

DISCLAIMER

This Report provides a brief of the Proceedings of Parliament on **Tuesday 24 October 2023**. While all efforts have been made to provide an informative brief, this information must not be relied upon as an alternative to the official Hansard record of proceedings of Parliament. If you have any specific questions about the Proceedings of Parliament on **Tuesday 24 October 2023**, you should consult the official Hansard or seek assistance from the Office of the Clerk of the Legislative Assembly.

9:30am

I. WARRANT OF ELECTION

Pursuant to Section 84(2) of the Electoral Act, Mr Speaker read out the Warrant of Election signed by the O Le Ao o le Malo for the following members:

- i. ALE Vena Ale
- ii. TUUU Anasii Leota
- iii. MAUU Siasoi Puepuemai

II. Swearing in of New Members of Parliament

Mr. Speaker asked the Members to be upstanding while he reads out the Code of Parliamentary Ethics

Standing Order 15. Code of Parliamentary Ethics:

STATEMENT OF INTENT:

It is the personal responsibility of every Member of Parliament to maintain the highest standards of ethical behaviour to protect and maintain the integrity of Parliament and to make every endeavour to uphold the principles of the Constitution. The following principles are intended to provide guidance to, and standards against which each Member of Parliament, individually and collectively should discharge their duties and responsibilities.

THE PRINCIPLES:

- (1) Loyalty to the nation and its people:

Every member shall uphold the contents of the Oath of Allegiance at all times and maintain the dignity and integrity of the Independent State of Samoa; its institutions and its people.

- (2) Respect for the Law:

Every member shall uphold the laws of Samoa and safeguard the principles contained in the Constitution.

- (3) Respect for all Persons: Every member shall treat other members, the public and officials with respect and dignity, honestly, fairness, and acting with integrity at all times.

- (4) Proper Exercise of Power:

Every member shall:

- a. Arrange their private affairs;
- b. Use any and all information obtained from their public office; and
- c. Exercise any influence or authority obtained from Public Office, only to advance the public interest and where any potential and actual conflict of interest arises whether in the member's private, financial, pecuniary or any interest the member shall be required to declare that interest and take any steps to remove the conflict or withdraw from the particular process of transaction.

SPECIAL REQUIREMENTS FOR MINISTERS AND OTHER OFFICEHOLDERS:

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

SANCTIONS:

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

The Speaker called upon the 3 Members to be upstanding as he reads aloud the Oath of Allegiance.

III. OTHER ANNOUNCEMENTS BY MR SPEAKER

Mr. Speaker acknowledged the swearing in of the 3 Members then greeted the Cabinet and all Members of Parliament. He acknowledged all Government Ministries and Corporations as well as, all public servants for their service to the country. The Speaker also greeted the Ao o le Malo and his good lady, Council of Deputies and his good lady and Samoa in all its honorific salutations.

The Speaker touched on the Courts decision regarding the temporary suspension of the Members for Lepa and Faleata 3. He then highlighted that the court decided for both members to resume their duties as Members of Parliament to represent their respective constituencies. The Speaker noted that although the functions of the 3 Arms of Government do not overlap, Parliament respects the decision of the Judiciary. Mr Speaker mentioned that Parliament has appealed the matter as it requires thorough analysis, as it affects Parliamentary ethics and privileges. As such, this appeal is with the Court and it will be reviewed in the upcoming month. Therefore, until then this matter is with the Court and Parliament will touch on it once the appeal case is finalised.

Mr Speaker then acknowledged the delegation from the Parliament of Tasmania present in the House; the delegation is led by the President of the Upper House Hon. Craig Farrell,

Speaker of the House of the Assembly, Hon. Mark Shelton and Hon Members of both Houses and the Clerk. He conveyed his appreciation to the delegation through Samoa and Tasmania's twin parliament partnership by assisting our Parliament with capacity building for Members as well as the Parliamentary staff, as well as assisting in various ways that have benefit Samoa's Parliament.

Mr. Speaker then addressed another matter, he stated that on 30th August 2023, he was made aware of charges against the Member for Sagaga 1, regarding a breach of Standing Orders, constitutional provisions and relevant sections of the Electoral Act 2019. Pursuant to Article 46 of the Constitution and Sections 141-143 of the Electoral Act 2019, Mr Speaker has reason to believe that the Member for Sagaga 1 has in fact breached the law when absent from proceedings of Parliament for a period of more than 3 consecutive days without proper excuse. Mr. Speaker Called upon the Member for Sagaga 1 to be upstanding to respond to the charge laid on him.

Afioga Hon. LOAU Solamalemalo Keneti Sio, Member – RESPONSE

The Hon. Member Afioga Loau Solamalemalo Keneti Sio acknowledged Mr Speaker and the House, then responded by saying that he had already discussed the matter with Mr Speaker before, however, it seems, Mr Speaker is not satisfied with the reasons he had made known to him and that he has not moved on from this matter. Therefore, the Hon Member conveyed his heartfelt apologies for the situation and respectfully rejected the charges laid against him for the reasons which he had made known to the Speaker.

Mr. Speaker acknowledged the Member for his response and reminded the House about relevant Standing Orders that prohibits deliberations on such matters.

IV. OBITUARY SPEECH

Mr Speaker delivered an obituary speech for the former Member of HRPP, Lafaitale Patrick Leiataulesa who was first elected as a Member of Parliament during the 14th Parliamentary Term (2006-2011) and re-elected in the 15th Parliamentary Term (2011-2016) for the electoral constituency of Alataua West. He served Parliament as:

- Member for Education Committee in 2011
- Member for the Electoral Committee in 2006
- Member for Police etc Committee 2006-2011
- An Associate Minister for Minister for Revenue from 2011-2016

Mr Speaker then called upon the House to be upstanding and observe a minute of silence as a gesture of respect for the late member.

V. PRESENTATION OF PAPERS

- A total of 10 Papers were presented
 - 8 Annual Reports
 - 1 By-Election Report
 - 1 Public Accounts Report

VI. PRESENTATIONS OF COMMITTEE REPORTS

- A total of 11 Committee Reports were tabled in Parliament

VIII. MOTIONS FROM THE CHAIRPERSONS OF PARLIAMENTARY COMMITTEES

Motion: the Deputy Speaker moved the motion in accordance with SO 170 [2][a][b][c] to permit the reshuffling of Members for the following Committees. he read out the names of MPs recommended by the Parliamentary Commission to be chosen in respective Parliamentary Committees:

1. Standing Orders, Electoral, Petitions and Constitutional Offices Committee

- Afioga Lautafi Fio Selafi Purcell to replace Ale Vena Ale

2. Finance and Expenditure Committee

- Susuga Tuilaepa Sailele Malielegaoi to replace Afioga Aiono Tile Gafa
- Tofa Lealailepule Rimoni Aiafi to replace Afioga Alaiasa Moefaaouou Sepulona Moananu
- Tofa Tuuu Anasii Leota to replace Afiofa Lautimuia Uelese Vaai

3. Social Sector Committee

- Ale Vena Ale to replace Laumatiamanu Ringo M Purcell
- Alaiasa Moefaaouou Sepulona Moananu to replace Mauu Siasoi Puepueimai
- Mauu Siasoi Puepueimai to replace Lautimuia Uelese Vaai

4. Economic Sector Committee

- Afioga Aiono Tile Gafa to replace Tofa Hon Tuuu Anasii Leota

VIII. MOTIONS FROM CHAIRPERSONS OF PARLIAMENTARY COMMITTEES

i. Standing Orders, Electoral, Petitions and Constitutional Office Committee

The Chairperson, Afioga AUUAPAAU moved a motion pursuant to S.O 166(2) for an extension to consider the following reports:

- P.P. 2022/2023 No. 57
- P.P. 2022/2023 No.59
- P.P.2022/2023 No.64
- P.P.2022/2023 No.133
- P.P.2023/2024 No.12

- P.P.2023.2024 No.16

Motion seconded and approved.

ii. Finance and Expenditure Committee

The Chairperson requested for an extension to allow the Committee to finalize reports on the papers referred to the Committee; therefore he moved a motion pursuant to S.O 166(2) to allow an extension to consider its reports and then report back in December 2023

Motion seconded and approved

iii. Economic Sector Committee

Afioga NIUAVA Eti Malolo, Chairperson of the Committee moved a motion for an extension to consider the following papers referred to the Committee pursuant to S.O166(2).

1. National Identification Bill 2023
2. P.P.2023/2024 No.38

Motion seconded and approved

iv. Infrastructure Sector Committee

The Chairperson, Afioga FEPULEAI Faasavalu Sua moved a motion for an extension of time to consider papers referred to the Committee pursuant to S.O166(2)

- 1.P.P2022/2023 No. 141
2. P.P. 2022/2023. No.162
- 3.p.p 2022/2023 No.163
- 4.P.P 2022/2023 No.165

IX. GOVERNMENT ORDERS OF THE DAY - Reading of Bills

1. Accident Compensation Amendment Bill 2023- Consideration in detail

The Deputy Chairperson of the Social Sector Committee, Tofa LENATAI Victor Tamapua moved a motion for the Assembly to approve its Report for its consideration in detail on the ACC Amendment Bill 2023 without any amendments;

Motion seconded and approved.

- Clause 2 - Amends section 2: *Approved*
- Clause 3 - Amend Section 48: *Approved*
- Clause 4 Insert new Part 7A: *Approved*
- Clause 5 - Amend Section 43: *Approved*
- Clause 1: Short Title and Commencement: *Approved*
- Title: Accident Compensation Act 2023 - *Approved*

Mr. Speaker announced that the bill has been considered in detail without any amendments.

MOTION TO SUSPEND STANDING ORDERS

The Hon Deputy Prime Minister moved a motion to set aside S.O 108[4] to allow the Bill to be third read on the same sitting day; *Motion seconded and approved.*

2. Accident Compensation Amendment Bill 2023 - third reading

The Hon LEATINUU Wayne Soolalo moved a motion for the bill to be third read; Motion seconded by the Minister of Works, Transport and Infrastructure and Minister for Health; *Motion approved*

The Bill was third read and subsequently passed by the Assembly.

X. ORDERS OF THE DAY: Consideration of Parliamentary Committee Report

P.P.2023/2024 No. 49, Standing Orders, Electoral, Petitions and Constitutional Offices Committee Report on P.P. 2023/2024 No.37, Report of the Commission of Inquiry into the General Election 2021, February 2023

- **Announcement by Mr. Speaker**

Mr. Speaker notified the House that this report was referred to the Standing Orders Committee on 30th June 2023 and reported back to the Legislative Assembly. As this report contains important information that needs to be thoroughly discussed and since it was only tabled this morning, the Speaker recommends that the Legislative Assembly considers and deliberates on this report tomorrow to give Members ample time to prepare their discussions on the report. Mr. Speaker announced that the Assembly will adjourn and reconvene tomorrow to consider this report.

Proceedings adjourned at 10:34am until 9:30am Wednesday 25th October 2023