

**MR SPEAKER:** Lealailepule....

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

**MR SPEAKER:** Go ahead.

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**Electoral Amendment Bill (No. 2) Bill 2015  
- consideration in detail**

**Afioga Hon Fiame Naomi Mataafa:** The issue beforehand has been regulated under the Law we passed with the first Amendment and pursuant to Standing Orders meanwhile, the Individual Voters Roll still exists and so as its two members at present. Thus the transition period will be carried out at the end of this Parliamentary term whereby we will transit the Individual Voters Roll in replacement of the Urban Constituency Roll. In the meantime the voters still have opportunity under this transitional provision period to choose where to vote whether at their residential areas or within the urban boundary.

That is the clarification and correction.

**MR SPEAKER:** Well done thank you.

**Tofa Lealailepule Rimoni Aiafi:** Mr Speaker, I get it now, thank you Hon Lady Minister.

**MR SPEAKER:** Pardon the member for Faleata West, the issue has been made clear now given the clarification of the Hon Minister and mine. The decision is given to continuously include those in the Roll and according to the member for Palauli le Falefa, that is your own decision and right, for the last time, the Roll will be omitted permanently. Then we shall proceed as scheduled today, take boundaries into effect. That is the clarification....

**Tofa Lealailepule Rimoni Aiafi:** Mr Speaker I beg your pardon, I only have one question, how many Rolls for Individual Voters will we have?

**MR SPEAKER:** One Roll only. The old Roll will come into effect as soon as we have the Urban Seats registrations, whereas presently, we are still on Independent Seats. We have not yet passed the legislation for this amendment to take place.

**Tofa Lealailepule Rimoni Aiafi:** Pardon me Mr Speaker we have two Rolls for the Urban Seats Urban West and Urban East.

**MR SPEAKER:** We have two traditional constituencies included in one Roll thus the division of Rolls will be well defined today.  
Member for Faleata West is the clear enough?

**Tofa Lealailepule Rimoni Aiafi:** I beg tolerance your honor, I am very confused right now. Earlier on it was better but now everything is totally jumped, pardon me.

**MR SPEAKER:** Lealailepule, you have to obey the Speaker. Sit down as the matter is now clear, Palusalua do you refuse to comply too....  
Very well, I call the Leader of the Opposition.

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**Electoral Amendment Bill (No. 2) Bill 2015  
- consideration in detail**

**Afioga Hon Palusalua Faapo II:** Mr Speaker we are entirely confused right now. How so, who caused the blur in proposing this legislation, you are laughing now yet we are questioning you to do the right thing...If we are to form new seats, we must consider the Rolls based on integrity instead of carrying out transitions or whatever this is called?

**MR SPEAKER:** Let me clarify this matter in detail.

**Afioga Hon Palusalua Faapo II:** And a point of order, the Committee did not have any recommendations why give chance here, it can create a difference between us.

**MR SPEAKER:** I beg forbearance Leader of the Opposition, we will not follow up these matters but if we refer to the Hansard then we will find out what we talked about earlier.

Pardon everyone the reason for raising this matter is because of the statement by the member for Faleata West that was rejected by one of the Individual Voters members, Afioga Maualaivao Pat Ah Him that I find correct, well who is he to....? The killing of snakes is now done at the old meeting place, but leave transition process alone from Individual Voters to Urban Seats. Consider the chance given for a person living in Aleisa to choose and decide whether to live continuously or vote for the member for Sagaga le Falefa or vote come and vote for one of the members for the Individual Voters, Afioga Maualaivao Pat Ah Him and Papaliitele Niko Lee Hang that is clarification to end this matter.

I call one of the members for Individual Voters, Susuga Hon Papaliitele Niko Lee Hang.

**Susuga Hon PAPALIITELE NIKO LEE HANG (Individual Voters):** Thank you Mr Speaker for the opportunity, I do not intend to stay silent when I too am greatly affected as Afioga Maualaivao Pat Ah Him.

I wish to remind that we are now discussing eligibilities when we should be focusing on boundaries and pass the Law. The question on two Rolls is wrong, we have not yet passed the legislation to officiate the Urban Seat whilst Individual Vote Rolls still exists pardon the.....on the exception that unless the law is passed then we can have the Roll for Urban seats and the voters transfer for the sake of Individual Voters whom are also confused. The member for Palauli le Falefa also shares the same view, we are still on the old Act and the requirement that a person has to reside in the district for three years before he or she is an eligible candidate, thus the given chance is granted.....the locals living here permanently must reside on a freehold land for at least 6 months before they become eligible. That is the difference with respect.



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**Electoral Amendment Bill (No. 2) Bill 2015  
- consideration in detail**

**MR SPEAKER:** Well thank you for the assistance which has defined the matter further.

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

**MR SPEAKER:** Well another member for Individual Voters, Afioga Maualaivao Pat Ah Him, or is there something else?

**Afioga Maualaivao Pat Ah Him:** Yes something very small.

**MR SPEAKER:** Well I will give the chance out of respect.

**Afioga Maualaivao Pat Ah Him:** No, because I feel the constituencies of Aele and Aleisa and districts made up of the majority listening in.... you have spoken to call them, well that is up to you but that is the speech we gave them. I will tell them to remain in their residential areas. With respect thank you.

**MR SPEAKER:** Very well.

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

**MR SPEAKER:** I call the member for Vaisigano No. 2.

**Tofa MOTUOPUAA UIFAGASA AISOLI VAAI:** Thank you for the chance your honor. I wanted to speak on the matter deliberated by the member for Faleata West however, never mind, I know he is correct otherwise I will still put my question....a very short question.

**MR SPEAKER:** Go ahead.

**Tofa MOTUOPUAA UIFAGASA AISOLI VAAI:** We make the laws but once it reaches the Judiciary the lawyers will play around with the interpretation of these laws. That is the question to the Chairperson in regards to Residents of Freehold Land, because one can say, I will permanently reside in Faleata East in the Urban area or Faleata West, but I will stay in a hotel that is located on Freehold land for six months, you see where this is going? The Committee has not yet considered these options, but if this is pertained in the legislation concerning a running candidate. That is the concern with freehold land residents, or staying on a relative's freehold land and that sort of thing?

The final question, according to your Report I see that Maualaivao is the only one that has not signed your Report is there a reason for this. Respectfully.

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**MR SPEAKER:** Well Chairperson I recognize you.

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI:** Perhaps we are all entitled to our views. Pardon me Mr Speaker but these submissions were presented to the Committee whereby all members should have attended this consultation to acquire insight and share views of the entire legislation rather than dragging the Bill to suit their needs. There is no integrity in this sense which should not avoid the plans of the Government and the Ministry.

As for the view of the member for Vaisigano No. 2, despite the freehold land owner we also have what we call the lease to own which is leasing on land because of financial distress as time will pass and this land will soon be freehold. That is the situation we give people the chance...35 years ago if Samoa is listening in, perhaps it was only.....very few owned lands particularly the wealthy, what now? Government is now availing public lands of thousand acres. What of today? We have enough customary land. Why? It is for the wellbeing of the people and Government developments. That is the whole purpose for future generations as we do not live forever. That is the response, thank you.

**MR SPEAKER:** Well done.....

**Tofa MOTUOPUAA UIFAGASA AISOLI VAAI:** Mr Speaker I wish to ask based on the technical issues side of things, you now speak of lands of thousands, well I also gave an application for a land of that sort and did was declined, respectfully.

**MR SPEAKER:** Very well. We are still on the same boat your honor, thus God's days is abundant we will have the division of Tanumalala and other villages before we receive the blessings for Aopo.

**Afioga Tufuga Gafualeata Faitua (Vaisigano No. 1):** Mr Speaker....

**MR SPEAKER:** Pardon the notable member....

**Afioga Tufuga Gafualeata Faitua:** I wish to question...I wish to query the Report of the Committee on Section 3.2 before....it is....

**MR SPEAKER:** Are we there yet member for Vaisigano No. 1?

**Afioga Tufuga Gafualeata Faitua:** No I wish to question the findings of the Committee which notes the appropriate scheduled time to consider....

**MR SPEAKER:** I beg tolerance to the member for Vaisigano No. 1, we now....

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**Afioga Tufuga Gafoaleata Faitua:** Registered and eligible candidate to the district for 6 months.

**MR SPEAKER:** Pardon me respectable member but our motion is now approved your question was rather delayed....and we cannot go back.

*Amendment approved.*

*Clause 3 was approved as amended.*

**CLAUSE 4: Clause 45A amended.**

*Approved*

**CLAUSE 5: Territorial Constituencies Act amended.**

**MR SPEAKER:** We have an Amendment by the Committee to Clause 5. I call the honourable Chairperson.

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI:** Mr Speaker I move the Amendment to Clause 5 as follows:

**“AMENDMENT:**

**5. Territorial Constituencies Act Amended** – In the Schedule to the Territorial Constituencies Act 1963, for Part 2 substitute:

**“PART 2- BOUNDARIES FOR THE URBAN CONSTITUENCIES EAST**

*All that area of land (other than customary land) bounded as follows:*

**Commencing from the boundary line of Vaimauga East and Anoamaa West up to the bounded line for Vaimauga West and Faleata East.**

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**URBAN CONSTITUENCIES WEST**

*All that area of land (other than customary land) bounded as follows:*

**Commencing from the boundary line of Vaimauga West and Faleata East up to the boundary line of Falaeta West and Sagaga le Falefa.”**

Respectfully.

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

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker this is the exact Clause I talked about in the beginning when we had the Committee’s Report and had requested its subject to the House’s decision and subject to the Report’s review by the Legislative.

We have the review hence I wish to speak about this Clause which is the only way for this legislation to go through. I appreciate the Committee’s swift response to report back to the Assembly as scheduled in today’s sitting. Mr Speaker, it is now clear according to the legislation that the boundary for Urban Constituency is located on the Territorial Constituencies of Faleata East and Faleata West. The submission by the Committee regards further extension of boundaries covering the Territorial Constituencies of Vaimauga West and Vaimauga East and another Urban Constituency involving Faleata West and Faleata East.

Mr Speaker the amendment to Clause 3 in compliance to formal procedures was passed by the Cabinet and the Committee.

Pardon the House but if time prolongs let it be as we have just obtained the Committee’s decision in regards to this Bill.

Mr Speaker this is the second Amendment schedule following the first Amendment we already passed. I do not intend to explain this legislation again reference to the Committee’s review in the beginning chaired by the current Speaker. This Committee is also made up of the Deputy Speaker, Hon Prime Minister, Leader of the Opposition and other members of Parliament. The Hon Prime Minister stated that he should not be part of this Committee given that he is also part of the Cabinet. Such is the appointment of other Ministers of Cabinet as members of this Committee from time to time.

Mr Speaker we have conflicted on this Amendment by the Committee hence I wish to address the amendment processes. The Standing Orders stipulates legislations and Committee Reports and the Committee has the power to point up their views reference to Standing Orders.

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Mr Speaker it is not about submitting a draft legislation and recommendations of the Committee with wordings that go against the law as the only legal draftsman for Government is the Attorney General joining the rest of the legislations to follow.

That is the basis for this request in regards to this Amendment in the Committee's Report looks like a Draft legislation that did not follow formal procedure of referring to the Cabinet and the Attorney General for a final draft. However the wording in the Amendment goes against the law on set boundaries. The designated boundary in this Amendment is different from the boundary of the urban constituency marking special areas for the urban seats.

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

**MR SPEAKER:** Pardon me Leader of the Opposition, I will give you the chance when she is done.

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker....

**MR SPEAKER:** Go ahead will press view when....

**Afioga Hon FIAME NAOMI MATAAFA:** Thank you Mr Speaker.

**Afioga Hon Palusalue Faapo II:** Mr Speaker something to clarify lest we move on and not comment on the Minister's statement.

**MR SPEAKER:** No do not worry I will grant you the chance to relay your concerns Palusalue afterwards.

**Afioga Hon FIAME NAOMI MATAAFA:** The plea is to follow formal procedures and uphold integrity. The Committee does not have power/authority to reject a law but Parliament hence the Attorney General is the draftsman acting on the advice of the Cabinet or Parliament's submission. No one drafts the legislations principally when initiated by the Government.

Mr Speaker by quickly reading this Report majority supported the extension of set boundaries for these constituencies. And based on observation, members do not come individually but as village community representatives of 30+. Mr Speaker I do not intend to slander these views. Rather I note in the Report that these submissions are quite powerful.

Secondly, the Committee has taken the belief that Government has official records in the interpretation of the word Urban from the Enactment Policy of the Ministry of PUMA. As aware, PUMA is tasked with planning the entire country.

Mr Speaker the Electoral Act does not avoid the strategic plans of the Government. Because these target plans can be implemented today, tomorrow, next year, the following year or perhaps five or ten years ahead.

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Mr Speaker and the dignified House, the General Election is set for March next year.

**MR SPEAKER:** I interrupt the statement of the Minister as we have arrived at our normal recess. Let us proceed to morning tea before we resume our business.

I announce that the Proceedings of the Legislative Assembly be now suspended for normal recess.

*Proceedings of the Legislative Assembly now suspended at 10:45am until 11:27am.*

**MR SPEAKER:** I announce that Proceedings of the Legislative Assembly have recommenced. We are on the Second Part of our session for today. I believe you have been rejuvenated from our morning break. Well done on your perseverance in regards to today's Sitting Schedule Program.

During our break the Hon Minister of Justice and Court Administration was speaking. Before I ask you to resume I recognize the Hon Prime Minister to move the motion to reschedule our sitting Hours. Respectfully.

**MOTION TO EXTEND SITTING HOURS**

**Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker we are given new energy to continue our work. I rise to move, *To resume our Sitting until I am through with my speech, then we will have the Budget Address which is very brief and possibly lasts two minutes..*

*Seconded by the Deputy Prime Minister.*

*The motion was approved.*

*Debate resumed over the consideration in detail of the Electoral Amendment Bill (No.2) 2015.*

**MR SPEAKER:** Hon Minister I support your presentation in the House which is my only plea.

Your view is distinctly clarified on this Bill. And we have also received the Ministry's explanation.

This morning the Chairperson has given his account on behalf of the Parliamentary Committee. Hon Minister, you have highlighted the criteria for submitting this amended Bill out of the respect I granted.

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But as you can see we have additional Bills to go through in essence to time. I will give you the chance otherwise however we have been well clarified of this Bill and its purpose. Hence I ask that you take heed of our time.

I call the honourable Leader of the Opposition.

**Afioga Hon PALUSALUE FAAPO II:** Mr Speaker I have attempted earlier today to remind the orders of the House when you spoke of draft legislation by the Committee. The process you reiterate on Committee Reports is to obtain the public's submissions presented to the Cabinet which is question mark on my view. What is the importance of Parliamentary Committees work and function in the lawmaking process when the views of the public are mainly considered? This Report and Bill were reviewed twice by the Parliamentary Committee upon the advice of the Electoral Commissioner. However it seems that the Hon Minister insists in a tirade going back to the history and her Ministry's rationale upon which the amendments are based. Therefore Hon Minister you must maintain Parliamentary Committees practices and procedures and and its findings.

**MR SPEAKER:** I get your view Leader of the Opposition.

**Afioga Hon PALUSALUE FAAPO II:** Significantly all Bills are passed by the Parliament. That is the assistance to the Lady Hon Minister.

**MR SPEAKER:** Palusalue, I intended to give my clarification at the completion of the Hon Minister's statement. But that is the plea for the motion to be tabled as per normal procedures. However it seems we are repeating what we already discussed. Pardon me Leader of the Opposition let us recognize the Lady Minister with the plea to make it short before we proceed. I call the Hon Minister.

**Afioga Hon FIAME NAOMI MATAAFA:** Thank you Mr Speaker, gratitude to the Clerk and the Office of the Legislative Assembly for preparing breakfast this morning.

Before our break I was at interpreting the word urban. The term has two different definitions. The Committee has taken the interpretation by PUMA under MNRE using the Policies under the Ministry's Plans. On the contrary, the Electoral Office uses similar definitions with that of the Statistics Office. Hence I wish to refer the House to the Second Supplementary Paper on 2011 Census from the Statistics Office. That stipulates - urban - urban, Vaimauga West, Faleata East, and further down to the rural, north west Upolu, west of Upolu, Savaii.

As reiterated, the Electoral Office does not intend to spoil the plans of the PUMA Office as that is the nature of things. PUMA also plans to develop the urban area from Apia to Fasitoo by the year 2021. Mr Speaker the laid out proposed plans....

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**Tofa Lealailepule Rimoni Aiafi:** Mr Speaker, can I make correction to the exact point the Hon Minister just mentioned?

**MR SPEAKER:** Pardon the member that is intentionally the reason I put before the Leader of the Opposition. I will give the chance when she is done...lest we drag our time as reminded earlier.

**Tofa Lealailepule Rimoni Aiafi:** Very well, thank you.

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker this is the correct line drawn for the urban constituency. In addition to the works of the Electoral Commissioner, the records of the Statistics Office is required to interpret the requirements of the law in regards to residential areas and freehold lands for the people.

Mr Speaker and the notable Parliament, a new beginning does not intend to disregard other parts of the districts involving Faleata West and Vaimauga East otherwise the purpose is to gather information to obtain better knowledge of the urban area and its electoral processes using our individual rights to vote for a Government from time to time.

Using an Individual Voters Roll illustrates an indicator for freehold land owners. In truth if we are to use as the committee's recommendation to expand the boundaries further, we will not have the right estimation as the Statistics Office does not have those records yet from our recent census.

Mr Speaker that is the conclusion from us, and with regards to the Government's view or the Committee's recommendation based on the person living on freehold land thus the message behind this is that these residents will no longer be protected by the customs or authority of *alii ma faipule*. The human rights is now taken into consideration especially those living on freehold property. Although we are talking urban constituencies, we must also consider the territorial constituencies who may also ask for additional seats. This includes Faleata West and Faleula etc.

But we must be cautious as the authority of *alii ma faipule* is quite sensitive, given the conditions and requirements of a freehold land resident. Whatever decision we make in the New Year aims for a good Government noting the appropriateness of the different procedures and practices with our General Elections or go in line with the freehold land residents. These are the two main things we should consider as constitutionalised in our Elections hence we must decide time and time again to meet appropriate decisions.

Mr Speaker that is it all else have been clarified with the tabling Committee Report. I wish to ask the Chairperson of the Committee the member for Aana Alofi No 1 Iau Afioga Leapepe, based on the Committee's review of page 2 of Section 2 of paragraph 2. It reads like this. In essence to the Committee report review it should not affect the integrity and impartiality of Parliamentary Committee findings as follows, "The Committee members are allowed to review this Bill except when it comes to Clause 5.



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From a Chairperson's perspective, I can say that three of your members had contradictory views on this amendment including Maualaivao, Aveau and Tialavea. Faimalotoa was away hence she is not included in this decisionmaking. Therefore three of your remaining members came up with this decision including the Chairperson, Aeau and Afualo. Then in my mind I ask the silliest question, does this number make up the quorum and is it appropriate. A decision made involving three people. It is best to be clarified because the House was hopeful that your Committee will do a better job on this. Personally the contradicting views of members do not matter which is normal but the general views of individuals. Mr Speaker that is the end of our discussion, I support the Hon Prime Minister. The ballot on this matter is now open. HRPP will vote based on their views.

Well done come to think of it, the Political Party that has the Government of the day has the numbers. As a member of this Political Party, although I am the Minister for this Bill and whatever decision the House reaches will stand. With the exception of this amendment, the advice I received from the Attorney General on this wording go against the law. If we are to agree with Government's view, we shall proceed however if the Committee's recommendation is approved, I request the House to have further suggestions in order to give the correct interpretation for this boundary as set out in the Territorial Constituency regulations. I do not intend to go against anybody's view. The aim of the Government is to seek better ways for us to progress well into the future. With respect.

**MR SPEAKER:** Well done. Thank you Hon Minister. We have sat calmly and silently whilst you speak of the Parliamentary Committee who reviewed and approved this matter. Pardon the Hon Minister but that is why I asked you to be brief, as your presentation is already well received. I call the Hon Prime Minister....

**Susuga Hon TUILAIPA FATIALOFA AUELUA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker there is not much to say as the Minister has already made the legislation clear enough. Hence we should have approved this bill in the last Parliamentary session. If recalled, this Political Party holds the majority and follows the democratic principles and values guided under the rule of law with other Governments. We comply with the rule of laws.

So that the country will know that this is a political party that protects human rights as its name says, both the rights of the majority and those in the voice of the minority.

That is reason for another chance granted to the Committee when this Bill was submitted in Parliament for endorsement in the previous sitting. We have received the Committee's Report hence appreciation for the work and efforts engaged by them. As a recommendation Parliament's decision was sought.

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The procedural process must be clear and should not disregard other views. As stated in the House, this Political Party will have open votes. For any democratic nation it comprises of two main ballots, and flaws will always be a challenge because not all nations is 100%. Democracy paved way to the rise of Hitler in Germany. Once he reached the top, he possessed all the military power and dominance which led to million deaths. So this administration has fewer issues in the world.

Therefore Mr Speaker, the matter has been laid right in regards to the Minister's statement, votes will now be open. Show your rights by voting. That is the Westminster and democratic principles, sometimes it is open sometimes we go by political parties. As of now we use individual rights that is your liberty so that the country will know that this is a political party that protects human rights as its name says, both the rights of the majority and those in the voice of the minority. Mr Speaker we do not long for victory the normal procedures have been laid out hence this is a time for individual rights. Mr Speaker, that is the addition.

**MR SPEAKER:** Well done thank you Hon Prime Minister.  
I call the Leader of the Opposition.

**Afioga Hon PALUSALUE FAAPO II:** Mr Speaker thank you for the chance. I think the decision is not easy especially when it involves a democratic political party nation. Whereas this morning, whatever outcome the vote will be, this is a victory for democracy. That is what upholds power to guide any Parliament in the world.

The right of registered voter is the most crucial thing. If only we can vote for the Constitutional amendments to serve our rights. I pray that the Holy Spirit will guide the Prime Minister on further amendments in the future like what we had today. I wish our General Elections and the Minister well.

**MR SPEAKER:** Papaliitele, I will grant you the last chance.

**Susuga Hon PAPALIITELE NIKO LEE HANG:** Thank you for the chance. I wish to be aware of something, is it possible to get a chance.

**MR SPEAKER:** What matter are you referring to?

**Susuga Hon PAPALIITELE NIKO LEE HANG:** This regards the election process Clause 5 of the Committee's recommendation.

**MR SPEAKER:** I still grant the chance to the member.

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**Susuga Hon PAPALIITELE NIKO LEE HANG:** I finally appreciate the scheduled orders this part of our sitting, thank you Hon Minister.

The Attorney General has indicated the issues concerning the recommendation of the Committee. In query, do we take the Committee's recommendation or the Cabinet's? Hence this matter will further delay the electoral registration?

If it does not go in line with Standing Orders, this will further cause delay to the works of the Electoral office. Secondly we have received eighteen witnesses only according to this Report. Based on the Committee's explanation, 90% was public's view, I do not think this is a suitable number for the Committee to reach its decision. In addition the Committee had only three members that made the decision and the implicated member did not attend according to the Chairperson. Therefore I do not see transparency in these Reports. With due respect.

**MR SPEAKER:** Well done. I get your view Papalii. I call another member of the Committee.

**Afioga AFUALO WOOD UTI SALELE (Salega):** Thank you Mr Speaker for the opportunity. I rise on a point of order. Firstly, thank you Hon Prime Minister for the far sighted wisdom. It seems that problem is fixed on me and Aeau it was not easy because we pleaded God's help. The decision did not involve us alone. The decision is not ours but taking heed of future generations and was based on integrity. Pardon the Lady Minister's statement which seem to sound corrupt, no that is far from the intention, we give all decisison in the House....

**Afioga Hon Fiaame Naomi Mataafa:** Point of order, these are not my words in the Report, they are yours.

**Afioga AFUALO WOOD UTI SALELE:** No you are throwing us the accusations as if Aeau, the Chairperson and I made the decision.

**MR SPEAKER:** The matter is now clarified.

**Afioga Hon Fiaame Naomi Mataafa:** These are not my words, they are words from your Report.

**MR SPEAKER:** Pardon me Hon Minister I will finish off the matter as time is dragged. Anything else Hon Prime Minister?

**Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Aiono Neioti Sailele Malielegaoi:** Mr Speaker, that is reason for upstanding, I think I have stood up mistakenly, by reading this everything looks fine except the elections which everyone is waiting for.

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**MR SPEAKER:** That is the essence dignified members of the House for speaking swiftly. Hence the Hon Prime Minister has clearly highlighted most of it. The only thing I wish to stress out as the saying goes, *e pala maa ae le pala tala* stones decay but not words as our words are recorded for future references in case Tutuila has opposing views with Ape. This process is the main responsibility of this Parliament. There is only one authority and that is Parliament, this is where decision making is made. The final decision comes from within this Parliament. The full authority was vested in the Committee of Parliament. We are all Parliamentarians and we are here to make decisions based on procedures. The Hon Prime Minister has made it clear, this sitting is not easy. What happened? The response was to withdraw the matter for further review and where was this matter taken? We made a decision to omit me. You see remove myself the Speaker of the House but according to Standing Orders I am the Chairperson of this Committee that includes the Prime Minister and the Leader of the Opposition. What did you say after I put the motion in this House, it was made by the Deputy Speaker? We are still maintaining peace in the House. Such is the reminder to this process, the only person to make ruling is myself, the Speaker of the House. That must be well noted not a lawyer or any other person. I confess that the decision made in the House is made by the Chairperson Toleafoa and his Committee. Their submission is now before the House for your suggestions.

But I heed respect as you are all part of Parliamentary Committees not some Women's Committee.....

Hence we now have the Committee's decision in the Order Paper hence is the clarification for everyone and a future sitting.

Thus I beg tolerance to the House, the matter is now laid accordingly as the decision is now reached let us speak further on it.

I call the honourable Chairperson, be upstanding.

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI:** Thank you Mr Speaker as the hearing is satisfied with your statement. Pardon the Minister and the Ministry we do not go against your view, however our duty is to put our comments before Parliament to reflect the rights of the majority of the public during consultation. With deepest respect, thank you.

**MR SPEAKER:** We have laid the matter correctly hence I have decided to conduct a division vote, do not say yes or no but please be upstanding to confirm your vote as intended by the Prime Minister.

*The bell has rung.*

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

**MR SPEAKER:** Maualaivao, do you have any spirit of love in this matter? What do you intend to speak about?

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**Afioga Maualaivao Pat Ah Him:** Yes I wish to discuss something in brief. I beg tolerance Mr Speaker but very shortly....the question received earlier today on my reasons for not signing the Report. That is the true spirit.

**MR SPEAKER:** Pardon me Maualaivao do you get what I am trying to explain, I am not siding with the Chairperson, you must choose, if you feel that you not part of this decisionmaking then be upstanding. This issue involves a conflict of interest which is reason for this decision. Nonetheless the bell has rung.

**Afioga Hon Palusalue Faapo II:** Mr Speaker, I have one small question. What will we use in the Elections, the Committee's Report or the Hon Minister's Amendment? In case one is mistaken.

**MR SPEAKER:** For your information Palusalue we have one question only to see if the Committee's Amendment is approved

**QUESTION:** Those who support the Committee's Amendment to Clause 5, rise

**DIVISION VOTE S.O. 93(1)**

1. Afioga Hon Tuisugaletaua Sofara Aveau.
2. Tofa Hon Tolofuaivalelei Falemoe Leiataua.
3. Afioga Hon Le Mamea Lemalu Su'a Leatuavao Tuiletufuga Ropati Mualia.
4. Tofa Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaalii.
5. Afioga Hon Magele Mauiliu.
6. Afioga Hon Leaupepe Toleafoa Apulu Faafisi.
7. Tofa Hon Tuuu Anasii Leota.
8. Tofa Tapuai Toese Ah Sam.
9. Tofa Tuileutu Alavaa Voi.
10. Susuga Papalii Lio Faavaivaio manu Taeu Masipau.
11. Afioga Afualo Wood Uti Salele.
12. Tofa Motuopuaa Uifagasa Aisoli Vaai.
13. Afioga Hon Aeau Peniamina Leavaiseeta.
14. Afioga Hon Palusalue Faapo II.
15. Tofa Aveau Tuala Lepale Niko Palamo.
16. Tofa Levaopolo Talatonu.
17. Tofa Lealailepule Rimoni Aiafi.
18. Afioga Toeolesulusulu Cedric Pose Salesa Schuster.
19. Afioga Hon Faumuina Tiatia Faaolatane Liuga.
20. Afioga Lafaitale Patrick Leiataualesa.
21. Tofa Faimalotoa Kika Iemaima Stowers.

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22. Tofa Tuisa Tasi Patea.
23. Tofa Lenatai Victor Faafoi Tamapua.
24. Tofa Sooalo Mene.
25. Susuga Ifopo Matia Filisi.
26. Afioga Tialavea Fea Tionisio Seigafolava.
27. Tofa Tusa Misi Tupuola.
28. Afioga Tafua Maluelue Tafua.
29. Afioga Hon Gatoloaifaana Amataga Alesana Gidlow.
30. Tofa Agafili Patisela Eteuati Tolovaa.

**AYES – 30**

**MR SPEAKER:** Those who object, rise.

1. Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Aiono Neiote Sailele Malielegaoi.
2. Tofa Hon Fonotoe Nuafesili Pierre Lauofo.
3. Afioga Hon Fiame Naomi Mataafa.
4. Tofa Hon Tuiloma Lamako.
5. Afioga Lautafi Fio Selafi Purcell.
6. Afioga Hon Manualesagalala Mati Tuigamala Enokati Posala.
7. Afioga Hon Sala Fata Lisati Pinati.
8. Tofa Fagaavalu Kenrick Samu.
9. Afioga Tufuga Gafualeata Faitua.
10. Tofa Alo Fulifuli Taveuveu.
11. Afioga Afoafouvale John Moors.
12. Afioga Taefu Lemi.
13. Afioga Maualaivao Pat Ah Him.
14. Afioga Peseta Vaifou Tevaga.
15. Susuga Seiuli Ueligitone Seiuli.
16. Susuga Hon Papaliitele Niko Lee Hang.

**NOES – 16**

**MR SPEAKER:** This is the result of the Division Vote, those in favour of the Committee's Amendment is 30 whilst those who objected 16. I hereby officially announce the official results of the amendment by the Committee.

*Amendment approved.*

*Clause 5 was approved as Amended.*

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker can I get a chance....

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

**Afioga Hon FIAME NAOMI MATAAFA:** Thank you the matter is now clear with a few more sections of the Report to go through. Mr Speaker I take it in your statement that whatever decision reached by the Committee goes. I recommend the wording in the amendment is incorrect in the territorial constituency legislation. Because of the statement to draw boundary lines however that is in paper alone however the labels should be indicated in connection to boundary lines for the job to be executed. But I am keen to prepare what the House intends. Nonetheless we cannot take this amendment under territorial constituency other than the electoral legislation. That is it with respect.

**MR SPEAKER:** I call the honourable Leader of the Opposition....

**Afioga Hon AEAU PENIAMINA LEAVAISEETA (Falealupo):** Mr Speaker I feel that the Chairperson and the Committee find it difficult to comment in respect to the Minister. Mr Speaker I extend appreciation to the House why? Because I know the election process was based on something given the recent General Elections. This was based on the views and submission of the public and findings of the Committee. I pity the discarded decision of the Committee. This is the difference because the public was involved in the decisionmaking process. But thank you for the expression. Thank you.

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

**Susuga Hon Tuilaepa Fatialofa Lupesoliai Aiono Neioti Sailele Malielegaoi:** Mr Speaker every problem has its remedy. This region has a common chief title called Taatiamai. Leave it to us, the country has had a number of beneficial events....

**MR SPEAKER:** The Minister has shared his view and response therefore bear with the Ministry. The Ministry will be tasked with this Bill to ensure that it is drafted accordingly.

Whatever criteria it has for the legislation stands. I express sincere thanks to everyone for reviewing this difficult Bill. We may have different opinions but it all comes down to making the right decision to the legislation of your electoral Committee.

**CLAUSE 6: Transitional regulation.**

*Approved.*

26 MAY 2015

**Constitution Amendment Bill (No. 2) 2014  
- consideration in detail**

**CLAUSE AND TITLE:**

**CLAUSE 1: Short Title and Commencement.**

**TITLE: Electoral Amendment (No.2) Bill 2015.**

*Approved.*

*The Electoral Amendment (No.2) Bill now progressed with Amendment.*

**CONSTITUTION AMENDMENT BILL (NO.2) 2014  
– consideration in detail**

**MR SPEAKER:** Pursuant to Standing Orders 106, the Legislative Assembly must first approve the Report of the Committee to allow the Bill's consideration into detail.

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

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI:** Mr Speaker, I rise to move the motion, *That the Assembly approves the Report of the Committee which recommends that the Constitution Amendment (No.2) 2014 progressed with Amendment and Corrections.*

*Seconded by the member for Siumu.*

**MR SPEAKER:** I announce that the Legislative Assembly approves the Report of the Primary Production, Commerce, Industry and Labour Committee Report on the Constitution Amendment (No.2) 2014.

The Assembly will now consider the Constitution Amendment Bill No.2 2014. Pursuant to Standing Orders 102, the consideration of the Bill commences with Clause 2.

**CLAUSE 2: Section 6 amended.**

*Approved.*

**CLAUSE 3: Article 18 approved.**

*Approved.*



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**Constitution Amendment Bill (No.2) 2014  
– consideration in detail**

**CLAUSE 4: Section 19 amended.**

*Approved.*

**CLAUSE 5: Section 25 amended.**

*Approved.*

**CLAUSE 6: Article 44 amended.**

*Approved.*

**CLAUSE 7: Article 49 amended.**

*Approved.*

**Afioga Hon PALUSALUE FAAPO II:** Mr Speaker....

**MR SPEAKER:** What clause?

**Afioga Hon PALUSALUE FAAPO II:** Clause 4.

**MR SPEAKER:** Clause 4 or....

**Afioga Hon PALUSALUE FAAPO II:** I rise in regards to the Constitution Amendment. I wish to note if the amendments are given bit by bit and so will it be for the vote pursuant to....

**MR SPEAKER:** That is the intention taking into account the final vote ballot.

**CLAUSE 8: Article 50 amended.**

*Approved.*

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**Constitution Amendment Bill (No.2) 2014  
– consideration in detail**

**CLAUSE 9: New Section 4A inserted.**

*Approved.*

**CLAUSE 10: Article 83 amended.**

*Approved.*

**CLAUSE 11: Schedule 1 and Schedule 2 repealed.**

*Approved.*

**CLAUSE 12: General amendment.**

**MR SPEAKER:** We have an Amendment by the Committee. I call the Hon Chairperson.

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI:** Mr Speaker, I rise with respect to move the Amendment to Clause 12 as follows:

**“AMENDMENT:**

*Insert a new paragraph (e) as follows, “(e) any registered voter or its grammatical variations, substitute the urban constituency or grammatical variations.”*

*Amendment was approved.*

*Clause 12 was approved with Amendment.*

**CLAUSE 13: Consequential Amendment.**

*Approved.*

26 MAY 2015

**Electoral Amendment Bill (No.2) 2014  
– third reading**

**CLAUSE 1 AND THE TITLE:**

**CLAUSE 1: Short title and commencement.**

**TITLE: Constitution Amendment (No. 2) 2014.**

**MR SPEAKER:** We have correction by the Committee. I call the Chairperson.

**Afioga Hon LEAUPEPE TOLEAFOA APULU FAAFISI:** Mr Speaker I rise to move the Correction to Clause 1 and Title of the Bill as follows:

**“CORRECTION:**

*Substitute (No.2) and the number 2014 with the number “2015,”  
to read as:*

**“Constitution Amendment Bill 2015.””**

*The Correction was approved.*

*Clause 1 and the Title was approved as Corrected.*

*The Constitution Amendment Bill 2015 progressed with Amendments and Corrections.*

**ELECTORAL AMENDMENT BILL (NO. 2) 2015  
– third reading**

**Afioga Hon FIAME NAOMI MATAAFA:** Mr Speaker I rise to move the motion, *That the Electoral Amendment (No. 2) 2015 be now read a third time.*

*Seconded by the Deputy Prime Minister and the Minister of Public Enterprises.*

*The Bill was read a third time and had passed the Legislative Assembly.*

26 MAY 2015

**CONSTITUTION AMENDMENT BILL 2015  
- third reading**

**Susuga Hon TUILAEPFA FATIALOFA AUELUA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker I move, *That the Constitution Amendment Bill 2015 be now read a third time.*

*Seconded by the Deputy Prime Minister and the Minister of Public Enterprises.*

**Afioga Hon Palusalua Faapo II:** Mr Speaker. I wish to be clear and notify your honor that the Constitutional Amendment should consider a Division Vote otherwise I see that we have progressed with the second and third reading of the Bill. That is reason for upstanding your honor.

**MR SPEAKER:** You are being swift when....we are in the process. Do not be alarmed Opposition Leader we are getting there. The requirements of the Constitution have been met pursuant to the time period for the second reading and the third reading of the Constitution Amendment Bill 2015.

The last requirements needs at least two third of the votes for the third reading to progress as intended by the Opposition Leader.

**Tofa Lealailepule Rimoni Aiafi:** Mr Speaker....

**MR SPEAKER:** Very well....

**Tofa Lealailepule Rimoni Aiafi:** Thank you for the chance this new morning pursuant to our sitting schedule. The comments heard this morning sounds sweet to the hearing that is democracy. Hence I advice our leader if he could present a democratic speech. Let us conduct a democratic ballot. With respect.

**Afioga Hon Palusalua Faapo II:** Mr Speaker I advice the Prime Minister to rely on the Holy Spirit like in the introductory words in the Bill. This is where your statement is true on Democracy, the rights of everyone to vote that you always talk about, the Human Rights Protection Party.

**MR SPEAKER:** I get it now your honor. You have not responded to the question of the member. Well....

**Tofa Levaopolo Talatonu (Gagaemauga No.2):** No, the Leader of the Opposition speaks of something else other than the piece of paper we receive to cast our vote in support of his view, yes.

**MR SPEAKER:** The Question on the third reading for our Division Vote will be carried out. As per normal procedure the bell will be rung before we have the Division Call to pass the Constitution.

26 MAY 2015

**Constitution Amendment Bill 2015  
- third reading**

*The bell was rung.*

**Tofa Hon Tuuu Anasii Leota (Siumu):** Mr Speaker.....

**MR SPEAKER:** Well Tuuu....

**Tofa Hon Tuuu Anasii Leota:** Because we are about to cast a ballot, but I too rejected this amendment to the Constitution and the Leader of the Opposition has stood up, I support Government's intention. With respect.

**MR SPEAKER:** This is what happens to corruption. Pardon everyone have patience....

**Afioga Hon Palusalue Faapo II:** Mr Speaker I wish to remind the member not to vote in fear, your district is hearing this so vote based on your right and what is appropriate.

**Afioga Hon Le Mamea Lemalu Su'a Leatuavao Tuiletufuga Ropati Mualia:** Mr Speaker I beg tolerance I have already advised my fellow member and his stupidity to which he has returned to vote with the belief that the old man is correct. Thank you.

**Tofa Hon Tuuu Anasii Leota:** Mr Speaker I wish to correct that stupid is not the word. He did advise and I replied I am still praying God for his assistance. Pardon me Palusalue I will support your view. With respect.

**QUESTION:** The question on the third reading of the Constitution Amendment Bill 2015, those in favour be upstanding.

**DIVISION VOTE S.O. 93(1)**

1. Susuga Hon Tuilaepa Fatialofa Auelua Lupesoliai Aiono Neioti Sailele Malielegaoi.
2. Tofa Hon Fonotoe Nuafesili Pierre Lauofo.
3. Afioga Hon Fiaame Naomi Mataafa.
4. Tofa Hon Tuiloma Lameko.
5. Afioga Hon Lautafi Fio Selafi Purcell.
6. Afioga Hon Tuisugaletaua Sofara Aveau.
7. Tofa Hon Tolofuaivalelei Falemoe Leiataua.
8. Afioga Hon Le Mamea Lemalu Su'a Leatuavao Tuiletufuga Ropati Mualia.
9. Tofa Hon Faamoetaulua Lealaiauloto Ulaitino Faale Tumaalii.
10. Afioga Hon Magele Mauiliu.
11. Afioga Hon Manualesagalala Mati Tuigamala Enokati Posala.

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**Constitution Amendment Bill 2015  
- third reading**

12. Afioga Hon Sala Fata Lisati Pinati.
13. Afioga Hon Leaupepe Toleafoa Apulu Faafisi.
14. Tofa Hon Tuuu Anasii Leota.
15. Tofa Lealailepule Rimoni Aiafi.
16. Afioga Hon Faumuina Tiatia Faaolatane Liuga.
17. Tofa Fagaaivalu Kenrick Samu.
18. Afioga Tufuga Gafoaleata Faitua.
19. Tofa Alo Fulifulu Taveuveu.
20. Afioga Lafaitete Patrick Leiataualesa.
21. Tofa Faimalotoa Kika Iemaima Stowers.
22. Tofa Tuisa Tasi Patea.
23. Tofa Lenatai Victor Faafoi Tamapua.
24. Tofa Sooalo Mene.
25. Afioga Afoafouvale John Moors.
26. Afioga Taefu Lemi.
27. Susuga Ifopo Matia Filisi.
28. Afioga Tialavea Fea Tionisio Seigafolava.
29. Tofa Tusa Misi Tupuola.
30. Afioga Maualaivao Pat Ah Him.
31. Afioga Peseta Vaifou Tevaga.
32. Susuga Seiuli Ueligitone Seiuli.
33. Afioga Tafua Maluelue Tafua.
34. Afioga Hon Gatoloaifaana Amataga Alesana Gidlow.
35. Susuga Hon Papaliitele Niko Lee Hang.
36. Tofa Agafili Patisela Eteuati Tolovaa.

**AYES – 36**

**MR SPEAKER:** Those who object the motion, rise.

1. Afioga Hon Palusalua Faapo II.
2. Afioga Hon Aeau Peniamina Leavaiseeta.
3. Tofa Motuopuaa Uifagasa Aisoli Vaai.
4. Afioga Afualo Wood Uti Salele.
5. Susuga Papalii Faavaivaomanu Taeu Masipau.
6. Tofa Tuileutu Alavaa Voi.
7. Tofa Tapuai Toese Ah Sam.
8. Tofa Aveau Tuala Lepale Niko Palamo.
9. Tofa Levaopolo Talatonu.
10. Tofa Toeolesulusulu Cedric Pose Salesa Schuster.

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**Supplementary Appropriation Bill (No.2) 2014/2015  
- first reading**

**NOES – 10**

**MR SPEAKER:** This is the result of our Division Vote. Those who supported the Committee's Amendment is 36 whilst 10 objected. The Constitution Amendment Bill 2015 is now officially approved.

*The motion was approved and the Bill was read a third time and had passed the Legislative Assembly.*

**MR SPEAKER:** I think we should take a break now and resume when we return. Proceedings of the Assembly is now suspended for its normal recess.

*Proceedings of the Legislative Assembly was suspended at 12:38pm for normal recess and resumed at 1:23pm.*

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

Well done on your perseverance this part of the day after our short break. The intention is to have short intervals to rebuild our strength in accordance to sitting schedule.

**SUPPLEMENTARY APPROPRIATION BILL (NO.2) 2014/2015  
– first reading**

**Susuga Hon TUILAEPFA FATIALOFA AUELUA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker I rise to move, *That the Supplementary Appropriation Bill (No.2) 2014/2015 be now read a first time.*

*Seconded by the Deputy Prime Minister and the Minister of Communications and Information Technology.*

*The motion was approved and the Supplementary Appropriation Bill (No.2) 2014/2015 was read a first time.*

**SUPPLEMENTARY APPROPRIATION BILL (NO.2) 2014/2015  
– tabling**

*The Supplementary Appropriation Bill (No.2) 2014/2015 was laid on the table by the Hon Tuilaepa Fatialofa Auelua Lupesoliai Aiono Neioti Sailele Malielegaoi.*

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**SUPPLEMENTARY APPROPRIATION BILL (NO.2) 2014/2015  
– motion for second reading**

**Susuga Hon TUILAEPFA FATIALOFA AUELUA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker I rise to move the motion, *That the Supplementary Appropriation Bill No. 2 2014/2015 be now read a second time.*

*Seconded by the Deputy Prime Minister and the Minister of Public Enterprises.*

**MR SPEAKER:** Pursuant to Standing Orders 132, the debate on the Supplementary Appropriation Bill (No.2) 2014/2015 is adjourned to no more than 14 days following deliberations of the Revenue and Expenditure Committee on the Appropriation Bill (No.2) 2014/2015 and report back to the Legislative Assembly.

**APPROPRIATION BILL 2015/2016 – first reading**

**Susuga Hon TUILAEPFA FATIALOFA AUELUA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker I move the motion, *That the Appropriation Bill 2015/2016 be now read a first time.*

*Seconded by the Deputy Prime Minister, Minister of Public Enterprises, Minister of Communications and Information Technology.*

*The motion was approved and the Appropriation Bill 2015/2016 was read a first time.*

**MAIN ESTIMATES 2015/2016  
– tabling**

*The Main Estimates 2015/2016 was tabled by the Minister of Finance, Hon Tuilaepa Fatialofa Auelua Lupesoliai Aiono Neioti Sailele Malielegaoi.*

**APPROPRIATION BILL 2015/2016  
- motion for second reading**

**Susuga Hon TUILAEPFA FATIALOFA AUELUA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker I rise to move, *That the Appropriation Bill be now read a second time.*

*Seconded by the Deputy Prime Minister.*

**MR SPEAKER:** Well, Hon Prime Minister be upstanding for your Budget Address 2015/2016.



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## BUDGET ADDRESS 2015/2016

**Susuga Hon TUILAEP A FATIALOFA AUELUA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker as required under Standing Order 124, it is with great pleasure that I present on behalf of the Government the Statement on the Estimates for the 2015/2016 fiscal year tabled before the Parliament.

### 1. BUDGET SETTING

The 2015/2016 budget is envisaged to be a tight one. Following the 2008 global financial crisis, the 2009 tsunami and cyclone Evan in 2012, government had to significantly raise spending to respond to these external shocks. The resources required were to a large extent facilitated by our development partners. In 2015/6, we need to rein in spending as the responses to these shocks tail off.

Mr Speaker and Honorable Members, there is no way the government can sustain the high spending levels of the past five years without recourse to increased grants and raising taxes. At the same time we need to work towards reaching the sustainable fiscal deficit of 3.5% of GDP over the medium term.

As a responsible government, we are proposing to cut back spending. And I am pleased to say that we are able to do this without compromising the provision of key services to our people. The message therefore is we need to “live within our means.”

### 11. BUDGET STRATEGY

Real GDP is expected to grow by 1.9% and will reach the level of \$2.0 billion tala in 2015/16.

The winding down of cyclone related reconstruction Works, completion of the SIDS meeting as well as taking a more prudent approach to prioritizing expenditures form the basis for a reduced 2015/16 budget compared to 2014/15. The fiscal deficit is expected to be around 4.7% of GDP which is still higher when compared to 2014/15 but still a credible goal in view of the reduced revenue position.

On the revenue side, there are no major tax and tariff measures being considered except to introduce a health levy on soft drinks, liquor and cigarettes to demonstrate government’s support for a healthy population in particular the school aged kids. A renewable energy levy on fossil fuel is being proposed to facilitate the financing of renewable energy development so that the objective of reduced electricity bills can be achieved as early as possible in addition to moving towards achieving the goal of 100% renewable energy in 2017.

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### Budget Address 2015/2016

Grant assistance is expected to drop significantly as a result of the reclassifications of Samoa's debt situationo from high to médium debt distress which means Samoa no longer qualifies for 100% grant but instead 50% grant and 50% credit. The tailing off of reconstruction Works also contributes to the declining grant position in 2015/16.

The government will not commit to any loads unless the new loans are in line with the médium term debt management strategy and the loan funded projects will contribute positively to economic growth.

### III. ACHIEVEMENTS IN THE PAST FIVE YEARS

Mr Speaker and Honorable Members, I will now provide a brief account of the developments achieved during the five years of this parliamentary term. I have mentioned Parliamentary Term to the reason that it is a collective work.

Macroeconomics performance over the past five years was greatly hampered by natural disasters and the global financial crisis. In response, the government adopted an expansionary fiscal stance as it embarked on the recovery and rehabilitation works as well as providing the stimulus package to trigger economic activity following the financial crisis.

Despite these difficult times, recovery started to take hold in 2010 with real GDP growth reaching 5.6% in 2010/11. Unfortunately, cyclone Evan struck in December 2012 causing significant damage and substantial losses totaling \$470.0 million tala. As a result growth fell to less than 1% in 2011/12 followed by negative 2% in 2012/13. However with the cyclone recover program, growth rebounded in 2013/14 registering 1.2%. With the hosting of the SIDS Conference and the construction of major hotels such as Lamana Hotel, Aggie Greys Beach Resort, Aggie Greys Hotel, Aga Reef Resort and Return to Paradise Resort, econmic growth was expected to reach 2.3% in 2014/15.

On the reduction front, substantial resources have been allocated to the sector given it is a priority sector in the SDS. The launch of the Education Sector Plan 2013-2018 provided the platform to identify education priorities that will achieve improved access to education, training and learning outcomes. The Samoa School Relief Scheme providing free education for Primary and Secondary Schools continue to be supplemented by government funding.

The Oceania University of Medicine (OUM) is now under the National University of Samoa's management and therefore the full benefits of the university will now be accrued to local students without any more outside interference.

The health sector continues to be a priority sector as demonstrated by the completion of the national hospital at Motootua. The new hospital provides state of the art medical equipments and products to better serve the public. District hospitals at Poutasi, Lalomanu, Safotu, Foailalo and Sataua have been refurbished to ensure the rural communities have already available access to good health service and medical treatments.

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### **Budget Address 2015/2016**

The Agriculture Sector Plan which was launched in May 2011 provides the framework through which agricultural priorities are identified and developed. Support has been focused on revitalizing the sector through the Stimulus Program to replant cocoa, coconut and coffee as well as the Talomua program. This has been complemented by the Samoa Agriculture Competitiveness Enhancement Programme (SACEP) with the objective of boosting livestock development, and fruit and vegetable farming. The establishment of the Samoa AgriBusiness Project supported by the ADB will provide qualified agribusinesses financial and technical support as well as assistance towards penetrating the export market. Through SROS, research continues into further processing of agricultural products such as avocado and breadfruit for the benefit of the private sector.

As a result of cyclone Evan recovery works, the road network around the country has been substantially improved. The Samusu-Lalomanu road is almost completed. The extension of the four lane road from Vailoa to Vaitele is expected to commence soon. The West Coast road from Apia to Faleolo will be upgraded to ensure resilience to climate change. As well, LTA has put together a road construction plan to improve road conditions around the urban and rural areas.

On the energy sector, government has invested heavily in renewable sources to ensure the community can have the benefit of low cost electricity as soon as possible. We now have a number of solar and wind farms generating electricity and selling to the grid. For power supply stability, the Fiaga Power Station will continue to be maintained going forward.

Substantial investments in the water sector with support from the EU has continued resulting in improved water supply around the urban areas as well as community managed water schemes.

On telecommunications the National Broadband Highway Network (NBHN) Project has been completed. This is a major investment which is expected to significantly increase the speed of internal internet communications. It has the capacity to facilitate tele-medicine and tele-education that will benefit the rural communities around the country.

Tourism remains a key sector for Samoa's development and the government has been providing support to encourage investment in the sector. Such support has allowed the completion of a number of world class hotels such as the Sheraton Aggie Greys Beach Resort, the Return to Paradise Resort at Lefaga, Aga Reef Resort at Lalomanu and Orator Hotel at Tanumapua. The Lamana Hotel at Taumeasina and the Aggie Grey's Hotel at Vaisigano are expected to be completed by early next year.

Last year Samoa hosted the SIDS which is the biggest meeting ever held in the Pacific. This is a major investment which has placed Samoa on the world map and exposed our small country to global opportunities in terms of tourism and trade.

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**Budget Address 2015/2016****IV. BUDGET SUMMARY**

Mr Speaker, I would now like to highlight the key components of the 2015/16 budget.

<b><u>Revenue</u></b>		<b>\$689,013,681</b>
Ordinary Revenues	\$551,916,733	
External Grants	\$137,096,948	
<b><u>Expenditures</u></b>		<b>\$785,357,784</b>
Statutory Expenditures	\$103,298,657	
Expenditure Programs	\$478,223,687	
Tupe Faaalu i Atinae	\$189,488,730	
Tupe Faaalu le Fuafuaina	\$14,346,711	
<b><u>Overall Budget Deficit</u></b>		<b>(\$96,344,104)</b>

Financed by:

Soft Term Financing	\$84,082,700
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<b><u>Cash Deficit after Borrowing</u></b>	<b>(\$12,261,404)</b>
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The 2015/16 financial year budget is expected to record an overall deficit of \$96.34 million tala equivalent to 4.7% of GDP. The overall deficit will be financed through soft term loans.

Although this level is higher compared to 2014/15, it reflects Government's commitment clawing back to the medium term target of 3.5%.

**V. REVENUE MEASURES**

Mr Speaker, Ordinary Receipts are expected to drop by 0.2% as a result of the revenue foregone for providing fiscal incentives to support hotel investment, manufacturing and renewable energy. As mentioned earlier, grant revenue is expected to drop by 23% reflecting the reclassification of Samoa's debt status from high to medium debt distress which means Samoa no longer qualify for the full 100% grant assistance but reduced to only 50% grant and 50% loan.

In support of the social and climate change objectives, two revenue raising initiatives are being introduced for implementation in 2015/16:

**1. Healthy Levy**

The government considers it extremely important that our people pursue a healthy living. Obesity, high blood pressure, diabetes and many other diseases do occur because of what we drink and eat.

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### **Budget Address 2015/2016**

Sadly our young population are the most at risk. Equally important is that the government spends substantial amount of resources every year on treating these diseases. To help break this trend, the government is proposing a 6.5% health levy to be applied to the prices of soft drinks and alcoholic beverages as well as a 5% excise tax on tobacco products.

#### **2. Renewable Energy Levy**

Climate change has emerged to be a key development challenge for every country irrespective of size. Burning fossil fuels contribute enormously to damaging the environment and we are beginning to see a number of natural disasters with higher frequency and intensity as a result. As a responsible government, we need to move to adopting a renewable energy framework that will minimize the level of emission.

As a result, a renewable energy levy of 6.5sene per litre will be applied on fuel imports to promote investment in renewable energy sources. Such an initiative will also deliever the added advantage of achieving the dual objective of lower electricity costs to the consumers and achieving 100% renewable in 2017.

## **VI. EXPENDITURE PRIORITIES**

Mr Speaker and Honorable Members, The proposed total expenditure budget amounts to \$785.4m falling short of the current year by 2%. This demonstrates government's commitment to prudent expenditure prioritization to be in line with revenue generation so as to maintain the fiscal déficit at an affordable level.

I will now highlight key expenditure priorities for 2015/16:

#### **1. Health Sector**

The total budge allocation for the Health Sector is \$79.3 million tala representing 17% of total expenditure programs. The following provisions reflect the Government's commitment to this priority sector:

- \$7.6million is provided towards the Ministry of Health operations;
- \$6.1million grant is earmarked for the National Kidney Foundation;
- \$63.8 million grant is provided for the National Health Services for the hospital's operations;
- \$2.5million has been provided to cover the cost of the overseas medical treatment scheme;

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## Budget Address 2015/2016

### 2. Education Sector

The total budget for the sector is \$79.07million tala representing 16.5% of total estimates and 4% as a proportion of total GDP. The key priority areas are:

- \$50.4million to the Ministry of Education, Sports and Culture for normal operations
- \$6.0million grant for Private and Mission Schools
- \$2.76 million for the Samoa Qualifications Authority
- \$11.05 million grant for the National University of Samoa
- \$1.5million to fund stationeries for all Government Schools

This excludes \$5.7m towards the implementation of the School Fee Grant Scheme for both Primary and Secondary Education currently administered under the Ministry of Finance.

### 3. Infrastructure

#### *Electricity:*

A total of \$11.3million is allocated to EPC to support ongoing developments. Of this amount, \$7million is provided to compensate EPC for VAGST payments on fuel with the balance of \$4.3million earmarked for community service obligations (CSO).

#### *Water:*

The Samoa Water Authority will receive a budget allocation of \$12million. Of this amount, \$4.22million will go towards community service obligations (CSO) with \$7.78 million financing for key water investment priorities under the EU budget support.

#### *Roads and Bridges:*

Total Government grant to the Land Transport Authority (LTA) is \$19.9 million towards maintenance works required for bridges and the road network around the country. This appropriation is 17% lower than the current year representing the conclusion of most of the reconstruction works following cyclone Evan.

#### *Telecommunications:*

Telecommunication is a key priority sector providing support service that is critical to business development and consumers. To reinforce development in this sector, the following allocations have been confirmed for 2015/2016:

- A \$4.23million budget is allocated to meet the Ministry of Communication's operations.

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### **Budget Address 2015/2016**

- \$1.74million is allocated to fund the operations of the Office of the Regulator;
- \$1.2million has been earmarked as government contribution to the National Broadband Highway annual fees; and
- \$7.4million through a grant assistance from the Asian Development Bank and the World Bank for a submarine cable.

#### **4. *Agriculture***

The Agriculture Sector has an allocation of \$13.6 million for the year 2015/16. The key initiatives are: \$11.3million to the Ministry of Agriculture's operations; \$0.50million allocated for the implementation of Agriculture Shows. Not included in these figures is the support provided under the World Bank through the Samoa Agriculture Competitiveness Enhancement Project which will provide an additional \$4.9million to the sector aiming at promoting import substitution and improving food security. Furthermore, an additional \$3.7million will also be provided to continue to support Cyclone Recovery efforts for the sector. The Asian Development Bank is also supporting the Agribusiness Project providing technical and market access assistance to small to medium enterprises in the sector with an assistance valued at \$370,000 for the 2015/16 fiscal year.

#### **5. *Trade, Commerce and Manufacturing***

The Trade, Commerce and Manufacturing Sector is also a key sector of the economy as one of the driving forces behind economic development. The following are initiatives for the sector in 2015/16:

- \$3.98million to the Ministry of Commerce operations;
- \$9.32million to the Samoan Tourism Authority;
- \$450,000 to support the Small Business Enterprises Centre;
- \$200,000 general support to the Private Sector; and
- \$125,300 to the continuous apprenticeship training under the National University of Samoa.

#### **6. *Commonwealth Youth Games 2015***

The Government is allocating a total of \$5million to the hosting of the Commonwealth Youth Games in September 2015 where Samoa will host an approximate 1,500 athletes and officials from 69 countries of the Commonwealth.

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### Budget Address 2015/2016

#### VII. UNFORESEEN EXPENDITURES

A provision of \$14.35million tala has been provided to cover unforeseen expenditures that may arise during the course of the next fiscal year.

#### VIII. SUPPLEMENTARY ESTIMATES 2014/2015

The Government is also proposing to table a Second Supplementary Budget for the financial year 2014/2015. The Supplementary Budget is cost neutral as it will be funded from the reallocation of existing resources. Therefore it has no impact of the fiscal deficit.

#### IX. CONCLUSION

Mr Speaker and Honorable Members, as you will note, Mr Speaker, the 2015/16 budget has been framed with the objective of living within our means. This is the most sustainable approach going forward. We can no longer depend on the generosity of our development partners forever. We need to look internally at the revenue generated domestically and ask the hard question.....what can we afford with the available revenue. We need to be prudent in prioritizing our development agenda so that the service delivery to the public is not compromised. This is the reality of being a middle income country being graduated from the Lowest Developing Country (LDC) status last year.

At this point I would like on behalf of the government and people of Samoa to acknowledge the support and generosity of our development partners. Thank you very much for your support to our development.

In closing I would also like to acknowledge everyone's support to the development of our country. We thank you and may God continue to bless you all as we prepare to celebrate our 53<sup>rd</sup> Independence Anniversary.

Mr Speaker, I commend the 2015/16 Budget to the House.  
Soifua.

*The House showed appreciation by clapping their hands after the Statement of the Budget Address 2015/2016 by the Hon Minister of Finance.*

**MR SPEAKER:** Thank you for the Budget Address by the Hon Prime Minister which I believe the public is distinctly clarified specially Samoa listening in. Thank you Hon Prime Minister and the Ministry, CEO and the Cabinet for the well prepared Budget. The Budget will now be referred to the Committee according to Standing Orders no less than 14 days and report back to the Assembly in the future. We have arrived at the end of our session for today.

I call the Hon Prime Minister.



26 MAY 2015

**MOTION FOR ADJOURNMENT**

**Susuga Hon TUILAEPA FATIALOFA LUPESOLIAI AIONO NEIOTI SAILELE MALIELEGAOI:** Mr Speaker I rise with respect to move, *That Proceedings of the Legislative Assembly be now adjourned until Thursday, 18 June 2015.*

*Seconded by the Deputy Prime Minister and the Minister of Public Enterprises.*

**THANK YOU SPEECH BY THE SPEAKER**

**MR SPEAKER:** Before the motion is approved we heed the spirit of thanks.

Congratulations everyone for your patience we have achieved so much today given our legislations and the Electoral Amendment Bill (No.2) Bill 2015 and the Constitution Amendment (No.2) Bill 2015 so that our Elections will go well.

By observation today the bill is now passed as per normal procedures.

Thank you for your tolerance, patience and perseverance, we must think of God's guidance upon our work today.

As per normal practices, we must not take our exchanges seriously as we must await the good works of the Committee.

Thank you Samoa for your kind support and prayers which has helped achieved your Parliament's meetings and Budget Address for the wellbeing and prosperity of Samoa in the future.

In conclusion I thank the Government Heads for your patience and duties for the Government, we pray for good strength in spirit mind and soul. We also pray for the commemoration of our Independence that it may end well with God on our side.

Before we adjourn I call the member for Sagaga le Usoga who is one of the new members in the House to conclude us with a prayer before we rest.

*The motion was approved.*

*Proceedings of the Legislative Assembly now adjourned at 2:11pm until Thursday, 18 June 2015.*