



SAMOA

COMMONWEALTH PARLIAMENTARY ASSOCIATION BENCHMARKS FOR DEMOCRATIC LEGISLATURES

FINAL REPORT



UK Representation
to the Commonwealth



CPA

COMMONWEALTH
PARLIAMENTARY
ASSOCIATION

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SUMMARY

“Samoa wants to reinforce the independence of Parliament, ensure its supremacy and importantly restore the trust of our citizens on Parliament being the voice of the people.”



Parliament's Crest

Executive Summary

As highlighted by the Speaker of Parliament, the core mission of the Legislative Assembly (Fono Aoao Faitulafono) of Samoa is to “reinforce the independence of Parliament, ensure its supremacy, and importantly restore the trust of our citizens on Parliament being the voice of the people.” This is a noble objective and closely aligns with a fundamental belief of the Commonwealth that independent, effective Legislatures are one of the key political institutions of any successful democracy. To that end, the Legislative Assembly should be praised for how it conducts several of its affairs. Samoan citizens can be optimistic that their Legislature’s commitment to these underlying values of good governance will continue to guide its work in the months and years to come as the Parliament takes important steps towards becoming an increasingly effective modern-day House.

The CPA’s Recommended Benchmarks for Democratic Legislatures are underpinned by the 2012 Commonwealth Charter’s ambition to create free, fair and democratic societies in every nation of the Commonwealth. The Parliament of Samoa is clearly committed to these important principles and, positively, meets a number of CPA standards across several workstreams. Senior political leadership in the Legislature should be commended for achieving these standards and warm praise given to the wide-ranging efforts of staff, who ably support many of the Legislative Assembly’s central parliamentary services with a blend of skill, diligence, and pride.

Samoa is a young democracy and positive democratic progress made by the Legislative Assembly in recent years should rightly be praised. The Parliament’s efforts to continually improve its ways of working for the benefit of Samoan citizens are admirable and demonstrably effective in a number of areas. Despite the political turmoil witnessed following General Elections in 2021, recent national votes in Samoa have been internationally recognised as both free and fair. Furthermore, the Legislative Assembly itself currently shows positive performance in a range of areas including: how Samoa’s Constitution is adhered to; its Standing Orders are applied; Plenary business is facilitated; internal parliamentary services are provided to Members; engagement projects are coordinated with external stakeholders; and proactive steps towards further learning and development are taken. The committed staff who support the work of Parliament all have a strong conviction to ensure that the Legislative Assembly continues to evolve with these positive achievements and ambitions highlighted throughout the course of this Report.

That said, there are multiple areas in which the Legislative Assembly does not currently meet the CPA’s Recommended Benchmarks. In order to continue making positive democratic progress, a strong commitment at both the political and official level will be required to ensure that Parliament reaches these targets in the future.

They include but are not limited to: reviewing the Legislature’s Standing Orders; introducing Members’ Code of Conduct and Declaration of Interest schemes; strengthening the role and functions of parliamentary Committees whilst ensuring that a commensurate number of these are chaired by opposition MPs; integrating means of pre/post-legislative scrutiny; producing

Strategic Plans for the Legislative Assembly; providing Members with constituency staff to alleviate burdens currently placed on the parliamentary administration; developing cross-party caucuses and interest groups; improving physical infrastructure in places; building greater capacity and training opportunities for staff; broadening both Media and Civil Society engagement; and in the fullness of time establishing a Parliamentary Service Commission that would give the Legislative Assembly essential fiscal independence and operational autonomy to run its own affairs and hopefully achieve progress against many of these important targets.

That said, the burden of responsibility for improvement in several of these areas does not rest entirely with Parliament. The Samoan Government should also take this opportunity to: support any future Legislative Assembly efforts to establish a Parliamentary Service Commission; in the meantime, allow the Parliament greater fiscal independence and operational autonomy to run its own affairs; evaluate the existing Cabinet Minister for the Legislative Assembly post which in practice can see the Parliament treated as a Government Ministry; encourage Parliament to ensure that several of its Committees are chaired by opposition MPs; consider reforms around national elections; and balance the need for legislative expediency against the democratic mandate of Parliament to pass laws by reducing its usage of the Certificate of Urgency procedure and providing the Legislative Assembly with fuller means of considering, scrutinising, and amending draft Bills.

Overall, the Parliament of Samoa should be praised for building a Legislature that meets several of the CPA's Recommended Benchmarks and appears to be improving its performance on a continuous basis. While a number of areas for reform are identified in this Report, we hope that its recommendations will act as a valuable guide to the Legislature on its journey. Realising this ambition will build a stronger Parliament, develop better Government, and ultimately deliver more for the people of Samoa in the years ahead.

Background

The Commonwealth Parliamentary Association (CPA) is an international community of 180 Parliaments and Legislatures working together to deepen the Commonwealth's commitment to the highest standards of democratic governance. Founded in 1911, the CPA brings together Members of Parliament and parliamentary staff to identify benchmarks of good governance and implement the enduring values of the Commonwealth. It offers vast opportunity for both Parliamentarians and officials to collaborate on issues of mutual interest and to share best practice across many fields.

In 2018, the CPA undertook a consultation and review process that resulted in the adoption of updated Recommended Benchmarks for Democratic Legislatures.¹ The Benchmarks provide a minimum standard and guide on how a Parliament should be constituted and how it should function. They play an important role in developing the effectiveness of parliamentary institutions across the 180 Parliaments and Legislatures of the CPA and contribute to effective implementation of the UN's Sustainable Development Goals².

In February 2024, the Parliament of Samoa became the 31st Commonwealth Legislature to use this framework to conduct a Self-Assessment against the Benchmarks. The Self-Assessment exercise was approved by the Speaker, Hon. Papali'i Li'o Oloipola Ta'eu Masipa'u, and organised by parliamentary staff. CPA International Secretariat Headquarters appointed Fraser McIntosh (Good Governance Project Manager, CPA HQ) and Catherine Vickers (Clerk, The Legislative Council of the Parliament of Tasmania) to undertake this Self-Assessment from 4-8 March 2024. The Self-Assessment took place as part of the CPA's Good Governance Project – an initiative part-funded by the UK's Foreign, Commonwealth and Development Office.

During their time in Apia, Fraser and Catherine met Speaker Masipa'u, Prime Minister Fiamē Naomi Mata'afa and other MPs (Government and Opposition) from the Legislative Assembly. They also had discussions with Ms. Lesa Yonita Tuia (Deputy Clerk of the Parliament) and various senior parliamentary staff alongside holding meetings with a wide range of external stakeholders including Samoa's Government, Attorney General, and Auditor General offices, as well as representatives of both Samoan Civil Society and the Media.

These meetings took place in conjunction with a review of certain key documents including: the Constitution of Samoa³ and the Standing Orders for the Legislative Assembly⁴, as well as other related parliamentary materials.

The Report below is a summary of the main findings of the Self-Assessment.

1 [www.cpahq.org](https://www.cpahq.org/media/10jkk2nh/recommended-benchmarks-for-democratic-legislatures-updated-2018-final-online-version-single.pdf) Recommended Benchmarks for Democratic Legislatures. [online] Available at: <https://www.cpahq.org/media/10jkk2nh/recommended-benchmarks-for-democratic-legislatures-updated-2018-final-online-version-single.pdf>.

2 In particular Goal 16.6 (Develop effective, accountable and transparent institutions at all levels) and Goal 16.7 (Ensure responsive, inclusive, participatory and representative decision-making at all levels).

3 [www.constituteproject.org](https://www.constituteproject.org/constitution/Samoa_2020). Samoa 1962 (Revised 2020) Constitution. [online] Available at: https://www.constituteproject.org/constitution/Samoa_2020.

4 www.palemene.ws. Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

Acknowledgements

The Parliament of Samoa proactively chose to assess itself against the CPA Benchmarks. As such, Hon. Speaker Masipa'u, Ms. Lesa Yonita Tuia, and other senior parliamentary staff should be praised for both their willingness and enthusiasm to undertake this important piece of work. Their doing so demonstrated a positive approach to the CPA Self-Assessment, which was consistent throughout Fraser and Catherine's time in Apia. This commitment to continued learning and improvement is admirable.

The CPA would also like to place on record its warmest thanks to all stakeholders who participated in this Self-Assessment and draw particular attention to the invaluable efforts of Ms. Adelaide Taotua (Protocol Officer, Legislative Assembly of Samoa) for helping coordinate an excellent programme of meetings, facilitating key logistical arrangements, and providing such warm hospitality for the duration of Fraser and Catherine's visit to Apia. Many other officials with whom the CPA delegation met are all a credit to the Legislative Assembly and its continued efforts to improve parliamentary democracy for the people of Samoa.



Hon. Speaker Masipa'u meeting the CPA delegation

Support and Follow-Up

Following the publication and consideration of the findings of this Report, and within the boundaries of financial constraints, the CPA is committed to supporting the Samoan Legislative Assembly in further strengthening its democratic processes. As such, the CPA stands ready to enable the Parliament to take forward these recommendations – where requested and appropriate – through its Technical Assistance Programme⁵ scheme and wider efforts linked to institutional parliamentary strengthening.

Political, Economic and Social Context

Samoa (officially the Independent State of Samoa and until 1997 known as Western Samoa) is a Polynesian island country located in the Pacific Ocean. It is situated approximately 2,900 kilometres northeast of New Zealand and 4,200 kilometres southwest of Hawaii. Surrounding countries in the region include Tonga (to the south), Fiji (to the west), Tuvalu (to the north), and its closest neighbour American Samoa (to the east). Samoa's territory comprises nine islands, four of which (Upolu, Savai'i, Manono and Apolima) are inhabited and five of which (Fanuatapu, Namu'a, Nu'utele, Nu'ulua and Nu'usafee) are not⁶.

5 www.cpahq.org. How is the CPA supporting Commonwealth Parliaments? [online] Available at: <https://www.cpahq.org/what-we-do/institutional-parliamentary-strengthening/>.

6 Encyclopaedia Britannica (2024). Samoa | History, Flag, Map, Population, & Facts. [online] Available at: <https://www.britannica.com/place/Samoa-island-nation-Pacific-Ocean>.

Samoa has a current population of around 225,000⁷, with the vast majority of citizens living on the two main islands of Upolu and Savai'i. While Savai'i is larger by area, Upolu is more populous and hosts the country's capital (and only) city of Apia, which is home to roughly 40,000 residents. The vast majority of Samoa's population (approximately 92%) is native Samoan with the remaining 8% largely made up of Euronesians (people of mixed European and Polynesian ancestry). The national language is Samoan albeit English is taught in schools and widely spoken across society. Religion is central to the lives of almost all citizens with over 98% of the population actively following Christian faith. Many local communities across Samoa revolve around their church which support those worshipping Protestant, Catholic, Latter-Day Saints and Methodist denominations.

Traditionally, close community ties within Samoan villages bound citizens into a collectivist society, but widespread economic development took place throughout the 20th century, particularly after independence was achieved from New Zealand in 1962. With over 80% of Samoan citizens living in rural locations, agriculture and fishing typically formed the backbone of national economic activity, but in recent decades this has been supplemented (and in some instances overtaken) by the services, light manufacturing and tourism sectors. Nowadays, other major sources of capital include remittances from the large number of Samoans living abroad (principally in the United States and New Zealand) and foreign grants received from both individual countries (including Australia and China) and international organisations (such as the Commonwealth and United Nations).

At the beginning of the 20th century, Western Samoa (as it was then) fell under the German Empire. Despite unpopularity among native citizens, these arrangements remained in place until the beginning of the First World War, when the New Zealand Expeditionary Force landed unopposed on Upolu and seized control from German authorities. For much of the next 50 years, New Zealand controlled Western Samoa under a trusteeship system overseen initially by the League of Nations and subsequently the United Nations.

After repeated efforts by the Samoan independence movement during this period, the New Zealand Western Samoa Act of 1961 terminated the trusteeship agreement and granted independence to the Independent State of Western Samoa in 1962. Western Samoa (which was the first Pacific country to regain independence) signed a Treaty of Friendship with New Zealand that year before joining both the Commonwealth (1970) and United Nations (1976) as an independent member in its own right. In 1997, the Government amended Samoa's Constitution to change the name of the country from Western Samoa to Samoa. Despite opposition from neighbouring American Samoa (on the grounds that it diminished their own identity), the change was formally recognised at the international level and has remained in place since.

The politics of Samoa takes place in a framework of a parliamentary representative democratic state whereby the Prime Minister is the Head of Government. Existing alongside the country's western-styled political structures is the Fa'amatai⁸ chiefly system of socio-political governance. From the country's independence in 1962, only Matai could vote and stand as candidates in Parliamentary Elections. This changed in 1990 when the Electoral Amendment Act introduced universal suffrage and allowed all Samoan citizens aged 21 and above to participate in national ballots for the Legislature. The right to stand in elections, however, remains with Matai title holders whereby Members of Parliament perform dual roles as traditional village chiefs and modern-day politicians. At the local level, much of the country's civil and criminal matters are dealt with by 360 village chief councils (Fono a Matai) according to traditional law, a practice that was further strengthened by the Village Fono Act of 1990.

Samoa's Constitution initially provided for a constitutional monarchy under two Co-Heads of State, with the provision that when one died (as happened in 1963), the other would continue as sole Monarch and Head of State for life. After the death of Samoa's second original Monarch (in 2007), Heads of State have since been elected by the country's Parliament for five-year terms, limited to a maximum of two potential terms.

The current Head of State is Tuimaleali'ifano Va'aleto'a Sualauvi II, who was first elected in 2017 and reappointed for a second five-year term in 2022. The position of Head of State includes ceremonial duties and important responsibility for appointing senior positions within Samoa's political framework. This includes conferring the position of Prime Minister (currently The Hon. Afioga Fiamē Naomi Mata'afa MP) following their nomination by the Parliament who, upon taking up office, leads the Executive branch (Malo) of Government. The Prime Minister's Cabinet nominations (12 in total) are also appointed and sworn in by the Head of State pending parliamentary approval.

Legislative power in Samoa rests with the country's unicameral Parliament (Fono) where MPs are elected from 51 single member constituencies (across 11 administrative divisions) to serve term lengths of five years. Following Parliamentary Elections in 2021, the current Legislative Assembly has representation from two political parties, with the Parliament able to enact, amend and revise laws, as well as grant approval to annual state budget proposals put forward by the Executive. Of the 51 MPs elected to Parliament, constitutional provisions mandate that 10% must be women (and up to five extra seats can be added to the Legislature to help meet this quota), albeit some recent discussions in Samoa have centred on removing this stipulation for the country's next Parliamentary Elections in 2026⁹.

7 www.worldometers.info. (2024). Samoa Population. [online] Available at: <https://www.worldometers.info/world-population/samoa-population/>.

8 [www.govt.nz](https://natlib.govt.nz/records/35320294?search%5Bi%5D%5Bsubject%5D=Women%2C+Samoa&search%5Bpath%5D=items). (2023). Samoa Fa'amatai System Available at: <https://natlib.govt.nz/records/35320294?search%5Bi%5D%5Bsubject%5D=Women%2C+Samoa&search%5Bpath%5D=items>.

9 [www.samoaglobalnews.com](https://samoaglobalnews.com). (2023). Samoa's Parliament Considers Abolishing 10% Quota for Women's Seats. [online] Available at: <https://samoaglobalnews.com/samoas-parliament-considers-abolishing-10-quota-for-womens-seats/>.

Samoa's judicial system is based on a blend of English common law and local customs. The country's highest legal authority is the Supreme Court whose Chief Justice is appointed by the Head of State upon recommendation from the Prime Minister. A separate Court of Appeal exists to hear specific cases referred to it by the Supreme Court and underneath these is a network of district courts designed to settle local matters that don't require consideration at the national level.

Perhaps the most influential court in Samoa, however, is the Land and Titles Court¹⁰ which consists of cultural and judicial experts appointed by the Supreme Court. This court (which derives from the Native Land and Titles Commission put in place under German colonial administration) hears land and titles disputes arising in individual villages across the country. Its deliberations can have significant influence on the Fa'amatai system described above and, consequently, which individuals are eligible to represent their communities at the national level by running for Parliament.



Parliamentary premises of the Samoan Legislative Assembly

¹⁰ www.mjca.gov.ws. Ministry of Justice and Courts Administration – Land and Titles Court. [online] Available at: <https://www.mjca.gov.ws/index.php/our-courts/lands-and-titles-court/>.

I. GENERAL

Elections

Samoa is the oldest democracy in the Pacific region and, after gaining political independence in 1962, managed to ably blend its traditional Fa'amatai governance system with Westminster-style parliamentary structures. For almost 60 years, this led to the peaceful and smooth transition of power from one Government to another following national elections held every five years. Samoa also has an Electoral Act¹¹ (most recently updated in 2019) which provides for the free and fair holding of national elections across the country.

The country's most recent General Election of 2021 changed this trend of peaceful transition. Heading into that election, the Human Rights Protection Party (HRPP) had dominated domestic politics for decades and held Executive power in Samoa since 1982. HRPP was led by Tuila'epa Sa'ilele Malielegaoi (who himself had been Prime Minister since 1998). Proposed constitutional changes put forward by his Government in 2020 to remove Supreme Court oversight of the customary Land and Titles Court proved unpopular among many HRPP Members, however, and saw several of them defect to create the Fa'atuatua I Le Atua Samoa Ua Tasi (FAST) party as Samoa's official opposition. FAST stood on the electoral platform of promising to repeal the HRPP's constitutional amendments, elected Fiamē Naomi Mata'afa (former Deputy Prime Minister under HRPP and daughter of Samoa's first PM) as its leader and duly won 25 of 51 parliamentary seats in elections held on 9 April 2021. Of the remaining 26 seats elected to the Legislative Assembly, 25 were also retained by HRPP and one achieved by independent candidate Tuala Tevaga Iosefo Ponifasio.

These results, which provided Parliament with its first official opposition party in several years, were disputed by the HRPP and challenged on the grounds that the forecast composition of the Legislative Assembly would not satisfy constitutional requirements to have at least 10% of parliamentary seats held by women. During this period, Samoa's Electoral Commission announced the appointment of a sixth female Member of Parliament (affiliated to HRPP) and independent MP Tuala Tevaga Iosefo Ponifasio joined FAST, thus creating deadlock in the Legislative Assembly with both the HRPP and FAST each holding 26 seats.

To resolve the impasse, Samoa's Head of State followed advice from Prime Minister Tuila'epa to hold a snap General Election on 21 May 2021 and declared the previous month's vote void. Before going to the polls, however, Samoa's Supreme Court ruled that both the creation of a 52nd parliamentary seat and the calling of a snap election were unconstitutional and that, as such, the original result of April's national vote should stand with Fiamē Naomi Mata'afa becoming Prime Minister (FAST would have 26 seats and the HRPP 25 in Samoa's new Parliament).

Incumbent PM Tuila'epa refused to accept the Supreme Court's ruling and on 24 May 2021 (the final day that Parliament could sit to meet constitutional requirements of doing so 45 days after a General Election). FAST Members were refused entry to the Legislative Assembly and escorted from the parliamentary chamber by police. Samoa's Head of State and HRPP Members boycotted the Legislative Assembly's sitting that day and prompted FAST Members to conduct an ad hoc ceremony of their own outside Parliament swearing in new MPs and electing Fiamē Naomi Mata'afa as Prime Minister. The HRPP denounced these proceedings as illegal and accused FAST of treason. After several months of legal disputes, Samoa's Court of Appeal ruled on 23 July 2021 that FAST's ad hoc ceremony was legally binding and that the party had been the legitimate Government since that day. The Court of Appeal's ruling ended four decades of HRPP governance, Prime Minister Tuila'epa's 23-year premiership, and confirmed Fiamē Naomi Mata'afa as Samoa's first female PM.

Following these events, several unsuccessful candidates filed electoral petitions against victorious opponents on the grounds of electoral malpractice. A total of 28 candidates had petitions brought against them (14 each from the HRPP and FAST) which resulted in seven HRPP Members either being convicted and stripped of their seats by Supreme Court order or resign to avoid prosecution. This temporarily left FAST with 26 MPs and the HRPP with 18.

To fill these vacancies, the Speaker of Parliament, Hon. Papali'i Li'o Tāeu Masipa'u, scheduled seven by-elections in the relevant constituencies for 26 November 2021. During the subsequent polls, FAST gained five seats and the HRPP retained two taking the size of their respective parliamentary memberships to 31 MPs and 20 MPs. Over the last two-and-a-half years, a combination of party defections (from the HRPP to FAST), another individual by-election, and Parliament's overall size being increased by two Members (to meet constitutional female quota requirements) sees the Legislative Assembly's current political make-up sit at 35 MPs for FAST and 18 for the HRPP.

In the initial General Election of 2021, a total of 189 candidates from five parties originally contested 51 seats. Of these, 168 were men and 21 women with 46 men and five women ultimately winning seats in Parliament. Turnout at the General Election was 69.48%¹².

11 Government of Samoa – Electoral Act (2019) Arrangements of Provisions. [online] Available at: http://www.paclii.org/ws/legis/consol_act_2019/ea2019103.pdf.

12 Parline: The IPU's Open Data Platform: Samoa Legislative Assembly 2021 Election. [online] Available at: https://data.ipu.org/node/146/elections?chamber_id=13520.

The events of 2021, while unprecedented in Samoa's democratic evolution, underlined the need for national elections to be conducted freely, fairly and with rigorous processes in place. To this end, the Legislative Assembly would benefit from strengthening existing electoral law (last updated in 2019) to clarify Constitutional provisions relating to the 10 percent quota rule, soliciting external assistance from relevant capacity building partners (such as the CPA), and encouraging electoral observation missions from international organisations (including the Commonwealth Secretariat) to monitor future General Elections in Samoa.

RECOMMENDATION 1

The Legislative Assembly should strengthen Samoa's Electoral Law Act and engage with external partners to ensure that the events of 2021 are not repeated so that future Parliamentary Elections held in Samoa are done so freely, fairly and in line with international best practice.



Plenary chamber of the Samoan Legislative Assembly

Notwithstanding circumstances surrounding the General Election of 2021, the other issue central to the underpinning of Samoa's democratic processes is that of the Fa'a Samoa culture described at the beginning of this Report. Traditional Samoan political processes define much of the country's contemporary approach to political authority, social stability and the rule of law (especially in Samoa's villages where local councils (Fono) maintain communities using customary practices and law). As such, modern Samoa can be seen as a 'confederacy of 360 republics' due to the importance of village Fono life and structural order in Samoa¹³.

The significance of Fa'a Samoa was further demonstrated with passage of the Village Fono Act 1990¹⁴ (referenced earlier in this Report) which, at the onset of universal suffrage, saw the Parliament legislate to protect the 'custom and usage' of the village Fono. In effect, it protected the Matai system at the village level while western influences were modifying this nationally. The Village Fono Act conferred powers to each Fono to exercise its traditional rule within the village under the authority of the state by allowing it to compel individuals to work for village service, impose fines on citizens who resisted, and administer other punishments in keeping with village traditions. The Act also provides that a state court should consider any punishments subjected by a village Fono during related deliberations.

While all Samoans aged 21 or above have been able to vote in Parliamentary Elections since 1990, the ability to stand as a candidate is still restricted to those individuals who hold a Matai title. Latest estimates suggest that around 10% of Samoa's domestic population enjoy Matai status with less than 10% of these titles being held by women.

¹³ Herr, R. (2011). Samoa Parliament Legislative Needs Assessment. [online] www.figshare.utas.edu.au. Available at: https://figshare.utas.edu.au/articles/report/Samoa_Legislative_Assembly_Legislative_Needs_Assessment/23173229.

¹⁴ [www.pacii.org](http://www.pacii.org/ws/legis/consol_act/vfa1990128/). Village Fono Act 1990. [online] Available at: http://www.pacii.org/ws/legis/consol_act/vfa1990128/.

While respectful of the important role that the Fa'amatai culture holds in Samoan society, it is clear that its continued presence significantly impacts the ability of Samoans from all walks of life to seek election and ultimately achieve a seat in Parliament. Whereas it is positive that Samoa is a signatory to the International Covenant on Civil and Political Rights, and therefore compliant with Benchmark 1.1.2, Article 25(b) of ICCPR¹⁵ does emphasise the importance of universal and equal suffrage. Through conversations the CPA team held with various stakeholders as part of the Self-Assessment exercise, it was clear that opinion on this central issue is divided. Some stakeholders wanted to maintain the Matai system as it currently stands, while others were more open to the possibility of loosening this requirement to seek political office.

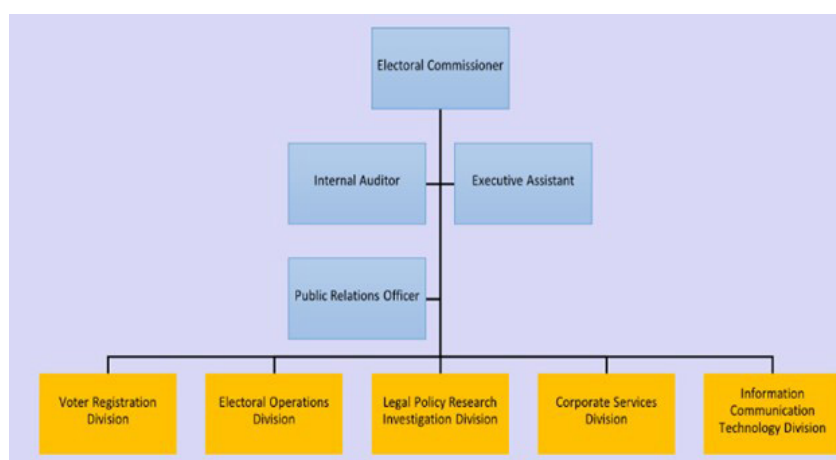
While charting a course towards potentially allowing all eligible Samoans to stand for Parliament is ultimately for the Legislative Assembly to decide, the CPA would strongly encourage the Parliament to explore means of broadening the franchise criteria for those individuals interested in running for elected office. Doing so would not only align the Parliament of Samoa with international best practice but would hopefully also lead to an improved Legislature that more accurately reflects Samoan society and delivers even better outcomes for the citizens it is elected to serve.

RECOMMENDATION 2

The Legislative Assembly should explore means of allowing all Samoans (whether Matai or not) to stand in future Parliamentary Elections.

The third element to consider when evaluating the quality of Parliamentary Elections in Samoa is the Office of the country's Electoral Commission (OEC)¹⁶. The OEC was established under the 2005 Electoral Amendment Act¹⁷ as an independent and impartial institution with the mission of conducting and supervising all state elections and public referenda, as well as monitoring the regulatory framework for the functioning of political parties. Its day-to-day functions and responsibilities are governed by the 2019 Electoral Commission Act¹⁸.

The OEC is currently structured into five separate divisions, all of which carry out different functions relating to the holding of Parliamentary Elections in Samoa.



Organisational structure of Samoa's Electoral Commission Office

While no representative of the OEC was available to meet the CPA team during their time in Apia, various other stakeholders consulted as part of the Self-Assessment exercise noted that, while the OEC's status and remit is clearly outlined in law, its independence and oversight could both be improved.

For example, the position of Electoral Commissioner is formally appointed by Samoa's Head of State (taking advice from the Cabinet) without any wider parliamentary debate or deliberation on their suitability for the role. Linked to this, it was also suggested

15 [Article 25 states that 'Every citizen shall have the right and opportunity, without any distinctions mentioned in article 2 and without unreasonable restrictions: \(b\) to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors.'](#)

16 Samoa – Office of the Electoral Commission. [online] Available at: <https://www.oec.gov.ws/>.

17 www.global-regulation.com. Electoral Amendment Act (Samoa). [online] Available at: <https://www.global-regulation.com/law/samoa/11127395/electoral-amendment-act.html>.

18 Pacific Island Legal Information Institute – Electoral Commission Act (2019). [online] Available at: http://www.pacii.org/ws/legis/consol_act_2019/eca2019222.pdf.

that the somewhat opaque nature of the Electoral Commissioner's appointment could call into question their impartiality when presiding over national elections and any potential issues arising from them. The example of 2021's General Election and the role that the OEC played in those events was flagged to the CPA team as a demonstration of the Executive leaning on the OEC to help achieve its desired political outcome. Accordingly, strengthening the role of Parliament in selecting its Chairperson would be a positive step towards further embedding the separation of powers in Samoa's political system and bring it more in line with the CPA's Latimer House Principles on the Separation of Powers¹⁹.

Another area in which the role of the OEC should be strengthened is how it regulates the financing of national elections in Samoa. During the Self-Assessment exercise, it became clear that there is little by way of formal campaign finance law in place regarding how individual candidates and wider political parties run their electoral campaigns. Linked to this, the CPA team also learned that staff resources in the OEC are often stretched and, as such, the body does not have sufficient auditing expertise to conduct a detailed analysis of any financial returns made to them by those seeking elected office. Increasing capacity for the OEC and introducing more robust campaign finance provisions would strengthen the transparency and fairness of subsequent Parliamentary Elections in Samoa.

RECOMMENDATION 3

Samoa's Electoral legislation should be updated to strengthen Parliament's role in selecting a Chairperson for the OEC, provide clearer provisions for how political parties report on their financing of electoral campaigns and ensure that the OEC has sufficient resources to improve monitoring capabilities of future Parliamentary Elections.

Upon taking up their seats in Parliament, the Legislative Assembly's Standing Orders (Part III)²⁰ stipulate that Members of Parliament must take the Legislature's Oath of Allegiance.



Samoa's Prime Minister (Hon. Fiame Naomi Mata'afa) taking her Oath of Allegiance

This is done before the Speaker and is mandatory for all candidates successful in parliamentary elections before they can begin their legislative duties.

Given that Samoa's official religion is Christianity and over 98% of the population actively follow a Christian denomination faith, the Self-Assessment team was not made aware of any newly elected MPs ever having refused to take the Oath. It is worth noting, however, that the practice of requiring prospective Members to take a religious oath, without offering an alternative, is an anomaly when compared to other Legislatures across the Commonwealth today and is not considered best practice.

19 [www.cpahq.org](https://www.cpahq.org/Commonwealth%20(Latimer%20House)%20Principles%20on%20the%20Three%20Branches%20of%20Government.pdf) Commonwealth (Latimer House) Principles on the Three Branches of Government. Available at: <https://www.cpahq.org/media/dhfajkpg/commonwealth-latimer-principles-web-version.pdf>.

20 [www.palemene.ws](https://www.palemene.ws/StandingOrders). Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

When it comes to Members voluntarily leaving elected office, Samoa has clear resignation procedures in place by way of both the Constitution (Article 46)²¹ and Parliament's Standing Orders (Rule 21)²².

Separation of Powers

Samoa's Constitution entered into force on 1 January 1962 when the country regained its political independence and has been updated on several occasions in the years since. It can be amended by a two-third majority of Members in the Legislative Assembly, with latest updates taking place in 2020. In its current form²³, the Constitution separates political powers between the Executive, Legislative and Judicial branches of Government (Parts IV-VI), with provisions for their respective roles and remits clearly outlined. For example, in a positive demonstration of parliamentary practice, no serving Member may simultaneously serve in the Judiciary or hold an Executive civil service position while they are in office. MPs are also prohibited from serving in the Police, as well as any Public Body that falls under the auspices of the Public Bodies (Performance and Accountability) Act²⁴ of 2001.

That said, when compared with the Constitutions of other Commonwealth countries, Samoa's current constitutional framework arguably favours the Executive branch of Government in several areas. A number of stakeholders who met with the CPA team noted that the Parliament would benefit from further constitutional amendments to both improve its functional independence and strengthen its operational autonomy. With that in mind, some of these areas are discussed further in subsequent chapters throughout this Report.

Privileges and Immunity

When in office, Samoa's Legislative Assembly Powers and Privileges Ordinance (Sections 3-4)²⁵ protects Members of Parliament from liability for anything they say or do in the Legislature. Unless ordered otherwise by the Legislative Assembly, Members are also immune from any inquiry, arrest, detention or prosecution relating to their legislative duties, be that in the Chamber or as part of Committee work. While informal practice is for former Members to be granted immunity relating to any parliamentary activity undertaken during their time as an MP, there is no formal codification for such occurrences in statute. Accordingly, Samoa's Parliament should, therefore, look to update the Legislative Assembly Powers and Privileges Ordinance to enshrine this in law.

Furthermore, the immunity privileges afforded to Members of the Legislative Assembly are not currently extended to individual citizens, representatives of organisations, and Media outlets who contribute to or report on parliamentary proceedings. Whilst carrying out the Self-Assessment exercise, some stakeholders noted that while MPs are universally protected by these constitutional provisions, external stakeholders would benefit from additional provisions to further protect them in their interaction with the Legislature.

For example, there are no bespoke Acts of Parliament that provide for the formal protection of witnesses or whistleblowers giving evidence to the Legislative Assembly and nor do any citizens that feel their reputation has been damaged or brought into disrepute during the course of parliamentary proceedings have formal means to a right of reply. Introducing such provisions would add invaluable extra protections for those external stakeholders supporting the work of Parliament and bring Samoa's Legislative Assembly more in line with other democratic Legislatures around the Commonwealth.

RECOMMENDATION 4

The Legislative Assembly should update its Legislative Assembly Powers and Privileges Ordinance to enshrine in law due protections for former Members, witnesses and whistleblowers while also introducing a Citizens Right of Reply scheme in relation to adverse references made to individuals during legislative proceedings.

One linked area in which the Legislative Assembly does fully meet the relevant CPA Benchmark relates to sub judice provisions. The Parliament's Standing Orders (Rule 83)²⁶ protect the independence of Samoa's court system by prohibiting Members of Parliament from discussing issues that are subject to live judicial review. MPs from all political parties in the Legislature appear to respect these rules and the Self-Assessment team was not made aware of any issues relating to their implementation during stakeholder discussions.

21 [www.constituteproject.org](https://www.constituteproject.org/constitution/Samoa_2020). Samoa 1962 (Revised 2020) Constitution. [online] Available at: https://www.constituteproject.org/constitution/Samoa_2020.

22 www.palemene.ws. Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

23 [www.constituteproject.org](https://www.constituteproject.org/constitution/Samoa_2020). Samoa 1962 (Revised 2020) Constitution. [online] Available at: https://www.constituteproject.org/constitution/Samoa_2020.

24 (PERFORMANCE AND ACCOUNTABILITY) ACT 2001 Arrangement of Provisions TITLE. (2001). Available at: <https://www.mof.gov.ws/wp-content/uploads/2019/01/Public-Bodies-Act-2001.pdf>.

25 Pacific Island Legal Information Institute – Legislative Assembly Powers and Privileges Ordinance Act (1960). [online] Available at: <http://www.pacii.org/ws/legis/lapapaaact1960/lapapaa1998517.pdf>.

26 www.palemene.ws. Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

Remuneration and Benefits

The size and scale of remuneration, benefits, and other statutory benefits for Members of the Legislative Assembly are currently determined by Samoa's Remuneration Tribunal (RT). Established in 2003 under the Remuneration Tribunal Act²⁷, the RT is tasked with advising Government and reporting to Cabinet on all issues relating to public sector salaries in Samoa, including whether annual cost of living adjustments should be made. While it is positive that this function is not held by MPs, the RT itself is part of Samoa's wider public service and, as such, not a fully autonomous body. The ideal practice for democratic Legislatures is for payments made to MPs to be regulated by an independent Remuneration Authority. No such body currently exists in Samoa and its establishment would both be a strong demonstration of positive parliamentary transparency/accountability and bring the Legislative Assembly in line with other Commonwealth Legislatures that embody model parliamentary practice in this regard.

RECOMMENDATION 5

The Legislative Assembly should establish an Independent Remuneration Authority (separate to Samoa's Public Service) that sets the size and scale of financial recompense for Samoan legislators.

More broadly, the Legislative Assembly receives funds to cover the remuneration of Members' salaries (and other reimbursements relating to their legislative duties) by way of appropriations from Samoa's Government. These allocations are made by the Ministry of Finance and are typically included as part of annual state budget proposals that are tabled in Parliament ahead of the commencement of each new financial year. Whilst the Legislature does have the opportunity to consider proposals submitted by Government, in reality all expenditure linked to the work of Parliament must comply with budget allocations established by the Ministry of Finance. As is discussed in subsequent chapters of this Report, having the Government control Parliament's purse strings in this fashion limits the Legislature's ability to fully to conduct much of its work in several business-critical areas. The Legislative Assembly should, at the earliest opportunity, seek ways to achieve more financial independence and operational autonomy from the Executive branch of Government. Some possible means of doing so are helpfully discussed later in this Report.

Infrastructure

Samoa's current Parliament House (Maota Fono) is located on Apia's waterfront and was opened in 2019. As a gift to Samoa celebrating 50 years of independence, the Australian Government donated funds for the construction of these premises to replace the previous plenary chamber, which was outdated and, in places, had been damaged by various tropical weather events. The current Parliament House ably manages to blend traditional Samoan heritage with several impressive facilities fitting of a modern-day Legislature. The plenary chamber is bright, spacious, and equipped with impressive technology in parts. Every MP has their own designated seating space, and there are distinct viewing sections for visiting dignitaries, invited guests and (in a positive demonstration of transparent parliamentary practice) members of the public to watch live proceedings in person. Outside the chamber, there is also a designated tented space where MPs can discuss business of the day with one another, mix with parliamentary staff, and (upon invitation) meet with external stakeholders attending that day's sitting.

Sitting adjacent to Parliament House, is the Office of the Legislative Assembly (OLA), where Parliament's secretariat staff are based. As well as being home to legislature officials, the premises also hosts the Speaker's Office and has designated outdoor space for the hosting of various parliamentary events and activities. When compared to the plenary chamber, however, OLA's facilities are older, not as impressive and, arguably, lack adequate space and resource to ensure that Parliament is able to fully meet all of its legislative functions. For example, aside from the Speaker, Members do not have their own office space, there are currently no Library or communal research facilities for MPs or staff to use, arrangements for Persons with Disabilities are sparse, and several officials who met with the CPA team also spoke of limited and outdated IT equipment being used across the parliamentary precinct.

Plans are encouragingly in place to rectify this. As with Parliament House, the Australian Government has announced its intention to help fund a new OLA building, with (delayed) construction due to begin in June of this year and completed ahead of Samoa's next General Election in 2026. During several Self-Assessment exercise discussions, various parliamentary staff also spoke with optimism about the difference that a new OLA building would make to their future work in continuing to support Parliament conduct its important legislative business.

27 [www.global-regulation.com](https://www.global-regulation.com/remuneration-tribunal-act.html). Remuneration Tribunal Act (Samoa). [online] Available at: <https://www.global-regulation.com/law/samoa/11127772/remuneration-tribunal-act.html>.

Professional Development

The secretariat of the Legislative Assembly conducts induction programmes for all MPs at the beginning of each session of Parliament following a General Election whereby key information concerning the Constitution, Standing Orders, and parliamentary duties, services and entitlements are shared with Members to help facilitate their understanding of how the Legislature functions. In general, these appear valuable and well received, however some MPs consulted, voiced a desire for this training to be made more comprehensive and conducted on a rolling basis throughout the life cycle of a Parliament (particularly for the benefit of Members who join Parliament through by-elections). From speaking to officials within the parliamentary administration, there is scope to uplift the levels of training currently provided to MPs and doing so would bring the key benefits of continually developing Members' knowledge and ensuring that Samoa's Legislative Assembly remains in line with evolving best parliamentary practices.

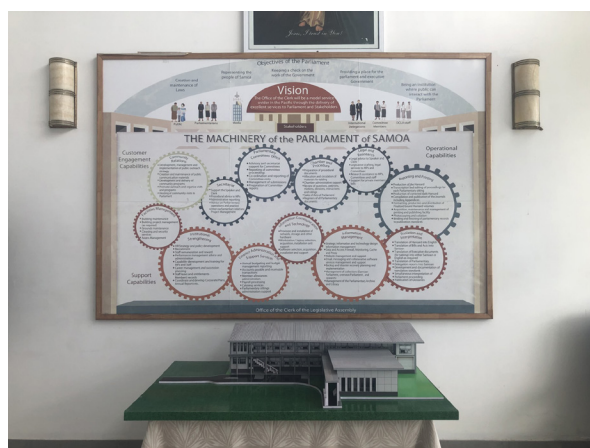
To this end, increased professional development opportunities should also be afforded to parliamentary staff. Speaking to officials within the secretariat of the Legislative Assembly, it became clear to the Self-Assessment team that these are currently few and far between. This was particularly evident for more junior staff and those officials who take up their role between General Elections. In order to increase sustainability within the parliamentary administration, it is advised that the Parliament focusses resources on adequately training staff throughout the parliamentary term.

Another way in which the Legislative Assembly could improve its professional development opportunities would be to provide relevant external stakeholders with more formal platforms to meet with MPs and staff throughout the life cycle of a Parliament. During conversations with representatives of Samoan Civil Society and local Media groups, both groups voiced a desire to be afforded opportunities for presenting to Members and officials information about their respective organisations and how they interact with Parliament. It was felt that, by doing so, levels of understanding among parliamentary stakeholders for these groups, and the important functions they hold in terms of contributing to wider public engagement with the Legislature, would be improved. Doing so, would not only ensure the Legislative Assembly meets relevant CPA Benchmarks in this regard, but would also be a positive demonstration of Parliament's commitment to improving how it interacts with external stakeholders, and hopefully passing better long-term legislation as a result.

More broadly, several stakeholders voiced a desire for the Self-Assessment exercise to be used as an opportunity to engage with the CPA. With this in mind, the suggestion of future enrolment in CPA Technical Assistance Programmes (referenced earlier in this Report), the hosting of Post-Election Seminars²⁸, and involvement in tailored study visits/exchange programmes were welcomed, albeit it is recommended that participation in such events is spread across Members and parliamentary staff with particular attention given to those MPs who are newly elected and officials who have recently taken up their post. Doing so would further develop collective understanding of best parliamentary practice and related soft skills across the Legislative Assembly which, in turn, should lead to the Legislature functioning more proficiently and ultimately delivering better outcomes for the citizens of Samoa. Mindful that the cost and lengthy travel distances sometimes associated with international events can often be a barrier to participation, the Parliament should also take advantage of free online courses available through the CPA's Parliamentary Academy²⁹.

RECOMMENDATION 6

The Legislative Assembly should expand its Professional Development Programmes to include the participation of key external stakeholders and hold these periodically between General Elections to ensure that such opportunities are open to all Members of Parliament and secretariat staff.



Public Engagement strategy for the Samoan Legislative Assembly

²⁸ www.cpahq.org/what-we-do/professional-development/.

²⁹ www.cpahq.org/parliamentary-academy/.

II. ORGANISATION OF THE LEGISLATURE

1. PROCEDURES AND SESSIONS

Rules of Procedure

The Legislative Assembly operates pursuant to provisions set out in the Constitution³⁰, the Parliament of Samoa Legislative Powers and Privileges Ordinance³¹, and its internal Standing Orders³². Positively, this framework for the Legislative Assembly's operations reflects and supports its actual practice and procedure. It is highly commendable that the Standing Orders are reviewed at the end of each parliamentary session (prior to a General Election) with the current Standing Orders being adopted on 2 March 2021. It is also worth highlighting that, while reform of Samoa's Constitution requires a two-thirds majority of Members in Parliament, amendments to the Legislature's Standing Orders need only a simple majority of MPs present.

The Standing Orders are applied to manage the House and its Committees. To that end, they form the key operational document for how the Legislative Assembly functions. There is no companion guide to the Standing Orders in Samoa, which would be useful as an explanatory tool setting out the rationale for the Standing Orders and any references made to either the Constitution or Powers and Privileges Ordinance. It would also serve an educational and informative purpose for Members. The Standing Orders are readily available to both MPs and staff, however are not publicly available online for wider members of Samoan society. The Legislative Assembly should rectify this at the earliest opportunity.

As noted above, the Standing Orders are regularly reviewed at the conclusion of each parliamentary session. The next due date for amendment of these is 2026 and, from conversations held with various stakeholders, there is widespread interest in commencing this exercise at the earliest opportunity to work through issues highlighted in discussions and throughout this Report. In addition to some machinery changes to reflect parliamentary practice, some additional amendments may be considered that would entrench the separation of powers and support the Legislature's independence from the Executive.

It is accepted in the Westminster tradition that Standing Orders are for the Parliament to own and not for the Executive to further its political reach. In Samoa, the CPA team observed that there are some areas in the current Standing Orders that entrench Executive power and appear to request Parliament's endorsement of Government decisions; in particular the appointment of the Speaker and Deputy Speaker. These appointments are not made independently by the Parliament, but instead are proposed by the Executive and simply endorsed by the Legislature. While Parliament may be informed of the Prime Minister and other senior Government appointments, the Legislature should select and elect its own Presiding Officers, ideally by secret ballot. It is important to underline the importance of the Speaker being an office of the Parliament and not a gift of the Executive.

Whilst it is acknowledged that the party who commands a parliamentary majority will determine who is proposed as Speaker, it is essential that they are ultimately elected by the House as it preserves the independence of Parliament from the Executive and ensures that the Speaker is able to fulfil his or her duties to the House and is seen to be impartial in doing so.

The benchmarking Self-Assessment also identified a number of other areas for potential reform of the Standing Orders. Several of these are referenced in this Report and include:

- Updating the Legislative Assembly's Code of Parliamentary Ethics³³. This could contemporise the current Code and include a focus on the conduct of Members, conflicts of interests, financial disclosure, the role of a Parliamentarian, and interactions with parliamentary staff.
- Regulation of the standing of party Members and how this may affect the status of the Opposition. It was previously noted that where no party grouping held eight seats or more the grouping was not granted party status. This created a situation where, at times, there was no formal Opposition or bespoke parliamentary time for Opposition business. If such a situation presented itself in the future, provisions should be made for smaller party groupings or individual Members to have time to provide for scrutiny of the Executive and inquiry into Government actions.
- Petitions currently require the sponsorship of a Member. It is recommended that the Legislative Assembly moves to a system whereby societal organisations or individual members of the public can submit petitions to Parliament without being supported by individual MPs.
- The role and powers of the Parliamentary Commission³⁴ (established under Standing Order 170) that recommends to the Legislative Assembly which Members should serve on parliamentary Committees. This process is currently dominated by the Executive and the role of the Parliament should be strengthened where possible.

30 www.constituteproject.org. Samoa 1962 (Revised 2020) Constitution. [online] Available at: https://www.constituteproject.org/constitution/Samoa_2020.

31 Pacific Island Legal Information Institute – Legislative Assembly Powers and Privileges Ordinance Act (1960). [online] Available at: <http://www.pacii.org/ws/legis/lapapaaact1960/lapapaa1998517.pdf>.

32 www.palemene.ws. Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

33 Parliament of Samoa – Code of Parliamentary Ethics. [online] Available at: <https://palemene.ws/pdfs/Samoa%20Parliamentary%20reporting%20guide.pdf>.

34 www.palemene.ws. Committee Members Parliament of Samoa. [online] Available at: <https://www.palemene.ws/CommitteeMembers>.

- During parliamentary question time, Members may only ask one oral question and (at the discretion of the Speaker) one further supplementary follow-up. Question Time is held for sixty minutes every third day which, according to some stakeholders, is insufficient to fully scrutinise the work of the Executive. Any review of Parliament's Standing Orders could seek to increase the regularity of Question Time sittings and allow Members to ask more questions of the Executive than current Standing Orders permit.

Ahead of Samoa's next Parliamentary Elections in 2026, it would be prudent for the Legislative Assembly to begin working through its Standing Orders now with a view to incorporating changes in advance of a new Legislature being sworn in. It is essential that any analysis undertaken to support this review reaffirms the privileges of Parliament and recognises the power of the House to determine its own affairs by way of exclusive cognisance from the Executive and other branches of Government.

Presiding Officer

Samoa's Constitution and the Standing Orders of Parliament provide for the Speaker of the Legislative Assembly. As noted above, it is the Executive who nominates the Speaker and, while their appointment is endorsed by the House (Standing Order 6)³⁵, this process is not strictly in line with best practice of ensuring that the Legislature (not the Executive) has full independence in selecting its Presiding Officer.

Aside from duties relating to presiding over the House, the Speaker (in collaboration with the Clerk of the Legislative Assembly) also oversees major decisions and developments relating to the control and administration of the parliamentary precinct. This power is vested in the Speaker on behalf of the Legislative Assembly whether Parliament is in session or not.

The role of the Presiding Officer is to maintain order to ensure all Members have full opportunities to participate in debate in the Legislative Assembly. To this end, the Speaker is well supported in advice on practice, precedent and procedure by the Office of the Clerk. Both Speaker Masipa'u and the Office of the Clerk should be praised for ensuring this important element of parliamentary practice is well maintained.

That said, there were a few concerns raised about how various Speakers of the Legislative Assembly have historically limited Members from speaking about certain issues if they are perceived as detrimental to the Government, specifically when it comes to MPs raising points of order or points of clarification and whether there was a material difference between these two. Regardless of whether these inconsistencies have arisen along any party-political lines or not, ensuring the Presiding Officer consistently exercises uniform authority leads to the institutionalisation of this practice and sets a positive tone for the conduct of Members during parliamentary proceedings.

RECOMMENDATION 7

The Legislative Assembly should commence a review of its Standing Orders at the earliest opportunity to ensure that any recommended amendments are integrated ahead of Samoa's next Parliamentary Elections in 2026. These should be published online so that members of the public can access them and ensure that the Legislature. (and not the Executive) has sole responsibility for selecting its Presiding Officer. The Presiding Officer and Deputy Presiding Officer should also undergo training on their role, with a particular focus on the Parliament's Standing Orders.

Convening Sessions and Setting the Agenda

As per the Constitution, Parliament sits at least two days every month. The annual calendar is proposed by the Parliamentary Commission (as established under Standing Order 170) every January and subsequently approved by Members of the Legislative Assembly.

While few concerns were raised among stakeholders on the regularity of parliamentary sittings, and the Legislative Assembly does have provisions in its Standing Orders to call itself into extraordinary sessions beyond those sitting days allocated by the Parliamentary Commission, the CPA team concluded that there is capacity for the Parliament to sit more often and provide further important scrutiny of Government activities. Doing so would also increase and improve valuable opportunities for external stakeholders and members of the public to engage with the democratic process. Linked to this, the Parliament's sitting calendar is not currently published online. The Legislative Assembly should rectify this right away to ensure that citizens across Samoa can follow the work of their Legislature. A detailed public agenda will ensure transparency in the work of Parliament and strengthen Members' resolve to carry out their roles and responsibilities in a more effective manner which, in turn, would increase public confidence and improve citizens' outlook of their elected House.

³⁵ www.palemene.ws. Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

During discussions, it was also noted by some stakeholders that speaking times for Members can often be modest. Standing Order 192³⁶ limits collective discussion on various motions to a maximum of 30 minutes and there is also capacity under Standing Order 89³⁷ for the Speaker to further limit parliamentary debates in the name of expediency. While not all Members regularly speak on the Floor of the House, it was positively acknowledged that the current Prime Minister (Hon. Fiame Naomi Mata'afa MP) does not control all debates and instead allows both Ministers and Members to speak freely on issues of particular importance to them. This provides for richer debate and ensures that a more diverse range of opinions are heard.

Generally speaking, the Government sets the Legislative Assembly's sitting schedule and a typical parliamentary week sees Members participating in Plenary business, Committee activities, and other parliamentary work, such as attending pre-briefings on legislation conducted by civil servants. During these meetings, all Members are invited and have the opportunity to ask questions, however the sessions are held in private and no official record of proceedings are produced. While the use of pre-briefings is important and offers Members a way to gather information for debate and decision, it is unclear how this information is then used on the Floor of the House and whether it is impartial. After having attended a pre-briefing session with the Electoral Commission on potential reform of Samoa's Electoral Law, the CPA team followed a subsequent Plenary debate, during which no reference to information gleaned from the pre-briefing was raised in public by MPs.



Deputy Clerk of the Legislative Assembly (Lesa Yonita Tuia)
meeting the CPA delegation

Debate and Voting

The Legislative Assembly does have clear procedures for parliamentary debates and determining their orders of precedence, both of which are detailed in the Standing Orders. Standing Orders 45-46³⁸ set out the order of business and related arrangements which include Private Members business for one hour on the third day of a full sitting week. Whilst providing for this in the Standing Orders is positive, the CPA team learned that in reality such occurrences are incredibly rare. This is, in part, because the Government dominates the majority of Parliament's agenda, but also because the Legislative Assembly does not have its own Parliamentary Counsel to help backbench MPs with the crafting, drafting, and tabling of Private Members Bills. Currently, any requests for such legislative assistance sought by Members are directed to the Attorney General's Office.

Alongside this, there are no formal provisions in the Standing Orders for dedicated Opposition Days whereby non-Government Members can propose the topic for debate. This is an undoubted shortcoming of current procedures in the Legislative Assembly, and one that it should look to amend moving forward. Having specific days set aside to consider business proposed by non-Government Members would demonstrate sound application of the democratic principle of 'minority right' in practice but, just as importantly, provide a conducive environment for Members to debate all pertinent issues raised by different sections of the House. In many Parliaments across the Commonwealth where there are days set aside for the House to consider business proposed by non-Government Members, the number of Private Members Bills has increased in recent years. This could be beneficial for the Legislative Assembly as Private Members Bills come from the Legislature and, therefore, Parliament has greater control of its agenda.

36 [www.palemene.ws](https://www.palemene.ws/StandingOrders). Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

37 [www.palemene.ws](https://www.palemene.ws/StandingOrders). Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

38 [www.palemene.ws](https://www.palemene.ws/StandingOrders). Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

RECOMMENDATION 8

The Legislative Assembly should, as a matter of urgency, publish its annual calendar online and, increase the number of sitting days held each year, adopt provisions that allow specific days in the parliamentary calendar for Opposition business and establish structures within its staff Secretariat to facilitate the introduction of Private Members Bills.

Generally speaking, however, the Legislative Assembly performs well in most other areas relating to debate and voting. The majority of legislative business proceeds in an orderly fashion and, for the most part, Members closely adhere to Parliament's Standing Orders. The vast majority of MPs and official interviewed as part of the Self-Assessment agreed that current rules give sufficient time for legislators to debate prior to voting on a Bill, although some representatives of the Media and Civil Society felt that they cannot always respond adequately to requests for feedback on urgent Bills because the timeframe for doing so can be unrealistic. Civil society stakeholders noted that this could sometimes be just a few days for important pieces of legislation. Limiting the voice of Samoan citizens from being heard on important Bills is something that the Legislative Assembly should look to address.

Petitions

There is a public petitions system in the Legislative Assembly which is outlined in the Standing Orders (Standing Order 57)³⁹ and by law all Samoan citizens enjoy the right to petition their elected representatives. In reality, however, this function is rarely ever used. It was suggested that, in part, this is due to the Fa'a Samoa culture described earlier in this Report whereby individuals holding Matai titles are seen as representatives and spokespeople for their villages. As such, expecting individual citizens to raise issues with MPs beyond their local Fono may be culturally unworkable, particularly when Matai title-holders direct much of the political, social and economic affairs in their respective communities.

Alongside this cultural norm, the Legislative Assembly itself could do more to encourage public engagement in the petitions process. Currently, any petition submitted to Parliament must be sponsored by an MP and, furthermore, there is no information on the Legislative Assembly's website providing guidance to citizens on how they can initiate and submit a petition, should they wish to do so. In the event that a petition is submitted to Parliament, it must be approved by the Clerk before being read to the Assembly, and while there are Standing Order provisions allowing for petitions to then be considered by a parliamentary Committee, in reality this is seldom done in a meaningful way.

RECOMMENDATION 9

The Legislative Assembly should seek to modernise its petitions process as part of a wider review of its Standing Orders.

Records

As per the Legislative Assembly's Standing Orders (Parts X-XI)⁴⁰, Parliament's Clerk is responsible for preparing and circulating parliamentary papers to Members ahead of each sitting day. These include a daily Order Paper, any draft Bills being considered, and further supplementary briefing material produced by the staff Secretariat. During the session itself, Members' attendance, interventions, and voting activities are also recorded by parliamentary officials which, in turn, form the official report (Hansard) covering that day's business.

Positively, the Legislative Assembly has a dedicated Hansard⁴¹ page on its website where, in line with Standing Order 42⁴², records are published online 'as soon as practicable following the conclusion of each meeting'. Typically, Hansard records in Samoan are uploaded to the Parliament's website within a week of the sitting day they relate to, albeit there is a lag in English language versions being produced. The most recent examples of these currently online date back to 2022, something that parliamentary staff are looking to accelerate moving forward.

Generally speaking, staff of the Legislative Assembly make considerable efforts to maintain parliamentary records, although these are not always in optimal electronic or readily accessible form. This is principally due to resource constraints, although ongoing efforts to digitise more data were also recently compounded by a major power supply outage that damaged Parliament's main server and led to the loss of electronic material saved on individual desktop computers as opposed to being stored virtually via

39 www.palemene.ws. Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

40 www.palemene.ws. Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

41 www.palemene.ws. Hansards Parliament of Samoa. [online] Available at: <https://www.palemene.ws/Hansards>.

42 www.palemene.ws. Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

a digital cloud-based platform. During related stakeholder discussions, staff representatives of both the Parliamentary Library and ICT Services sections noted that this unfortunate episode had highlighted a pressing need for the Legislative Assembly to increase the resilience of its current records management systems.

2. COMMITTEES

Organisation

The Legislative Assembly has the right to form both permanent Standing Committees and temporary Ad-Hoc Committees. The Standing Committees have the power to propose amendments to Bills. Their mandates vary when compared to Ad-Hoc Committees which automatically dissolve once their selected purpose is achieved by submitting a report to the House. There are currently five Standing Committees being serviced by a dedicated team of Committee and Research staff. Members are happy with the service provided and applaud parliamentary staff for their hard work and commitment.

Membership of Committees is determined by the Legislative Assembly's Parliamentary Commission (as per Standing Order 170)⁴³. This body comprises the Speaker, Deputy Speaker, Government Leader of the House, and a senior Member of the Opposition to ensure representation of all political parties. Positively, the Parliamentary Commission sets the number of MPs allocated to each Committee according to their representation in the House, however some stakeholders flagged that there is currently insufficient opportunity for Opposition MPs to realistically be given a Committee Chairmanship position.

In fact, at the time of writing, all five Standing Committees in the Legislative Assembly are chaired by Government Members, including the Finance and Expenditure Committee (which mirrors the Public Accounts Committee established in other Commonwealth Legislatures). Best practice is to have the Opposition as Chair of this specific Committee because it's difficult for the ruling party to impartially scrutinise its own expenditure and potential inefficiencies in financial management.

Another area in which the Legislative Assembly fails to meet the relevant CPA Benchmarks relates to the transparency of Committee meetings. Currently, all Committee meetings in Parliament are held in private without means for external stakeholders to follow proceedings and no official record of deliberations are produced for members of the public. This practice should be changed as soon as possible. Doing so would not only share the important work carried out by Committees with a wider audience but, crucially, would also improve Parliament's current level of public engagement with the electorate at large. Only planning and briefing meetings or those Committees sessions which examine confidential or classified materials should deliberate in camera.

Powers and Resources

The Committee system plays an essential role in the passage of Bills. By default, all draft legislation is referred to the relevant parliamentary Committee for consideration and potential amendment, all be it in recent times, Samoa's Government has been using the Certificate of Urgency⁴⁴ procedure to by-pass Committee scrutiny in the name of legislative expediency more often than should be the case. Having Committees robustly scrutinise the merits of draft Government legislation is a vital dimension of the parliamentary process, and every effort should be made to ensure that the Certificate of Urgency procedure is exceptional, not the norm. Alongside the scrutiny of draft Bills, Committees in the Legislative Assembly also consider annual reports from Government Ministries, Executive Agencies, and other related bodies (such as Samoa's Ombudsman, Public Service Commission, and Office of the Auditor General). Committees in the Legislative Assembly are given three months to scrutinise draft legislation and consider annual reports. The majority of stakeholders consulted as part of the Self-Assessment exercise believed this length of time was sufficient.

As per Parliament's Standing Orders, Committees in the Legislative Assembly have the ability to summon persons, papers and records. Conversations with stakeholders flagged no particular issues in this regard, and current arrangements appear to function well.

Where Committees seem to be currently lacking, however, is in their resources relating to independent expert advice and adequate finances to conduct external activities.

The absence of a Parliamentary Counsel was discussed earlier in this Report and, while officials from the Attorney General's and Auditor General's Offices do provide some technical assistance when requested, various stakeholders consulted noted a requirement for parliamentary Committees to be able to employ their own legal, financial, and technical experts, completely independently from the Executive branch. Relying on such skills and resources to be provided by Governmental stakeholders is sub-optimal and has the potential to influence the scope and findings of work undertaken by Committees.

Regarding external activities, the CPA team noted a lack of resources available to Committees for them to conduct field visits away from Apia in support of their legislative work. Should a Committee wish to visit other parts of Samoa to undertake a public consultation or participate in citizen engagement activities, it must submit a specific funding request to the Ministry of Finance.

43 www.palemene.ws. Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

44 Samoa Observer. 'Bills that use certificate of urgency not new'. [online] Available at: <https://www.samoaoobserver.ws/category/samoa/92197>.

Whilst these requests are often granted, this is not always the case. Best practice dictates that parliamentary Committees should have their own budget, independent of the Executive, that can be apportioned to supporting important outreach activities and engagement programmes. This is another area in which the Parliament should seek to increase the level of resource available to its Committees so that they can fulfil their legislative responsibilities to maximum effect.

RECOMMENDATION 10

The Legislative Assembly should re-organise the way its Committees are structured and function to:

- **Conduct by default, unless under exceptional circumstances, their meetings in public**
- **Ensure that a sufficient number of Committees (and as a minimum the Finance and Expenditure Committee) are chaired by Opposition Members**
- **Increase resources so that Committees can employ impartial external experts to support legislative scrutiny**
- **Provide sufficient financial funds so that Committees can undertake important public engagement activities.**



Samoa's Attorney General (Ms. Su'a Hellene Wallwork) meeting the CPA delegation

3. CROSS PARTY GROUPS

Interest Caucuses

While in Apia, the CPA team explored the rights of legislators to form cross-party interest groups based on a common theme or concern and whether this happens in practice. While there is nothing in the Legislative Assembly's Standing Orders that limits the ability of Members to form such groups, it became clear to the CPA team that there was little appreciation for the culture of parties working 'across the political divide' and several stakeholders highlighted a current lack of rules within Parliament guiding the creation of such bodies in the Legislative Assembly. Having a Women's Caucus, for example, is common in many Legislatures across the Commonwealth but, at present, no such structure exists within Samoa's Parliament.

Both Members and representatives of Civil Society interviewed by the CPA team welcomed the idea of changing this and beginning a culture of cross-party work in the Legislative Assembly on issues of particular interest or importance. Doing so was viewed as having two main benefits: firstly, preventing unnecessary duplication in the mandates of parliamentary Committees, where an interest caucus would be a more efficient vehicle for considering such topics; and secondly, providing Parliament with more scope to effectively address often non-political cross-cutting issues, while also fostering a culture within the Legislative Assembly of Members from different political parties working together to deliver positive outcomes for their citizens. Establishing clear mechanisms for the creation of interest caucuses should be something that the Legislative Assembly explores as part of a wider review into its Standing Orders recommended throughout this Report.

4. PARLIAMENTARY STAFF

Recruitment and Management

The Speaker sits at the Head of the Parliamentary Administration and is, in effect, responsible for all political activities undertaken in the Legislature. Alongside him, the Clerk of the Parliament serves as the Chief Executive Officer of the Legislative Assembly with wide-ranging responsibilities relating to administrative operations and parliamentary staff. Politically, the Minister for the Legislative Assembly is formally charged with representing the Parliament's Administration at Cabinet and, accordingly, presents requests relating to budget, staffing and other issues to the Government for Executive approval.

During stakeholder conversations, one central concern was raised about the suitability of these current arrangements. It was repeatedly flagged to the CPA team that the Speaker should be Parliament's de facto 'Minister' when it comes to interacting with the Government and that there was little need for a specific Cabinet Member to have portfolio responsibility for the Legislative Assembly. Some stakeholders suggested that while the continuing existence of this Ministerial post could be seen as a way of ensuring the Legislature's 'voice is heard' at Cabinet meetings, in reality, it has been maintained to provide the Government with important oversight mechanisms in relation to the Parliament.

Lacking sufficient independence and autonomy from the Executive was one of the biggest shortcomings identified in terms of how the Legislative Assembly currently runs its affairs. At the time of writing, there is a lack of much-needed legislation providing for the Legislative Assembly to establish its own corporate body responsible for providing funding entitlements for key parliamentary services and outlining clear governance structures for those who work within the Legislature's secretariat. At present, Parliament has to submit financial proposals to Cabinet (through the Legislative Assembly Minister) whenever it wishes to amend its infrastructure or develop new ways of working that require financial input. Several stakeholders noted that, while many requests for funding are granted by the Executive, not having fiscal autonomy or corporate independence often led to the Legislature being treated as a Government Ministry or arms-length Executive agency.

Best practice is to legislate for the establishment of a Parliamentary Service Commission (PSC) that would enable the Legislative Assembly to have full control of its corporate operations, build capacity across the parliamentary precinct without Executive restriction, and better allow the Legislature to put in place longer-term strategic plans. The CPA team strongly recommended the establishment of a PSC during their visit to Apia, and this was largely popular in conversations with Members and staff.

RECOMMENDATION 11

The Legislative Assembly should enact legislation to establish a Parliamentary Service Commission charged with managing the internal governance and related parliamentary services for the Legislature.

Currently, the Legislative Assembly has an administration of approximately 60 officials. When compared to other Commonwealth Legislatures similar in size, the parliamentary secretariat is well-staffed. The Parliament has talented, dedicated and hardworking non-partisan officials to support many aspects of its operations and has a clear management structure in place which is published on the parliamentary website. Staff are broadly split between two Secretariat Departments: Office of the Speaker and Office of the Clerk.

In terms of recruitment – the Clerk and the Deputy Clerk of the Legislative Assembly are appointed by the Head of State on the recommendation of the Speaker, after consultation with the Prime Minister and the Leader of the Opposition. All other staff appointments are made by the Speaker following recommendation by the Clerk.

During the Self-Assessment exercise, some stakeholders raised concerns about current appointment procedures relating to Parliament's Clerk and Deputy Clerk. It was suggested in discussions that having the Prime Minister and Leader of the Opposition (both party leaders) involved in this process threatened the professional independence of these two senior parliamentary officials and could lead to a potential situation where he or she may be removed from their post for party-political reasons. It is essential that senior Clerk positions within Parliament are impartial, seen to be so, and operate without influence from parties of all political persuasions. Other stakeholders also recommended that the Clerk's time in office (five years) should be made permanent or extended in line with the ten-year tenures enjoyed by other senior public servants (such as the Auditor General). It was felt that doing so would provide valuable added protection to the Clerk irrespective of General Election results, while also better allowing the Legislative Assembly to put in place longer-term strategic/corporate plans. Whichever approach is taken to increase the tenure of the post, the Clerk and Deputy Clerk should have clear performance measurements in place and reviewed at regular intervals.

III. FUNCTIONS OF THE LEGISLATURE

5. LEGISLATIVE FUNCTION

Legislative Process

Like many Parliaments in the Commonwealth, the drafting of most legislation in Samoa is overseen by the Cabinet of Ministers. It is then reviewed, approved, and passed by the Legislative Assembly before assent by the Head of State. The Constitution provides Parliament with supreme authority for law-making according to Part IV, which can apply to all of Samoa or specific regions as provided for in the Act itself.

In Samoa, there are two types of legislation considered by Parliament⁴⁵. These are Government Bills (introduced by the Executive) and Private Members Bills (introduced by individual Members whether independent or from a political party), albeit instances of the latter are rare.

Similar to other Commonwealth Legislatures, draft Bills in the Legislative Assembly must be read three times with the aim of providing Members of Parliament enough time to consult their constituents and scrutinise the legislation in both Committees and the Plenary. Standing Orders clearly outline the stages through which Bills must pass the Legislative Assembly, and this is further illustrated on Parliament's website to keep the general public and Media representatives informed of the status of draft Bills as they become law.

Members interviewed by the CPA team understand that they have a number of legislative functions to perform as lawmakers. They can help to frame legislation, debate the merits of a Bill introduced in the Legislative Assembly, propose amendments, conduct detailed scrutiny through Committees and, ultimately, approve draft laws tabled before the House. Notwithstanding references made earlier in this Report to the Certificate of Urgency procedure, the vast majority of legislation in the Parliament appears to undergo these various processes smoothly. This is testament to the dedicated work of the Legislature's Secretariat staff who ensure that Parliament operates effectively in line with its Standing Orders.

One area for improvement, however, relates to the conducting of pre-legislative and post-legislative scrutiny, detailed provisions for which are currently lacking in Parliament's Standing Orders. Both pre-legislative and post-legislative scrutiny are core functions of many other Commonwealth Legislatures.

Pre-legislative scrutiny can take various forms but has a number of benefits including creating opportunities for Parliament to influence legislation at an early stage, drawing upon particular policy expertise that individual Members might have, and providing a key tool for Civil Society Organisations and wider members of the public to engage with crafting the laws that ultimately shape their lives. All of these measures together act as a form of quality control to ensure that legislation is in its best possible form before entering into force.

Post-legislative scrutiny has the aim of ensuring that Acts of Parliament have done, or are doing, what they were originally intended to achieve. It heightens accountability that those tasked with implementing particular laws are doing so effectively and offers an opportunity to evaluate whether alternative means of reaching intended goals could be pursued. As with pre-legislative scrutiny, post-legislative scrutiny can take various forms but ultimately should lead to better legislation, better Government, and better outcomes for the citizens of Samoa.

RECOMMENDATION 12

The Legislative Assembly should amend its Standing Orders to provide clear mechanisms for the conducting of pre-legislative and post-legislative scrutiny.

6. OVERSIGHT FUNCTION

Oversight of the Executive

The Executive in Samoa sets the overall direction for the majority of parliamentary business and enjoys effective control in several areas. As well as all of Parliament's Committees being chaired by Government Members, there is also an ever-growing practice of the Executive appointing Associate Ministers within the Legislative Assembly. This has created a situation in recent years whereby a substantial percentage of the Legislature's overall membership hold some kind of Government post which, consequently, reduces the efficacy of strong backbench scrutiny of Executive activities.

⁴⁵ [www.palemene.ws](https://www.palemene.ws/BillsActsRegulations). Bills, Acts and Regulations Parliament of Samoa. [online] Available at: <https://www.palemene.ws/BillsActsRegulations>.

Whilst in Apia, the CPA team met with Fuimano Beth Onesemo (Academic and Civil Society Representative) who produced a Separation of Parliament from the Executive: Feasibility Study in 2022. Ms. Onesemo's Study concluded that 'the independence of Parliament from the Executive is critical to Samoa's sustained viability as a healthy democracy and should continue to be an aspirational goal for not only Parliament but the Government and the country to work towards' ahead of Samoa's next General Elections in 2026.

Among various issues discussed with Ms. Onesemo, it was highlighted to the CPA team that one such area in which the Legislative Assembly could exert further oversight of the Executive related to how it scrutinises Samoa's compliance with various international treaties and obligations, including international human rights instruments and the UN's Sustainable Development Goals (SDGs)⁴⁶. At present, there are no clear provisions in the country's Constitution or Parliament's Standing Orders for how the Legislature can scrutinise such agreements, with the Executive currently enjoying sole responsibility for negotiating and ensuring Samoa's compliance with these international commitments. The Sustainable Development Goals, for example, are of particular importance to Samoa given its vulnerabilities as a Small Island Developing State. Much like other Commonwealth Legislatures, the Legislative Assembly should have oversight of international treaties and obligations relating to SDGs given their significant impact on the future livelihoods of citizens in Samoa.

RECOMMENDATION 13

The Legislative Assembly should introduce mechanisms of ensuring that it has oversight responsibility for Samoa's compliance with international treaties (including UN Sustainable Development Goals).

Oversight of Independent Constitutional Bodies

As per the country's Constitution, Samoa has a number of state bodies in existence that compare similarly with other Commonwealth jurisdictions. These include independent Offices for the Ombudsman⁴⁷, Public Service Commissioner⁴⁸, and Auditor General⁴⁹. As well as being provided for in the Constitution, the operations of all three bodies are (positively) legislated for in separate Acts of Parliament: the Ombudsman Act⁵⁰ of 2013; Public Service Act⁵¹ of 2004; and Audit Act⁵² of 2013.

While the Heads of all three organisations are appointed by the Government of the day, no particular issues were raised in stakeholder discussions about their independence from the Executive. Positively, the Legislative Assembly also appears to enjoy robust oversight of their activities and receives timely information when required by way of ad-hoc requests and the submission of annual reports.



Staff of Samoa's Audit Office meeting the CPA delegation

46 United Nations (2024). The 17 Sustainable Development Goals. [online] United Nations. Available at: <https://sdgs.un.org/goals>.

47 Office of the Ombudsman. Home. [online] Available at: <https://www.ombudsman.gov.ws>.

48 Public Service Commission. Home. [online] Available at: <https://www.psc.gov.ws/>.

49 Audit Office of Samoa. Talofa & Welcome. [online] Available at: <https://www.audit.gov.ws/>.

50 SAMOA OMBUDSMAN (KOMESINA O SULUFAIGA) ACT 2013 Arrangement of Provisions PART 1 PRELIMINARY. Available at: <https://www.ombudsman.gov.ws/wp-content/uploads/2021/11/Ombudsman-Komesina-o-Sulufoiga-Act-2013-Eng.pdf>.

51 PUBLIC SERVICE ACT 2004 Arrangement of Provisions PART I PRELIMINARY. Available at: https://www.psc.gov.ws/wp-content/uploads/2017/02/PSC_Act_2004_Eng-1.pdf.

52 SAMOA AUDIT ACT 2013 Arrangement of Provisions PART 1 PRELIMINARY. Available at: https://www.regulator.gov.ws/images/2017_CONSOLIDATION_LAWS/A/Audit-Act-2013.pdf.

Financial and Budget Oversight

The Legislative Assembly has the required procedures in place in accordance with the Constitution and its Standing Orders to have oversight of the national financial and budgetary process. These procedures appear to be well understood by relevant stakeholders and are followed annually.

Upon receiving national budget proposals from the Ministry of Finance, Parliament's Finance and Expenditure Committee is given 14 days to review its contents before producing an evaluation report. This report is subsequently tabled on the Floor of the House before MPs from all political parties have a further two weeks to debate the Government's proposals at large. At the end of this fortnight, the Legislative Assembly votes on the budget package as a whole. As per Samoa's Constitution, the Legislature is not permitted to recommend an increase to the national budget or suggest a re-allocation of funds from one sector to another. Given that the Executive invariably has numerical superiority in the Legislative Assembly, its annual State budget proposals tend to receive parliamentary approval without any significant issues.

That said, following discussions with various stakeholders throughout the Legislative Assembly, the Self-Assessment team felt that the Legislature would benefit from having a parliamentary Budget Office to support its oversight of the annual State budget process. Currently, the Finance and Expenditure Committee solicits advice from Government officials to help inform its analysis of the Executive's budget proposals. While several Members on the Committee do have professional financial/accounting backgrounds, this is not true for all MPs. Having a non-partisan, well-resourced, internal Budget Office would improve the quality of scrutiny that Parliament conducts of the Government's budgetary proposals which, in turn, would hopefully lead to better outcomes for the citizens of Samoa. Samoa may benefit from adopting a similar approach to that of Fiji and Tonga in utilising a floating budget office modal supported by UNDP⁵³.

RECOMMENDATION 14

The Legislative Assembly should seek to strengthen the role it plays in scrutinising the annual budget process by establishing an independent Budget Office as part of the Parliamentary Administration.

No Confidence and Impeachment

Samoa's Constitution provides some guidance on the impeachment or censure of the Executive and related procedures of a no-confidence vote in the Government. Accordingly, the Constitution (Article 33)⁵⁴ permits the Legislative Assembly to vote on a motion declaring that the House no longer has confidence in the incumbent Prime Minister. Should the motion pass by a simple majority of MPs, then it is expected that the Prime Minister resigns, albeit there is no Constitutional requirement for them to do so. In the event that a Prime Minister refuses to resign, then the Head of State dissolves the Legislative Assembly until a resolution is found.

7. REPRESENTATION FUNCTION

Representation of Constituents

There were mixed views among stakeholder as to what constitutes adequate resource for Members to fulfil their representative role. There was little consensus among MPs regarding the appropriate level and means of support required by them and, for the most part, parliamentary officials are happy to assist Members with a range of tasks that in other Commonwealth Legislatures are delegated to staff working in individual Member's offices. While some of these support an MP's legislative work in Apia, several relate to personal/constituency responsibilities, which can sometimes lead to officials in Parliament's secretariat assisting with party-political requests and being taken away from their core professional function in the Legislative Assembly. Such occurrences not only reduce the effectiveness of how some core parliamentary functions are conducted but can also create difficulties for the Legislature's non-partisan staff when they are tasked with supporting party-political objectives.

That said, the CPA team was encouraged to learn that all 51 constituencies in Samoa have recently been assigned funds through the Government's District Development Project⁵⁵. This initiative, which is relatively new, sees all constituencies allocated \$1 million Tala to be spent on local infrastructure projects and related constituency initiatives. To this end, it was flagged during stakeholder conversations that part of this fund could be used by Members of Parliament to establish functioning constituency offices and employ at least one full-time staffer to support the important local work carried out by MPs.

53 [Pacific Floating Budget Office: A Beacon of Transparency and Innovation](#).

54 [www.constituteproject.org](https://www.constituteproject.org/constitution/Samoa_2020). Samoa 1962 (Revised 2020) Constitution. [online] Available at: https://www.constituteproject.org/constitution/Samoa_2020.

55 www.samoagovt.ws. (2024). District Development Project. [online] Available at: <https://www.samoagovt.ws/2023/06/district-development-project-update/>.

RECOMMENDATION 15

The Legislative Assembly should ensure that a clear distinction is drawn between partisan and non-partisan staff by encouraging MPs to utilise the Government's District Development Project to establish functioning constituency offices supported by full-time officials.

Representation of Women

Samoa adopted a parliamentary gender quota in its Constitution, often referred to as the '10 per cent law', through a 2013 constitutional amendment (Article 44). The law mandates a minimum level of women's political representation in the Legislative Assembly. If this threshold is not met at a General Election, the highest-polling unsuccessful female candidates can take up additional seats in Parliament.

The purpose of the 10 per cent law when it was introduced was to provide guaranteed space for women in elected decision-making. This is crucially important, as women have not only been historically under-represented in Samoan politics, but still are today. With just 10% of the country's current MPs being women, Samoa's comparison with Parliaments around the world is extremely unfavourable. The Legislative Assembly should prioritise increasing its number of female Members as soon as possible by uplifting the 10 per cent law to a higher threshold and, alongside this, conducting a gender sensitisation assessment⁵⁶ of its political operations.

While the elevation of Hon. Fiame Naomi Mata'afa (Samoa's first female Prime Minister) to the position of PM in 2021 was not only a milestone for women in politics in Samoa, but also across the wider Pacific region, the tumultuous debate over gender quota provisions complicated her path to power. This simply reinforced the importance of women's political representation and leadership. Yet, to guarantee the longevity and legitimacy of the 10 per cent law (and any potential uplift), constitutional amendments are necessary to ensure clearer, unambiguous language and institute an apolitical process by which additional women MPs are appointed to the Legislative Assembly. It is crucially important that Parliaments reflect the societies they represent. Having a more gender-balanced Legislature would not only bring Samoa more in line with international best practice but will hopefully also see the Legislative Assembly deliver better outcomes for the citizens it serves.

RECOMMENDATION 16

The Legislative Assembly should prioritise approaches to increase women's representation as well as considering the need to strengthen existing gender quota laws to prioritise an uplift in the number of female MPs elected to the Legislative Assembly.

8. PARLIAMENTARY ASSISTANCE AND NETWORKING

Commonwealth Connections

Samoa joined the Commonwealth on 28 August 1970. However, the Legislative Assembly became a member of the CPA prior to the country gaining political independence in 1962 – the Parliament's CPA branch⁵⁷ was established on 1 January 1953. In recent years, Members of the Legislative Assembly have actively participated in a number of CPA events, including by sending delegates to the annual Commonwealth Parliamentary Conference and participating in a number of additional programmes.

The Legislative Assembly enjoys strong working relationships with several other Parliaments in the Pacific region, some of which are comparable in size, while others experience similar challenges to the growth and evolution of their respective Legislatures. It was clear to the CPA team throughout their time in Apia, that all stakeholders understand the importance of strong international relations and are committed to deepening them further.

To this end, during conversations with Members and parliamentary staff, the Self-Assessment CPA team shared plenty of information about the resources for assistance, networking, learning and development available to the Samoan Parliament as a dedicated member of the CPA. Some of the capacity building and technical assistance opportunities available have already been mentioned in the Professional Development section above.

⁵⁶ CWP Gender-Sensitising Parliaments.

⁵⁷ www.cpahq.org. Legislative Assembly of Samoa. [online] Available at: <https://www.cpahq.org/directory/samoa/>.

The CPA Small Branches Network⁵⁸, of which Samoa is a member, was emphasised to stakeholders across Parliament and positively received. The funding available through the network was also highlighted to stakeholders and the source of funding should be explored further.

The Legislative Assembly also enjoys a strong 'twinning' arrangement⁵⁹ with the Parliament of Tasmania. In existence for over 15 years, this relationship is a crucial vehicle for building capacity, resource, and expertise among Members and staff of Samoa's Legislature. To this end, several officials in Parliament's Secretariat regularly enrol on and graduate from the University of Tasmania's accredited Parliamentary Law Practice and Procedure⁶⁰ course, while both Houses of the Tasmanian Parliament recently provided the Legislative Assembly with a suite of new IT equipment for the purposes of broadcasting and community education initiatives. During their time in Apia, the CPA team attended presentation ceremonies for both projects alongside the Speaker and Australia's High Commissioner to Samoa. Witnessing these events first hand reaffirmed to the CPA team the Samoan Parliament's commitment to maintaining strong relationships with various Commonwealth partners with the ambition of maximising these to the continued betterment of the Legislative Assembly and, ultimately, the people of Samoa.



Previous Speaker of the Tasmanian House of Assembly (Hon. Sue Hickey) visiting the Samoan Parliament

58 [www.cpahq.org](https://www.cpahq.org/our-networks/cpa-small-branches/). CPA Small Branches. [online] Available at: <https://www.cpahq.org/our-networks/cpa-small-branches/>.

59 [www.cpahq.org](https://cpaaus.org/cpa-tasmania-and-samoa-branches-cement-their-twinning-partnership-with-clock-unveiling-in-new-parliament-building/). CPA Tasmania and Samoa Branches cement their twinning partnership with clock unveiling in new Parliament Building. [online] Available at: <https://cpaaus.org/cpa-tasmania-and-samoa-branches-cement-their-twinning-partnership-with-clock-unveiling-in-new-parliament-building/>.

60 University of Tasmania. Graduate Certificate in Parliamentary Law and Practice - Courses & Units. [online] Available at: <https://www.utas.edu.au/courses/cale/courses/15c-graduate-certificate-in-parliamentary-law-and-practice>.

IV. VALUES OF THE LEGISLATURE

9. ACCESSIBILITY, OPENNESS AND ENGAGEMENT

Citizens and Public Engagement

Samoa's Constitution (Article 52)⁶¹ stipulates that all sittings of the Legislative Assembly must be published in the official weekly Government (Savali) Gazette⁶². Furthermore, the Parliament's Standing Orders (Part IX)⁶³ outline provisions that ensure details of forthcoming parliamentary sessions are always communicated at least 14 days in advance of the sitting. This contributes to a strong understanding throughout the Parliament of the importance of legislative proceedings being conducted in an accessible and transparent manner. Members of the public are also able to access Plenary sittings of the Legislature in person and do so by requesting a Chamber Pass from the Office of the Clerk in advance of the day's parliamentary sitting. In a further positive demonstration of open parliamentary practice, the Legislative Assembly broadcasts live all plenary activities by Radio, as well as streaming on YouTube⁶⁴ and Facebook⁶⁵ channels.

Unfortunately, these positive practices are not extended to the work of parliamentary Committees, all of which conduct their business in private. At the time of writing, there are currently no means by which Samoan citizens can attend, follow or participate in their proceedings. Committees are an essential component of any effective Legislature and an important conduit for engaging with members of the public. In line with best parliamentary practice, the Legislative Assembly should amend its Standing Orders to ensure that all Committees, unless under exceptional circumstances, conduct their parliamentary business in public so as to allow Samoan citizens to engage fully with this important element of the democratic process.

Alongside these procedures, the Legislative Assembly has a dedicated Community Relations Services (CRS) division⁶⁶ which recognises the importance of educating, empowering, and encouraging Samoan citizens to actively participate in their country's democratic process. Positively, the CRS division within Parliament is apportioned funds from the annual national budget to produce literature, host events, and conduct outreach activities with different sectors of Samoan society.

During their visit to Apia, the Self-Assessment team was provided with a helpful overview of the activities conducted by the CRS division, all of which are active, popular with recipients/participants, and positively received. They include: publishing educational literature explaining the role of Parliament, how legislation is passed, and what activities the Legislative Assembly is currently undertaking; hosting guided information tours of Parliament for participants from specific organisations, as well as members of the public; and conducting outreach activities with Samoan schools, colleges and universities to provide pupils/students with knowledge and understanding of Samoa's constitutional history, explain how the country's system of governance has evolved since gaining independence, and educate them on the democratic principles that underpin Samoa's parliamentary process.

While all of these initiatives above are undoubtedly positive (and the Legislature should be commended for maintaining them on a regular basis), various stakeholders consulted as part of the Self-Assessment exercise suggested that Parliament could further improve engagement with the electorate through strengthening its working relationships with Samoan Civil Society Organisations (CSOs). Civil Society in Samoa plays a critical role in social and economic development at both the local and national level, however, the CPA team learned that many CSOs are often hindered by a lack of resources and opportunities when it comes to effectively engaging with the Legislative Assembly. To this end, Samoa has previously participated in a Civil Society Support Programme⁶⁷ with the Government of Australia which provided local CSOs with small grants to improve their skills and implement sustainable projects. The initiative also supported CSOs to represent and advocate on behalf of their communities, especially in support of vulnerable groups. This programme concluded in 2021, however, and, to date, no successor arrangements have been put in place.

The Self-Assessment team was told that Parliament's current interaction with CSOs is done on an ad hoc basis sometimes without clear means and realistic timeframes for such organisations to engage with the political process. For example, statements on Bills (including their objectives and financial implications) are not readily produced (albeit requests for such information are sometimes initiated by the CSOs themselves) and consultation opportunities for representatives of Civil Society are often limited to a few days (even with respect to major pieces of legislation). It was also felt that many MPs in the Legislative Assembly have a limited understanding of the role that CSOs play in Samoan society and that uplifting this level of knowledge would bring considerable benefit to democratic processes at large.

61 www.constituteproject.org. Samoa 1962 (Revised 2020) Constitution. [online] Available at: https://www.constituteproject.org/constitution/Samoa_2020.

62 Government of Samoa. Savali Newspaper. [online] Available at: <https://www.samoagovt.ws/category/savali-newspaper/>.

63 www.palemene.ws. Standing Orders Parliament of Samoa. [online] Available at: <https://www.palemene.ws/StandingOrders>.

64 www.youtube.com. Parliament of Samoa - YouTube. [online] Available at: <https://www.youtube.com/playlist?list=PLA2ISzEo6F1Xgc428LmXlsXpGSxawOwRh>.

65 www.facebook.com. [online] Available at: <https://www.facebook.com/ParliamentOfSamoa/>.

66 www.palemene.ws. Education Resources Parliament of Samoa. [online] Available at: <https://www.palemene.ws/EducationResources>.

67 Australian Government Department of Foreign Affairs and Trade. (2021). Civil Society Support Program in Samoa II: End of program review report and management response. [online] Available at: <https://www.dfat.gov.au/publications/development/civil-society-support-program-samoa-ii-end-program-review-report-and-management-response>.

Having spoken to stakeholders with involvement in the Civil Society space, it was clear to the CPA team that the Legislative Assembly should identify means of increasing its engagement with CSOs. This could be done, for example, through improved dialogue with the Samoa Umbrella for Non-Governmental Organisations (SUNGO)⁶⁸ body and establishing clear means by which CSOs operating in Samoa can effectively contribute to the legislative process.

RECOMMENDATION 17

The Legislative Assembly should establish mechanisms for increasing its interaction with Samoan Civil Society Organisations so that they are routinely involved in the legislative process and have sufficient opportunities to represent the views of their members in political outcomes.

The Media

The Legislative Assembly does not currently have a dedicated Media and Communications Department to liaise with members of the Press, however conversations the CPA team held with stakeholders in Apia suggested that there is appetite among both parliamentary officials and local journalists to establish one. Currently, the Legislature's relationship with representatives of the Media is encouraging in some areas but lacking in others.

In a positive demonstration of parliamentary practice, members of the Press are allowed to attend plenary sittings of the Parliament, and the Legislative Assembly has also produced an excellent Journalist Handbook⁶⁹ that provides a comprehensive overview of the Legislature's structures, functions and operations. This is a valuable resource for members of the Press who report on the Parliament's proceedings, and particularly appreciated by those reporters who are more junior or new in post. The Legislative Assembly should be praised for proactively producing this resource and ensuring it is shared widely with those journalists who cover parliamentary proceedings for their respective outlets.



Representative of the Journalists Association of Samoa (Mr. Apulu Lance Polu) meeting the CPA delegation

That said, the CPA team learned from discussions with representatives of Samoa's Association of Journalists, that several improvements could be made in terms of how the Legislature interacts with members of the Press:

- Access and Accreditation: while journalists reporting on Parliament are allowed to attend plenary sittings of the House, they are not issued with formal press accreditation and do not have a designated space within the Plenary chamber to report on proceedings. Currently, most journalists set up workspace outside the Parliament and produce their accounts of legislative

68 SUNGO. Home. [online] Available at: <https://www.sungoweb.org/>.

69 Parliament of Samoa – Journalist Handbook. [online] Available at: <https://www.palemene.ws/pdfs/Samoa%20Parliamentary%20reporting%20guide.pdf>.

business remotely, which is sub-optimal.

- Facilities: the Legislative Assembly does not currently have a dedicated Media facility on the parliamentary precinct where journalists can base themselves while reporting on parliamentary business. Best practice dictates that one should be established to ensure that members of the Press have regular access to the Legislature and are able to freely report on its affairs.
- Information: conversations with representatives of the Media highlighted that, while the Parliament does have a functioning website⁷⁰ which provides details of business before the House, this is outdated in parts and important information (such as Hansard transcripts) are often not uploaded online in a timely manner.
- Understanding: members of the Press who met with the CPA team noted that most Members of Parliament have a limited understanding of the important role that Media outlets can play in promoting the Legislative Assembly's work to Samoan citizens. During these conversations, it was highlighted that providing journalists with opportunities to explain their work (perhaps by being included as part of rolling learning and development schemes) would bring considerable value to improving the relationship between Parliamentarians and the Press in a mutually beneficial way that helps MPs promote the important legislative work they are carrying out and improves the quality of reporting being conducted by journalists following the Legislature's proceedings.

RECOMMENDATION 18

The Legislative Assembly should improve its provision of information and services to representatives of the Press by ensuring its website is regularly updated, establishing a dedicated Media facility on the parliamentary precinct, and providing journalists with official accreditation that enables them to freely access Parliament for the purpose of professional reporting.

10. ETHICAL GOVERNANCE

Transparency and Integrity

As already discussed in this Report, the Legislative Assembly has clear procedures in place to conduct much of its business in an open and transparent manner whereby external stakeholders have various means of following some parliamentary proceedings in both real time and post-deliberations. These should be positively acknowledged.

Where the Parliament appears to fall short, however, is in relation to how it meets various CPA Benchmarks linked to integrity. While Samoa does have an active Public Service Commission⁷¹ that aims to improve the transparency of various public services, the country does not currently have a national anti-corruption policy. Efforts are underway, however, to rectify this in line with a Samoan Government commitment to establish one outlined in its Pathway for the Development of Samoa⁷² and the current Public Sector Administration Plan⁷³. To this end, the Public Service Commission hosted a public consultation event in August 2023 with Parliamentarians and stakeholders from the private and public sectors, Civil Society, women and youth groups, and the Media in conjunction with the United Nations Regional Anti-Corruption Project (UNPRAC) and the Government of New Zealand.

RECOMMENDATION 19

The Legislative Assembly should introduce legislation to enshrine in law a national anti-corruption policy for Samoa which also establishes a relevant independent body to oversee its initial implementation and monitor its subsequent application.

70 www.palemene.ws. Parliament of Samoa. [online] Available at: <https://www.palemene.ws/>.

71 Public Service Commission. Home. [online] Samoa PSC. Available at: <https://www.psc.gov.ws/>.

72 Government of Samoa. Pathway for Development of Samoa. [online] Available at: <https://www.mof.gov.ws/wp-content/uploads/2022/02/Pathway-for-the-Development-of-Samoa.pdf>.

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Another area in which the Legislative Assembly should seek to improve the integrity of its operations is by codifying a formal Code of Conduct for Members of Parliament. While the Parliament's Standing Orders provide for one as it relates to behaviour in the Chamber (which is read out to newly-elected Members before they take their Oath of Allegiance), there is little else currently in existence that outlines standards of service which MPs should meet during their time in elected office. Similarly, the Legislative Assembly does not currently have a codified Declaration of Interests scheme which provides rules around potential conflicts of interest and the acceptance of gifts by Members of Parliament. During conversations in Apia, the CPA team learned that there was considerable appetite from a wide range of stakeholders (including at the highest political level) to introduce both schemes. This was hugely encouraging and doing so would be a strong demonstration of the Legislative Assembly taking proactive steps to establish heightened standards for conduct across Parliament, while bringing the House in line with current best practice demonstrated by other Legislatures across the Commonwealth⁷⁴.

RECOMMENDATION 20

The Legislative Assembly should introduce formal Code of Conduct and Declaration of Interests schemes for all Members to ensure that the highest standards of behaviour/propriety are adhered to in Parliament and bring Samoa in line with international best practice.



Samoaan Prime Minister (Hon. Fiame Naomi Mata'afa) and Deputy Prime Minister (Hon. Tuala Tevaga Ioesefo Ponifasio) meeting the CPA delegation

⁷⁴ [CPA Standards for Codes of Conduct for MPs and the Parliamentary Workplace.](#)

RECOMMENDATIONS

Recommendation 1: The Legislative Assembly should strengthen Samoa's Electoral Law Act and engage with external partners to ensure that the events of 2021 are not repeated so that future Parliamentary Elections held in Samoa are done so freely, fairly and in line with international best practice.

Recommendation 2: The Legislative Assembly should explore means of allowing all Samoans (whether Matai or not) to stand in future Parliamentary Elections.

Recommendation 3: Samoa's Electoral legislation should be updated to strengthen Parliament's role in selecting a Chairperson for the OEC, provide clearer provisions for how political parties report on their financing of electoral campaigns and ensure that the OEC has sufficient resources to improve its monitoring capabilities of future Parliamentary Elections.

Recommendation 4: The Legislative Assembly should update its Legislative Assembly Powers and Privileges Ordinance to enshrine in law due protections for former Members, witnesses and whistleblowers while also introducing a Citizens Right of Reply scheme in relation to adverse references made to individuals during legislative proceedings.

Recommendation 5: The Legislative Assembly should establish an Independent Remuneration Authority (separate to Samoa's Public Service) that sets the size and scale of financial recompense for Samoan legislators.

Recommendation 6: The Legislative Assembly should expand its Professional Development Programmes to include the participation of key external stakeholders and hold these periodically between General Elections to ensure that such opportunities are open to all Members of Parliament and secretariat staff.

Recommendation 7: The Legislative Assembly should commence a review of its Standing Orders at the earliest opportunity to ensure that any recommended amendments are integrated ahead of Samoa's next Parliamentary Elections in 2026. These should be published online so that members of the public can access them and ensure that the Legislature (and not the Executive) has sole responsibility for selecting its Presiding Officer. The Presiding Officer and Deputy Presiding Officer should also undergo training on their role, with a particular focus on the Parliament's Standing Orders.

Recommendation 8: The Legislative Assembly should, as a matter of urgency, publish its annual calendar online and, increase the number of sitting days held each year, adopt provisions that allow specific days in the parliamentary calendar for Opposition business and establish structures within its staff Secretariat to facilitate the introduction of Private Members Bills.

Recommendation 9: The Legislative Assembly should seek to modernise its petitions process as part of a wider review of its Standing Orders.

Recommendation 10: The Legislative Assembly should re-organise the way its Committees are structured and function to:

- Conduct by default, unless under exceptional circumstances, their meetings in public
- Ensure that a sufficient number of Committees (and as a minimum the Finance and Expenditure Committee) are chaired by Opposition Members
- Increase resources so that Committees can employ impartial external experts to support legislative scrutiny
- Provide sufficient financial funds so that Committees can undertake important public engagement activities.

Recommendation 11: The Legislative Assembly should enact legislation to establish a Parliamentary Service Commission charged with managing the internal governance and related parliamentary services for the Legislature.

Recommendation 12: The Legislative Assembly should amend its Standing Orders to provide clear mechanisms for the conducting of pre-legislative and post-legislative scrutiny.

Recommendation 13: The Legislative Assembly should introduce mechanisms of ensuring that it has oversight responsibility for Samoa's compliance with international treaties (including UN Sustainable Development Goals).

Recommendation 14: The Legislative Assembly should seek to strengthen the role it plays in scrutinising the annual budget process by establishing an independent Budget Office as part of the Parliamentary Administration.

Recommendation 15: The Legislative Assembly should ensure that a clear distinction is drawn between partisan and non-partisan staff by encouraging MPs to utilise the Government's District Development Project to establish functioning constituency offices supported by full-time officials.

Recommendation 16: The Legislative Assembly should prioritise approaches to increase women's representation as well as considering the need to strengthen existing gender quota laws to prioritise an uplift in the number of female MPs elected to the Legislative Assembly.

Recommendation 17: The Legislative Assembly should establish mechanisms for increasing its interaction with Samoan Civil Society Organisations so that they are routinely involved in the legislative process and have sufficient opportunities to represent the views of their members in political outcomes.

Recommendation 18: The Legislative Assembly should improve its provision of information and services to representatives of the Press by ensuring its website is regularly updated, establishing a dedicated Media facility on the parliamentary precinct, and providing journalists with official accreditation that enables them to freely access Parliament for the purpose of professional reporting.

Recommendation 19: The Legislative Assembly should introduce legislation to enshrine in law a national anti-corruption policy for Samoa which also establishes a relevant independent body to oversee its initial implementation and monitor its subsequent application.

Recommendation 20: The Legislative Assembly should introduce formal Code of Conduct and Declaration of Interests schemes for all Members to ensure that the highest standards of behaviour/propriety are adhered to in Parliament and bring Samoa in line with international best practice.

STAKEHOLDERS

Name	Title
Hon. Papali'i Li'o Oloipola Ta'eu Masipa'u	Speaker, Parliament of Samoa
Hon. Afioga Auuapaau Mulipola Aloitafua	Deputy Speaker, Parliament of Samoa
Hon. Fiamē Naomi Mata'afa	Prime Minister, Government of Samoa
Hon. Tuala Tevaga Iosefo Ponifasio	Deputy Prime Minister, Government of Samoa
Hon. Lautimu'ia Uelese Vaai	Minister of Finance, Government of Samoa
Hon. Faualo Harry Jeffrey Schuster	Minister of Police and Prisons, Government of Samoa
Hon. Toelupe Poumulinuka Onesemo	Minister of Communications, Government of Samoa
Hon. Tuilaepa Fatialofa Sailele Malielegaoi	Opposition Leader, Parliament of Samoa
Hon. Fonotoe Nuafesili Lauofo	Deputy Opposition Leader, Parliament of Samoa
Hon. Ali'imailemanu Alofa Tuuau	Opposition Member, Parliament of Samoa
Lesā Yonita Tuia	Deputy Clerk, Parliament of Samoa
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Mr. Fuimaono Camillo Afele	Auditor General, Samoa Audit Office
Ms. Fuimaono Beth Onesemo	Academic and Civil Society Representative
Mr. Apulu Lance Polu	Broadcaster, Journalists Association of Samoa
Professor Richard Herr	Specialist in Pacific Politics, University of Tasmania
Ms. Taulapapa Brenda Heather-Latu	British Honorary Consul and former Attorney General

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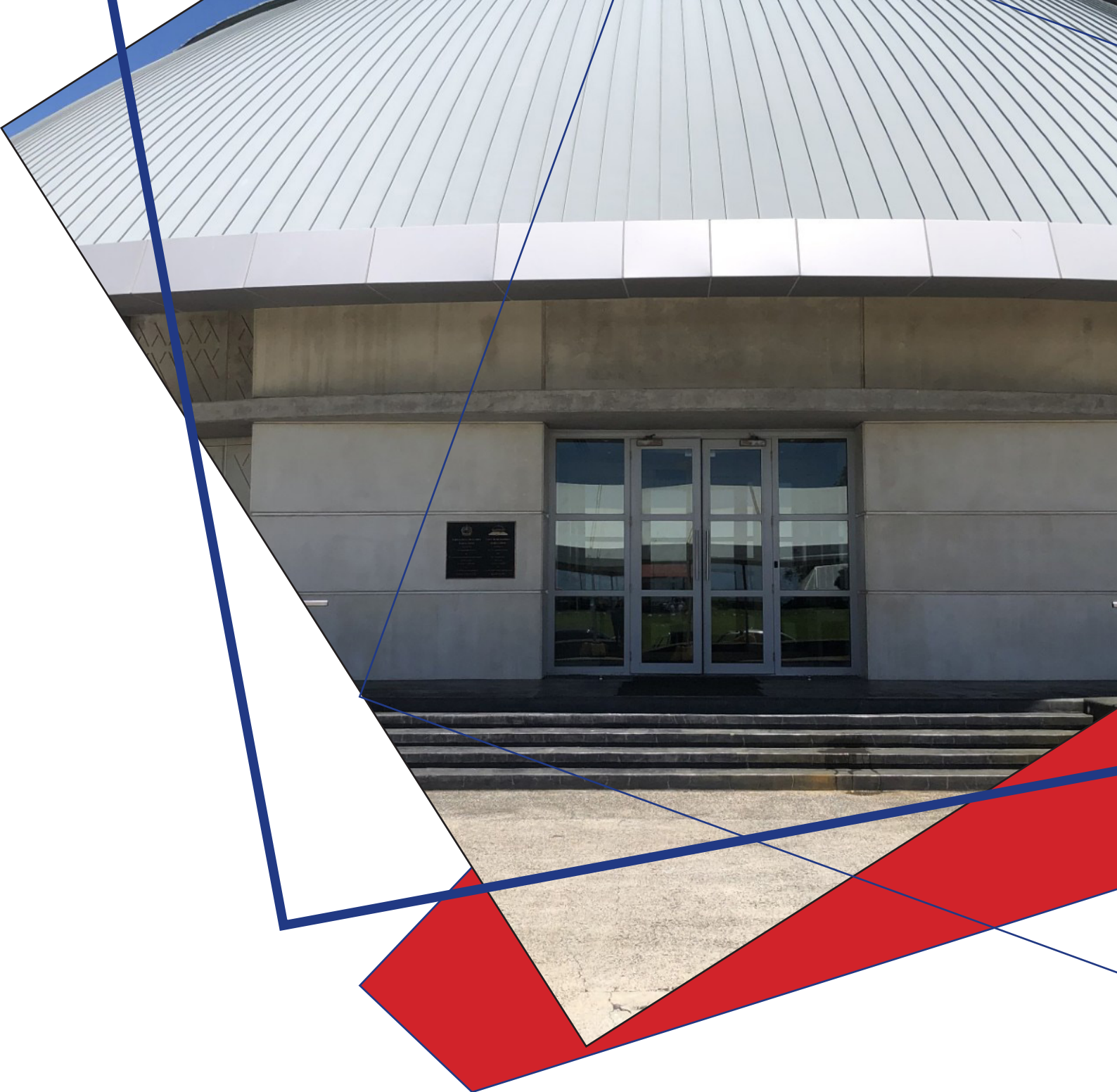


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