



THE REFORMER

The Official Six-Monthly Newsletter of the Samoa Law Reform Commission

Message from the Acting Executive Director



Sheliza Tapuai
ACTING EXECUTIVE DIRECTOR

The second half of 2022 (July - December 2022) brought about challenges for the Commission to overcome, some lessons to be learned and achievements to be celebrated.

Despite a continued decline in the number of the Commission's staff, we chose to press through together to meet our set targets as best as we could. In July, the Commission kicked off with the submission of its Final Report for the Review of the Family Laws of Samoa for Cabinet's endorsement. The Commission then moved to re-structure its law reform projects from the month of August based on its current capacity. Unfortunately, in the month of September, the Commission said its farewell to its former Executive Director, Afioqa Telei'ai Dr. Lalotoa Mulitalo.

Although it was a tough transition period for the Commission, we acknowledge the help of our Almighty God who has guided the journey of the Commission to this day. We are thankful to God for how He has helped build unity and resilience within the Commission through the challenges He allowed us to go through, and we are grateful to be able to look back and see highlights, successes and achievements that we can now celebrate. All glory to God!

The Commission is thankful to the people of Samoa in our village communities, all the Government Offices and Agencies, as well as the Commission's partners and stakeholders for all the continuous support in the work of the Commission. We will continue to strive to address each TOR to respond to and serve the needs of our people and Government. The Commission looks forward to your continued support and contribution in the reform of the laws of Samoa, the Samoan way!

GOD BLESS!

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REVIEW OF THE FAMILY LAWS OF SAMOA

The Review of the Family Laws of Samoa was initiated in response to a recommendation from the Judiciary (during the Commission's consultations for its Review of the Fabric of Laws of Samoa in 2017) that the family laws of Samoa were in dire need for review and updating. After several preliminary discussions with the Ministry of Justice and Courts Administration (MJCA) as the administrator of the family laws, it was agreed that the Commission leads this Review. A Terms of Reference was developed by SLRC and consequently approved by the Office of the Attorney General in 2018. The six (6) family laws reviewed are as follows:

1. *Infants Ordinance 1961;*
2. *Marriage Ordinance 1961;*
3. *Divorce and Matrimonial Causes Ordinance 1961;*
4. *Maintenance and Affiliation Act 1967;*
5. *Family Safety Act 2013; and*
6. *Family Court Act 2014*

The Commission followed the six (6) stages law reform process for the Review of the Family Laws of Samoa. The following stipulates the progress of this Review for the period of this newsletter July - December 2022:

STAGE OF THE LAW REFORM PROCESS	DATE	DETAILS OF PROGRESS
Stage 6 Final Report	1 July 2022	The Final Report was submitted to Cabinet for endorsement
	17 August 2022	The Commission received FK (22) 30 from Cabinet noting the Review of the Family Laws Final Report and instructing the Commission to carry out further consultations with other Government agencies and stakeholders and to report back to Cabinet
	October - December 2022	The Commission's further consultations pursuant to (FK (22) 30)
	(i) 31 October 2022	Samoa Bureau of Statistics (SBS) - Births, Deaths and Marriages Registration Division (BDMR Division)
	(ii) 8 November 2022	Ministry of Health (MoH)
	(iii) 11 November 2022	Ministry of Justice and Courts Administration (MJCA) and Scientific Research Organization of Samoa (SROS)
	(iv) 21 November 2022	Meeting with the Honorable Senior District Court Judge
	(v) 9 December 2022	Further consultations with Members of the Judiciary - District Court Judges
	(vi) 13 December 2022	Samoa Bureau of Statistics (SBS) and Ministry of Justice and Courts Administration (MJCA)
	15 December 2022	The Review of the Family Laws of Samoa Final Report was re-submitted to Cabinet as per FK (22) 30
23 December 2022	The Commission received FK (22)49 presenting Cabinet's approval of the Final Report for the Review of the Family Laws of Samoa.	



Afioga Telei'ai Dr. Lalotoa Multitalo
Executive Director

[19 June 2017 - 13 September 2022]

Afioga Telei'ai Dr. Lalotoa Multitalo was the third Executive Director for the Samoa Law Reform Commission.

Telei'ai throughout her years as the Executive Director contributed immensely into the review, reform and development of the laws of Samoa through multiple law reviews initiated in the Commission. She was always generous in imparting her wealth of knowledge into the professional as well as personal development of the staff of the Commission, both in the Legal Division and Corporate Services Unit. One of the main lessons learned from Telei'ai is the importance of remembering our identity (who we are as Samoans), our values and culture in the daily performance of our services (tautua) to the Government and people of Samoa.

Although difficult for the Commission to farewell yet another great leader, the Commission are grateful for the time and opportunity we had to learn from Telei'ai and her leadership.

Alofaaga mai le Pulega ma le auaigaluega uma a le Komisi o le Toefuataiga o Tulafono a Samoa mo lau Afioga Telei'ai. We wish you all the very best in your next calling, as Lord may direct.



Uiese Falaniko (Driver)

[22 February 2021 - 11 November 2022]

Mr. Falaniko commenced work at the Commission on the 22 February 2021 as the Driver. The Commission commended his hard work and wish him well on his next calling.

NEW RECRUITS



Philia Leleimalefaga

Principal Accounts/Administration Officer

Philia Leleimalefaga commenced work at the Commission on 5 September 2022 as the Principal Accounts and Administration Officer.

The Commission is pleased to welcome Ms. Leleimalefaga and look forward to working with her in the future.

1. Review of the Arms Ordinance 1960

This Review was requested by the Ministry of Police, Prisons and Correctional Services (MoPPCS) in 2019 stating that this law, as a pre-independence law requires updating to allow the MoPPCS to implement its duties and functions in line with current practices to suit the context of Samoa. A Terms of Reference (TOR) was developed following preliminary consultations between the Commission and the MoPPCS, and was later endorsed by the OAG in (Stage 1 - TOR).

The Commission commenced its preliminary research (Stage 2 - Preliminary Research and Consultations) on this Project in the FY 2020-2021. This was put on hold due competing work priorities needing urgent attention and assistance by the Commission.

In June 2022, the Commission re-commenced this Review and therefore re-commenced its preliminary research and consultations.

On 17 November 2022, the Commission carried out a refresher meeting with the MoPPCS as the administrator of this Ordinance to confirm any further issues (within the scope of the TOR) to be considered in this review whilst the Review is still at its early stages. The Commission continues to liaise with the Ministry for the relevant information to guide and inform the Commission's preliminary research and consultations.

The next issue will report on the progress of this review.

2. Review of the Traffic Laws of Samoa

In 2019, there was a notable increase in the number of traffic related incidents in Samoa. A preliminary legislative review by the Commission submitted to the Former Honorable Prime Minister highlighted the need for a full review of Samoa's traffic laws.

Upon the Commission's proposal, the Former Honorable Prime Minister approved a Terms of Reference on 29 July 2019 for the Commission to conduct a full review of the Traffic Laws of Samoa.

The Traffic Law Review focuses on the following laws:

- Road Traffic Ordinance 1960 (including Regulations, Orders, Rules);
- Road Traffic (payment of Fines) Act 2009 (including Regulations, Orders, Rules); and
- Road Transport Reform Act 2008 (including Regulations, Orders, Rules).

The Commission is currently finalizing the Discussion Paper and is anticipated to submit to Cabinet for their approval in January 2023.

Public and stakeholders' consultations are anticipated on the second half of this financial year 2022 - 2023.

COMMENTS/FEEDBACK BY THE COMMISSION

From July to December 2022, the Commission provided comments and feedback in relation to 3 (three) requests from other Government Ministries. These type of requests usually require that the Commission researches and formulates its own views and feedback on a legal query or issue.

The Commission has endeavored to respond speedily and effectively following its legal research and analysis. The following Table attempts to highlight the nature of requests received, upon which legal reviews were undertaken and responses made.

NAME OF REQUEST	DATE RECEIVED	DATE OF COMPLETION
Validation of Mapping and Analysis of National Cybercrime Laws in Samoa	11 July 2022	26 July 2022
Research - Supreme Court and District Court Civil Procedure Rules - Rules in the Tables of Samoa Acts, and Ordinances and Statutory Regulations, as at 31 December 2020	5 July 2022	24 August 2022
Land and Titles Amendment Bill 2022	10 November 2022	17 November 2022

CONFERENCES, WORKSHOPS & TRAININGS

COMMUNITY INVOLVEMENT

Legal

Training/Course Title	Provider	Date	Location	SLRC Employee
Legislative Online Drafting Course	London University	26 June - 15 July 2022	Online Training	Sheliza Tapuai & Lizatalei Hakai
Gender Equality Workshop	Ministry of Women, Community and Social Development in partnership with UNDP	19 - 20 July 2022	Le Lava Hotel	Lizatalei Hakai
Public Consultations on the Final Draft Bill of the National Digital Identity System in Samoa	Samoa Bureau of Statistics (SBS)	19 July 2022	Taumeasina Island Resort Conference Room	Lizatalei Hakai
Inaugural Pacific Regional Law Enforcement Conference 2022 - Disrupting Crime in the Pacific: Strengthening a Network to Defeat a Network	Australia Pacific Technical College	1 - 4 August 2022	Denarau, Fiji Islands	Telei'ai Dr. Lalotua Mulitalo
International Labour Standard (ILS) Report Training	Ministry of Commerce, Industry and Labour	19 October 2022	MCIL Conference Room	Hope Crichton

Corporate Service Unit

Training/Course Title	Provider	Date	Location	SLRC Employee
Report Writing in the Public Service Commission Training	Public Service Commission	06 - 09 September 2022	PSC Conference Room	Toval Filipo
Online Capacity Building sessions for Human Resource Focal Points	Public Service Commission	07 & 21 September & 12 October 2022	Virtual - SLRC Conference Room	Leaumoana Salima, Philia Leleimalefaga and Fugalaau Siaki
ICT Policy Development and Implementation Training Workshop	Ministry of Communication, Information and Technology	04 - 07 October 2022	Taumeasina Island Resort	Ernest Amosa
Data Privacy and Protection Training	Ministry of Communication, Information and Technology	24 - 26 October 2022	TATTE Conference Room	Ernest Amosa
Building Effective Leadership in the Public Service Training	Public Service Commission	25 - 28 October 2022	Samoa Shipping Corporation Conference Room	Tovale Filipo
Cyber SMART Samoa Week Campaign	Ministry of Communication, Information and Technology	01 - 04 November 2022	TATTE Conference Room	Ernest Amosa

SLRC Internal Trainings

Training/Course Title	Provider	Date	Location	Participants
Refresher Training on Working Conditions & Entitlements 2015	Philia Leleimalefaga	03 November 2022	SLRC Conference Room	All Staff
Awareness on ILS Report Writing & Gender Equality Workshop	Hope Crichton & Lizatalei Hakai	10 November 2022	SLRC Conference Room	All Staff
Knowledge Sharing on Report Writing & Refresher on PMS	Tovale Filipo & Fugalaau Siaki	17 November 2022	SLRC Conference Room	All Staff

Public Service DAY

30 September 2022

The Commission participated in the PS March on the 30 September 2022. Following the march was the booth display where our reports and awareness brochures were presented for the public. To further celebrate the PS Day, the Commission participated in an internal Corner's Contest, where each staff member were asked to link their work to the theme of this year's PSC Day Theme, "Spirit of Service' The SLRC Staff decorated their corners with different quotes from the bible, lights, drawings etc.



MALU I FALE CAMPAIGN

28 November 2022

The Commission participated in the Malu i Fale National Campaign led by the Ministry of Women on the 28 November 2022. This campaign was a collective approach to raise awareness officially launched for the purpose of awareness to stop violence against women and girls on the 28 November 2022.



SLRC CORNER

EXECUTIVE DIRECTOR'S FAREWELL 13 September 2022



ADMISSION TO THE BAR 30 August 2022



Fa'au'u Kolia and Hope Crichton, the Commission's Legal Analysts were admitted to the Bar and entered into the Roll of Barristers and Solicitors of the Supreme Court of Samoa on the 30th August 2022.

Congratulations once again to you both for another milestone achieved. God bless and guide you both in your journeys. Viia le Atua!

TOA SAMOA FINALS 18 November 2022

FAIGALOTU 31 August & 30 November 2022

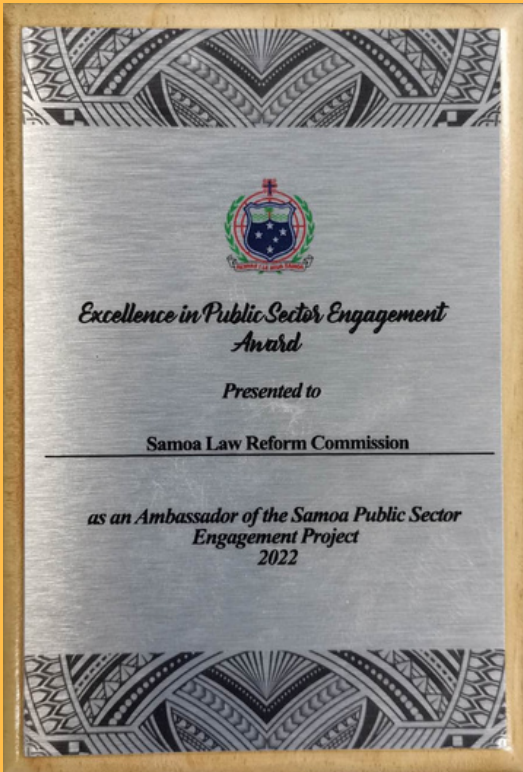


SOCIAL ACTIVITIES



SLRC GOLDEN PAGE

The Year 2022 has ended on a good note for our small SLRC Family. SLRC has been Awarded the Excellence in Public Sector Engagement and certifies by the Public Service Commission as an Ambassador of the Samoa Public Sector Engagement Project 2022.



The Award was presented during the International Anti-Corruption Day, 9th December 2022.



The Commission would like to dedicate this award to all our partners for your support and also to the staff of the Commission for all the hard work!

'Aua lava ne'i ia te i tatou, ae ia fo'i le viiga i le Tama o le Lagi!

HAVE YOUR SAY



Q -
How to give the Commission my Feedback?

A -
Send us through letter, email or join us at our public consultations in Upolu or Savaii.

Contact us

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