



## OFFICE OF THE ATTORNEY GENERAL LEGISLATIVE DRAFTING DIVISION

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### EDITORS' NOTE

**Talofa lava** and welcome to the second edition of the Legislative Drafting Division Newsletter 2013. This edition provides an update of the work and events that members of the Legislative Drafting Division have been involved in from April to June 2013. This issue, also provides an update on the laws that were passed by Parliament including significant laws such as the Prisons and Corrections Act 2013, Ombudsman (Komesina o Sulufaiga) Act 2013, Attorney General's Office Act 2013 and the Constitution Amendment Act 2013.

Aside from the normal Legislative programme, we are pleased to introduce and announce our newly appointed Assistant Attorney General—Drafting Division, Mrs. Loretta Teueli. Congratulations to her for her promotion to the helm of the Drafting Division and we wish her all the best.

Happy reading from the Office of the Attorney General and Legislative Drafting Division. *Ia manuia.*

*Theodora. F. Matalavea and Leitu Moananu  
(Law Clerks)*

### REGIONAL CONSULTATION ON STRATEGIES ON REVIEW AND PROGRESS ON VIOLENCE AGAINST WOMEN LEGISLATION NADI, FIJI: 12—13 JUNE



Loretta Teueli (Assistant Attorney General—Legislative Drafting) pictured above with other participants at the workshop. (Full report in Page 6-7).

# PARLIAMENT UPDATE

## MAY—JUNE AND REMAINING PARLIAMENTARY SITTINGS FOR 2013

MONTH	Monday (Week beginning)	Tuesday	Wednesday	Thursday	Friday
MAY	-	-	-	30th	-
JUNE	24th	18th	19th	20th	21st
AUGUST	-	6th	-	-	-
OCTOBER	-	8th	-	-	-
DECEMBER	-	17th	-	-	-

## UPDATE OF BILLS TABLED IN PARLIAMENT FROM APRIL—JUNE 2013

<u>First Reading</u>	<u>Second Reading and referred to Select Committee</u>
1. Trade, Commerce and Industry Amendment Bill 2013	1. Road Traffic Amendment Bill 2013
2. Telecommunications Amendment Bill 2013	2. National Health Services Bill 2013
3. Supplementary Appropriation Bill (No.2) 2012/2013	3. Trade, Commerce and Industry Amendment Bill 2013
4. Appropriation Bill 2013/2014	

## ACTS PASSED IN PARLIAMENT FROM APRIL—JUNE 2013

<u>Title/ Name of Act</u>	<u>Date Passed</u>
1. Prisons and Corrections Act 2013	30 May 2013
2. Ombudsman (Komesina o Sulufaiga) Act 2013	30 May 2013
3. Supplementary Appropriation Act (No.2) 2012/2013	20 June 2013
4. Appropriation Act 2013/2014	20 June 2013
5. Attorney General's Office Act 2013	24 June 2013
6. Income Tax Amendment Act 2013	24 June 2013
7. Constitution Amendment Act 2013	24 June 2013

## REGULATIONS, NOTICES & ORDERS SIGNED/MADE FROM APRIL—JUNE 2013

Title	Signed Date	Commencement Date
1. General Price Order (No. 2) 2013	2 April 2013	8 April 2013
2. Casino and Gambling Control (Fees) Regulations 2013	26 April 2013	26 April 2013
3. Customs Prohibited Imports (Turkey Tails) Order 2013	9 May 2013	10 May 2013
4. Water Resources Management Regulations 2013	13 June 2013	13 June 2013

## SUMMARY OF ACTS

### PRISONS AND CORRECTIONS ACT 2013

The Prisons and Corrections Act 2013 ('the Act') repeals the Prisons Act 1967 and provides for the re-organisation and reform of prisons in Samoa through the establishment of a Samoa Prisons and Corrections Service ('Prison Service'). The responsibility to manage prisons and prisoners will be vested in the newly established Prison Service. The Act also makes appropriate provisions to enable a smooth transfer of functions from the Samoa Police Service. Further, the Act encourages a shift of focus from the containment of prisoners to focusing more on the rehabilitation of prisoners so that prisoners may return to the community as better people. Not only in that sense, the Act encourages the use of our Samoan customs, tradition and community values in managing the prisons. The aim of such approach is that upon the release of the prisoner, he or she is able to reintegrate with ease back to the society. The Act ensures that the treatment of our prisoners are in accordance with accepted international practices and standards and consideration of various Guiding Principles when interpreting the Act, and implementing its provisions.

Other matters provided for under the Act are as follows:

- the appointment of the Head of Service ('Commissioner') and the Assistant Head of Service ('Assistant') and their respective functions and powers under the Act;
- the appointment of members and officers of the Prison Service in charge of various prisons and relevant obligations, functions and powers;
- the grounds of terminating or suspending the Commissioner, the Assistant and members of the Prison Service;
- employment related provisions (e.g. procedures for resignation from the Prison Service, entitlement, obligations relating to retirement etc.);
- the establishment of prisons, temporary prisons and corrections facility, where the Minister has the power to declare (by Order) any place, building or part of the building to be utilised as prisons;
- prisons inspections (by the Commissioner or a senior officer designated by the Commissioner, medical officers, Ombudsman, church ministers and other official visits) that required by the Commissioner to ensure that the objectives/guiding principles of this Act are adhered to;
- the exercising of impermissible punishments on prisoners such as corporal punishment, use of instruments of restraint, withdrawal of basic food rations or the complete denial of visitation rights;
- restrictions on Prison Service members, particularly in relation the use of force in certain circumstances (e.g. self defence, prevent escape etc) and the use of restraining instruments/device;
- schemes for early release—e.g. early release and pre-release programmes, weekend and short term release aiming to assist in the rehabilitation of prisoners.

### OMBUDSMAN (KOMESINA O SULUFAIGA) ACT 2013

The Ombudsman (Komesina o Sulufaiga) Act 2013 ('the new Act') re-establishes the Office of the Ombudsman and added for functions and duties to the Ombudsman, eg human rights institution, independently investigate Police Officers. The Act repeals the Komesina o Sulufaiga (Ombudsman) Act 1988 ('repealed Act').

Aside from structural changes, the new Act also provides the following significant changes:

- extension and detailed functions, duties and powers of the Ombudsman in relation to the promotion and protection of human rights. Under the repealed Act, the Ombudsman dealt mainly with investigation of administrative decisions or acts of Government Ministries and certain other organisations. In comparison, the new Act extends the power of the Ombudsman to also look into matters concerning the rights of individuals as guaranteed under Part II of the Constitution and other laws of Samoa, customary international law and treaties and conventions listed under Schedule 1 of the new Act. This new change ensures the dignity, equality and worth of individuals and also recognises that individuals have the right to life, liberty and freedom from discrimination;
- clear objectives of the Act, namely, to promote transparency, accountability and integrity in the administration and decision making of Ministries and organisations and to promote and protect human rights;
- the independence of the Ombudsman in carrying out his/her functions, duties and powers under the Act (except as otherwise required under by an order or discretion of the Court). Under the repealed Act, the Ombudsman was an officer of Parliament whereas under the new Act, it clearly points out that the Ombudsman is an independent officer of Parliament, and therefore not subject to anyone's direction (except the Courts) when carrying out his or her statutory functions and powers.

### SUPPLEMENTARY APPROPRIATION (NO.2) ACT 2012/2013

This Act contains the Second Supplementary Appropriation of **\$701,522** for the 2012/2013 Financial Year. It authorises the issuing of the grant and appropriation of \$701,522 out of the Treasury Fund to be separately appropriated according to the outputs and sub-outputs to be delivered by individual Ministries and Departments, outputs provided by Third Parties and transactions on behalf of the State in the manner specified under the First Schedule of this Act. The Act further provides for the reduction of **\$755,401** from amounts earlier appropriated for particular Ministries and Departments in the Second Schedule and for such funds to be re-appropriated in the manner set out in the First Schedule.

## APPROPRIATION ACT 2013/2014



This Act provides for the appropriation of funds of **\$549,702,468** for the Financial Year ending 30th June 2014 for Government purposes. It authorises the issuing of certain grants and appropriations out of the Treasury Fund and the Public Trustee's Account. The grant and appropriation of **\$549,702,468** is approved to be issued out of the Treasury Fund for outputs and sub-outputs delivered by Ministries/Departments, or outputs delivered by third parties or for transactions undertaken on behalf of the state. The grant and appropriation of **\$662,926** is approved to be issued out of the Public Trustee's Account for the use of the Public Trust Office (outputs and sub-outputs, salaries and other outgoings, charges and expenses lawfully incurred or payable in administering the Public Trust Office). The Act further provides for the issuing of the grant and appropriation of **\$16,491,074** out of the Treasury Fund for Unforeseen Expenditures.

## ATTORNEY GENERAL'S OFFICE ACT 2013

The Attorney General's Office (AGO) was previously under the administration of the Public Service Commission in terms of appointment and general control of the professional and administrative staff (under the Public Service Act 2004 ('PSC Act')).

Upon enactment of the Attorney General's Office Act 2013 ('the Act') the Act now significantly provides for:

- establishment of the Attorney General's Office (AGO),
- independence from the Public Service Commission,
- the functions and administration of the AGO,
- other functions, duties and powers of the Attorney General (in addition to his constitutional functions).

Although independent, the Act makes provision for the appropriate Minister to be responsible for the AGO. The provisions for functions, administration and finance cover, legal and corporate Divisions of the AGO, the management and administrative head of each Division, and their respective responsibilities, salaries and employment conditions of the AGO staff, exemption from liability, disciplinary matters, appointments, transitional and other administrative matters. Other functions, duties and powers include regulation-making powers, manuals relating to legal services, guidelines, standards, plans and reports.

The AGO held a workshop on the Act in June 2013 at Millenia Hotel to allow existing employees to familiarize themselves with the new framework of administration.

## INCOME TAX AMENDMENT ACT 2013

The Income Tax Amendment Act 2013 ('the Act') amends the Income Tax Act 2012 to give effect to the Cabinet Directives (F.K. (10)49 and F.K. (12)41) that were issued in December 2010 and November 2012, respectively. The Act exempts:

- i. individual unit holders from payment of capital gains tax;
- ii. the Unit Trust of Samoa and the Unit Trust (Management) Ltd from payment of income tax;
- iii. non-resident shareholders in Virgin Samoa Ltd from payment of income tax; and
- iv. the Virgin Samoa Ltd from payment of income tax.

The Act further clarifies that the exemption applying to (i) - (ii) above commence from 1 January 2010 with retrospective effect; and the last exemption applying to (iii) - (iv) are taken to have commenced from 1 January 2008 with retrospective effect and ending on 31 December 2012.

## CONSTITUTION AMENDMENT ACT 2013

The Constitution Amendment Act 2013 ('the Act') amends Articles 44 and 83(g) of the Constitution of Samoa. The main purposes of the Act are:

- to provide for a minimum number of female Members of Parliament in order for Samoa to meet the United Nations Millennium Development Goals (MDGs) targeted for 2015 (the goal is to have more women in Parliament); and
- to exclude the officers and employees of the Attorney General's Office from the jurisdiction of the Public Service Commission.

The amendment to Article 44 relates to the fixing of the number of women representatives in Parliament to not less than 10% of the total Members of Parliament. This new amendment allows and guarantees 5 seats in Parliament to be occupied by women to be effective from the next General Elections. Such amendment enables, encourages and empowers women to take up leadership roles in Parliament.

The Act also provides for the circumstances when there is no woman or some of the women are, elected as Members of Parliament or when there is an equality of votes of women candidates, and when there is a vacancy in a seat held by a woman. In the event that there is no woman elected, the prescribed number of 5 women will be selected as "additional Members" (AM) of Parliament and these "AM" will be selected from women candidates with the highest number of votes on average. If a woman candidate is elected as an AM (irrespective of a woman candidate being elected to that constituency), no other woman candidate from the same constituency shall become an AM unless the numbers do not make up the required 10% of women in Parliament. In cases where 2 or more women candidates have equal votes, the AM will be selected by lot before the Electoral



Commissioner with the presence of the candidates or their authorised representatives and at least 2 police officers. In the case where an elected woman seat becomes vacant but won by a man, a woman candidate at that by-election or the last by-election or general election will be selected as an AM.

The amendment to Article 83(g) of the Constitution removes the officers and employees of the AGO from the control of the Public Service. This amendment is further implemented by the enactment of the AGO Act 2013 (please refer to the summary of AGO Act 2013). Significantly, Samoa is the first Pacific Island Country to have passed a law providing for the minimum number of women in Parliament. This initiative has shown that Samoa is a country that is supportive and respects the rights of women in Samoa. The Act was passed on 24 June 2013 with 44 votes, without any opposing. The Act is set to commence on the date of assent by the Head of State except for section 2 which will commence on polling day of the next General Elections.

## EVENTS OF APRIL

### COMMUNITY BASED REHABILITATION WORKSHOP (INCLUSION OF PERSONS WITH DISABILITY IN COMMUNITIES) 12—14 JUNE, SAMOA CONFERENCE CENTRE, APIA



The Office of the Attorney General was invited by Nuanua o le Alofa (NOLA) to participate the above Workshop. The Workshop aims:

- to increase knowledge and capacity in relation to Community Based Relation (CBR); and
- promote CBR as a strategy to help realise the Convention on the Rights of Persons with Disability ('Convention') in Polynesian countries which Samoa is still not a party to.

The Pacific Disability Forum (PDF) in partnership with the World Health Organisation (WHO) and the Pacific Islands Forum Secretariat (PIFS) hosted the first sub regional CBR Workshop. The Workshop was financially supported by the WHO. Other participants of the Workshop were from Cook Islands, Tonga, Tuvalu, and American Samoa. In the official opening and launching of the Workshop:

1. Ms Pauline Kleinitz of WHO provided a summary of the World Report on Key Findings and Recommendations on Disability (the first world report on disability);
2. Mr Chappal Khasnasbis of WHO provided a key note address on the role of CBR in achieving the rights of people with disability;
3. Mr Setareki Macanawai (Chief Executive Officer of the PDF) provided a summary on the collaboration across the Region and between stakeholders (government, disability regional offices, Disability Providers Organisations DPOs and the community);
4. Ms Faatino Utumapu of NOLA presented on the perspective from the Samoan Disability. During Ms.Utumapu's presentation she stated that changing the communities perspective on disability in Samoa can only be accommodated with the assistance of legislative change and one of the many problems faced by People with Disability ("PWD") is having ineffective policies in place.

The Workshop was divided into 11 sessions each covering different areas of the CBR programme. At the end of each session, interactive

discussions were held amongst participants to share ideas/views and understanding on the topics covered. In the last 2 days of the Workshop, participants were asked to discuss ways to establish CBR programs and to provide a roadmap on problems faced by PWD, effects of those problems on PWD and objectives and goals. The main problem faced by Samoa is the inaccessibility of PWD to health, employment, infrastructure, information and education services ('essential services'). According to Samoa's participants, the ultimate goal for Samoa is to achieve access to what is inaccessible for PWD and to remove the barriers faced by PWD. To achieve this goal, Samoa will have to ratify and domesticate the Convention. The objective will also change the perspective and raise awareness of Samoa's community in catering for the needs of PWD.

However, according to Ms Kleinitz, ratifying and domesticating of the Convention into our laws will take a long time. CBR on the other hand is important, as it is an action plan that has a realistic approach touching the lives of PWD every day and can be implemented now. It is a strategy which can be used as groundwork for Samoa in preparing to ratify the Convention. The challenge for Convention is making the rights of PWD enforceable. CBR focuses mainly on how we use resources that we have now to provide an inclusive, barrier free and rights based society for PWD. CBR also has strong links with Convention and our Regional Disability Framework. CBR does not focus on services provided in urban areas but services to be taken out to rural areas. CBR incorporates the following Articles under the Convention:

- Article 4—General obligations;
- Article 19—Living independently and being included in the community;
- Article 20—Personal mobility;
- Article 25— Health; and
- Article 26—Habilitation and rehabilitation.

For Samoa to benefit from CBR in the long run there needs to be:

- a change in laws, policies, institutions and the environment to enable access to all mainstream systems and services;
- investment in programmes and services for PWD, to improve functioning and independence, as well as fostering participation in our community;
- involvement by PWD in formulating and implementing policies, laws and services. PWD should be consulted and actively involved;
- improvement of human resource capacity to provide effective education, training and recruitment – where the content on disability and human rights principles is incorporated in curriculum. (This is also achievable for Samoa as this is covered by the Australia Pacific Technical College (APTC) under the Certificate of Disability Level III);
- adequate and available funding and improvement in cost of publicly provided services to be affordable for PWD;
- an increase public awareness and understanding about disability to help confront negative perceptions of disability;
- an improvement of the availability and quality of data on disability and
- more information based research on disability.

## **REGIONAL CONSULTATION ON STRATEGIES ON REVIEW AND PROGRESS ON VIOLENCE AGAINST WOMEN (VAW) LEGISLATION NADI, FIJI—10-13 JUNE**

Loretta Teueli from the Attorney General's Office (AGO) together with Kaisarina Salesa (Senior Legal Analyst, Samoa Law Reform Commission (SLRC)), Nola Warren (Ministry of Women, Community and Social Development (MWCSD) and Pa'i Mulitalo (Samoa Victim Support Group) (SVSG)) attended the above Consultation in Fiji, as representatives of Samoa. The Consultation was conducted by the Regional Rights Resource Team (RRRT) of the Secretariat of the Pacific Community (SPC). It is the 5th of such Consultation since 2009 and is part of SPC RRRT's program to develop and support comprehensive integrated legislation addressing all forms of violence against women (VAW). RRRT have been advocating the issue of VAW in the Pacific for quite some time now and the reason for this initiative is due to the law not appropriately addressing the issue of VAW.

The outcome from the RRRT findings is that effective legislative reform is required to address VAW. This is a general and comprehensive approach in changing legislation taking into account the current situation surrounding this issue stemming from the reporting stage right through to the implementation stage. The main objectives of the Consultation were:

- to provide an overview and assessment of the status of VAW;
- to share the lessons learnt on National Committees formed and national consultations conducted;
- to share key lessons on law reform strategies undertaken in countries;
- to review progress and develop advocacy; and
- to develop and enhance capacity in developing implementation plans progress towards legislative reform.

The representatives from Samoa presented and provided an update on what Samoa has done so far in relation to VAW. Countries in the region applauded Samoa for the successful passage of both the Crimes Act 2013 and the Family Safety Act 2013. The Crimes Act in particular,

comprehensively addresses issues of VAW in the reform including the criminalising of:

- sexual abuse or rape within marriage (something which was specifically exempted under the repealed Crimes Ordinance 1961);
- human trafficking; and
- cyber crimes which extends to cyber bullying.

#### **Lessons learnt from other Pacific Island countries**

The Fiji Domestic Violence Decree ('Decree') is very similar to the Family Safety Act 2013. Already, the application of the Decree has shown loopholes in that males are able to manipulate the system by preempting females from applying for a protection order under the Decree. Whilst this may be a lesson for Samoa, we appreciate that perhaps this may not happen to the application and monitoring of the Family Safety Act in Samoa, because of the different political and Government situations.

During the implementation plan session, the comparison of the progress on work done within countries addressing VAW issues showed that there is a great need for Samoa to push through with a follow up survey on the Family Health and Safety Study to review the results of the first study. This is also a good opportunity to evaluate the current status of VAW issues today.

#### **Way forward**

Samoa's representatives reported that Samoa is in the progress of domesticating the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). This is included in Samoa's Plan of Action for the Women's Policy 2010 – 2015 released by the Ministry of Women Community and Social Development. The Samoa Law Reform Commission is currently awaiting the new financial year to begin extensive stakeholders consultations based on its Issues paper for CEDAW compliance.

In terms of other legislation that are needed for the implementation of the Family Safety Act 2013, it is envisaged that regulations will need to be drafted setting out fees for the procedures required under the Act and any other matters in order for the Act to be fully implemented and for it to be useful to those that are intended to be protected under the Act. The Regulations will need to be drafted in collaboration with the relevant implementing Ministries, the Ministry of Justice and Courts Administration (MJCA) and MWCSD.

### **ELECTRONIC FILING SYSTEM TRAINING** (CONFERENCE ROOM, MINISTRY OF JUSTICE AND COURTS ADMINISTRATION—20 JUNE 2013)

Fetogi Vaai (Principal Legislative Drafter) and Leitu Moananu (Law Clerk) of the Legislative Drafting Division attended a one day Training on electronic filing system. The Training was held at the Conference Room of the Ministry of Justice and Courts Administration (MJCA) on 20 June 2013. The Training was conducted by four members from the Ministry of Justice of New Zealand (MJNZ) in collaboration with the MJCA (Samoa). The presentation delivered by the members of MJNZ was basically an introduction of the electronic filing system that will be adopted by the MJCA (Samoa). The system involves the flowing or the movement of information between the Ministries (Ministry of Police and Prison Services and MJCA) and the introduction of electronic files for judges. The latter aims at overcoming the problem of time consuming in terms of filing an application and granting an order by Court. Members from the MJNZ were attached to the MJCA for one week and assisted the MJCA with their new electronic filing system. The MJCA electronic filing system is one of the branches which includes the AUFA MAU project by the Law and Justice Sector.



### **MENTORING PROGRAMME FOR THE OFFICE OF THE ATTORNEY GENERAL** (4 JUNE—10 AUGUST 2013)

The Office of the Attorney General has an ongoing Mentoring Programme that engages experienced lawyers from New Zealand and Australia to provide mentoring for the lawyers of the Attorney General's Office (AGO) and Government Ministries.

Under this programme the Drafting Division was able to enlist Ms. Gillian Mary James who is currently a Parliamentary Counsel (PC) from New Zealand as a mentor. Ms James works for the Parliamentary Counsel Office in New Zealand and has been there since 2008. She has been practising as a lawyer for 27 years and a Legislative drafter for 5 years. She started her mentoring Programme in the AGO on June 4 and will be attached for 2 months in the Division.

Ms James specializes in the area of Environmental Law and previously worked as a senior lawyer for the New Zealand Ministry of Environment and the Office of the Parliamentary Commissioner for Environment before she became a PC. In her role as Parliamentary Counsel she has drafted various legislation and regulations relating to environment (i.e. Environmental Protection Authority Act 2011, Marine Legislation, Climate Change etc). During her time in our Division she will provide assistance and mentoring to the junior drafters in their work. She has also provided assistance with some of the Bills that the team is currently working on.





## ATTORNEY GENERAL'S OFFICE NEW EMPLOYMENT WORKSHOP (MILLENIA HOTEL—28 JUNE 2013)



*Attorney General, Ming C. Leung Wai with the Management and staff members outside Millenia Hotel*

The passing of the Attorney General's Office Act 2013 ('the Act') effectively removed the staff of the Attorney General's Office (AGO) from the jurisdiction of the Public Service Commission (PSC). As such, the AGO staff and employees are now independent from PSC and no longer guided by or subject to the PSC guidelines and employment conditions. These new changes led to the conducting of a one day Workshop for the AGO. The Workshop was held at the Millenia Hotel and organised by the Management Committee of the AGO. The aims of the Workshop were:

- to build awareness of the AGO staff and employees of the Act and new employment conditions;
- to consult the staff and employees regarding the new changes and how to improve and develop the proposed employment guidelines;
- to discuss and provide an overview of the Act;
- to discuss the Employment Guidelines 2013 for the AGO;
- to discuss having contracts for the staff and employees;
- to discuss the Social Committee new policies and proposed activities for the AGO; and
- to build teamwork.

The AG gave the keynote address of the day and congratulated the whole Office on this achievement. Presentations were also delivered by the senior members of the AGO. The first presentation was delivered by Ms. Loretta Teueli, (Assistant Attorney General—Drafting) who presented on the Act. The second presenters, Michael Wulf (Principal Human Resource) and Rupeni Nawaqakuta (Legislative Drafting Advisor) presented on the draft Employment Guidelines for the AGO. The last presentation was conducted by Ms. Tiffany Nelson (Senior State Solicitor—Civil) who presented on the draft contracts proposed for all legal and administrative staff and employees.

The presentations were basically to inform and give awareness to the staff and employees of the new changes relating to the AGO working conditions that will be adopted along the way as a consequence of the Act.

Issues relating to the commencement date, employee entitlements and duration/terms of contract for each employee and other matters concerning work conditions were also discussed during the Workshop. The Workshop concluded with teamwork activities followed by afternoon tea.

### LORETTA TEUELI—NEW ASSISTANT ATTORNEY-GENERAL (DRAFTING)

**CONGRATULATIONS** to our newly appointed Assistant Attorney-General (Legislative Drafting Division (LDD))—Ms. Loretta Teueli. Note that this post was formerly known as "Parliamentary Counsel". Loretta commenced her role as Assistant Attorney-General (AAG) on 17 June 2013. She has been with the AGO since 2005 and has been with the LDD ever since. Before she became the AAG she held the position of Legal Consultant for Government Ministries within the LDD. She is now supervising the work of the LDD and we wish her all the best in her new position.

*"Manuia ou faiva, o ou mama na!"*





## ADMISSION TO THE BAR

*“Lawyers should maintain the highest ethical standards to people who seek legal advice”, says His Honour Chief Justice Patu Falefatu Maka Sapolu*



(From left): Leitu Moananu, Liaina Mafaufau, Elia Tulifau, Brigitta Faafiti, Ofisa Tagaloa and Theodora Matalavea.

The newly admitted lawyers were sworn in on June 7 by His Honour Chief Justice Sapolu. The Acting Attorney General Muriel Theresa Lui moved the admission of Liaina Mafaufau, Elia Tulifau, Brigitta Faafiti, Ofisa Tagaloa Theodora Matalavea and Leitu Moananu. All motions were supported by the Secretary of the Samoa Law Society.

*“Malo le taumafai, o le faamoemoe ua taunuu, o le laau o le soifua lea.”*

*“Don’t stop learning law when you graduate...the best way to learn law is in practice. It’s a matter that takes time, patience and perseverance.”*  
(His Honour Chief Justice Patu Falefatu Maka Sapolu)

## FAREWELL TO SENIOR BILLS OFFICER—MAKERETA VAAELUA

The Legislative Drafting Division bid farewell to **MAKERETA VA’AELUA** who was working as Senior Bills Officer. Ms. Makereta has been working for the Attorney General’s Office for almost 2 years before taking over her new post as Deputy Returning at the Office of the Electoral Commissioner. We were very fortunate to have Makereta and wish her all the best with her new calling.

*“Alofa le Atua ma foai atu le mau tele aua le feagai ai o oe ma galuega ua valaauina ai”.*

## UPCOMING EVENTS

- Legislative Drafting Division Training by Gillian Mary James on “Plain Language Drafting” on 18th July.
- Parliament Session in August 6th, October 8th and December 17th 2013.

## MEMBERS OF THE LEGISLATIVE DRAFTING DIVISION

*Ming C. Leung Wai*, Attorney General  
*Loretta Teueli*, Assistant Attorney General—Legislative Drafting  
*Rupeni Nawaqakuta*, Legislative Drafting Advisor  
*Constance Tafua-Rivers*, Legal Consultant—Government Corporations  
*Salote Peteru*, Principal Legislative Drafter  
*Fetogi Vaai*, Principal Legislative Drafter  
*Sioa Sioa*, State Solicitor  
*Martha Papalii*, State Solicitor  
*Theodora F. Matalavea*, Law Clerk  
*Leitu Moananu*, Law Clerk  
*Nina Tala*, Part-time Law Clerk  
*Losa Kelekolio*, Senior Legal Secretary

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