



THE REFORMER

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

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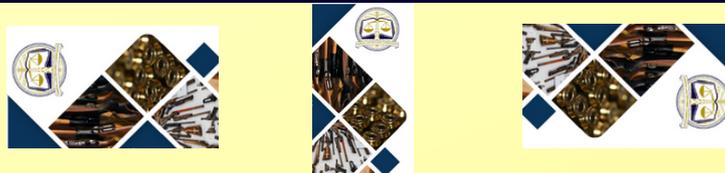
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REVIEW OF THE ARMS ORDINANCE 1960

The Review of the Arms Ordinance 1960 was requested by the Ministry of Police, Prisons and Correctional Services (MoPPCS) in 2019. The MoPPCS expressed that as the Arms Ordinance 1960 (AO 1960) is a pre-independence law, some timely updates and reforms are required to be in line with changes in Samoa. A Terms of Reference (TOR) (developed by SLRC and MoPPCS) was approved by OAG on 20 January 2021.

As highlighted in the last Issue, the Commission completed and submitted its Discussion Paper for the Review of the AO 1960 for Cabinet’s approval on 20 October 2023. On 25 October 2023, Cabinet in its Directive FK(23)42 endorsed our DP for around the country public consultations. The Commission conducted a total of 12 Public Consultations in Upolu in the months of November - December 2023, and will move its Public Consultations to Savaii in early 2024.

As per usual, the Commission follows its 6-Stage Law Reform Process in its major law review projects. The following highlights the progress of this Review for the period of this Newsletter (July-December 2023).

Further consultations with stakeholders are anticipated in early 2024 before developing a Final Report with recommendations for reform.

STAGE OF THE LAW REFORM PROCESS	DATE	DETAILS OF PROGRESS
Stage 3 Discussion Paper	September 2023	The Discussion Paper has completed.
	16 October 2023	Discussion Paper sent for Minister of Justice and Samoa Law Reform Commission endorsement
	18 October 2023	Discussion Paper approved by Minister of Justice and Samoa Law Reform Commission
	20 October 2023	Discussion Paper submitted for Cabinet’s approval
	25 October 2023	Discussion Paper approved by Cabinet pursuant to FK (23) 42
Stage 4 Stakeholder and Public Consultations	UPOLU PUBLIC CONSULTATIONS	
	27 November 2023	Public Consultations at Tuutuuiloloto Hall at Mulivai for the districts of Vaimauga 1 - 4.
	28 November 2023	Public Consultation at Vaitele-uta, Methodist Church Hall for the districts of Faleata 1 - 4.
	29 November 2023	Public Consultation at Faleula, EFKS Hall for the districts of Sagaga 1 - 4
	30 November 2023	Public Consultation at Fasitoo-tai EFKS Hall for the Districts Aana Alofi 1 - 4
	01 December 2023	Public Consultation at Manono-uta Methodist Hall, for the Districts of Aiga ile Tai, Falelatai & Samatau
	04 December 2023	Public Consultation at Tafagamanu Methodist Hall for the Districts of Lefaga & Faleaseela
	05 December 2023	Public Consultation at Saanapu EFKS Hall for the Districts of Safata 1 & 2 and Siumu
	06 December 2023	Public Consultation at Saleilua EFKS Hall for the Districts of Falealili 1 & 2
	07 December 2023	Public Consultation at Aufaga EFKS Hall for the Districts of Lepa & Lotofaga
	08 December 2023	Public Consultations at Saleaumua EFKS Hall for the Districts of Aleipata Itupa i Luga and Aleipata Itupa i Lalo
	11 December 2023	Public Consultations at Lona Fagaloa EFKS Hall, for the District of Vaa-o-Fonoti
12 December 2023	Public Consultations at Leusoalii EFKS Hall, for the Districts of Anoamaa 1 & 2	
13 - 22 December 2023	Compilation of Upolu Public Consultations Submissions from Questionnaires, Brown Papers and Recorders	



Sheliza Tapuai

**Afioga Tapuai Leauanae Sheliza Tapuai
Acting Executive Director**

Talofa to all the partners of the Samoa Law Reform Commission. This is Issue 1 for the year 23/24 highlighting the work of the Commission in the last 6 months (July – December 2023).

I acknowledge the hard work and dedication of our Team in the last 6 months, at the end of which we were able to meet our set workplans. Some of our collective achievements as a team include, but are not limited to the following:

- completion and submission of our Review of the Arms Ordinance 1960 Discussion Paper for Cabinet approval, through the Commission’s Honourable Minister;
- approval of our Discussion Paper by Cabinet for around the country public consultations;
- completion of 12 public consultations for the Review of the Arms Ordinance 1960 in Upolu.

E le itiiti lava le agaga fia faafetai o le Komisi nei i a matou paaga; mo galuega fai faatasi aua lava le taumafaiga o galuega iloilo i tulafono a Samoa.

- Lau Afioga i le Tamaitai Minisita o le Komisi, malo le ta’ita’i, malo le pale! Faafetai le fesoasoani i tiute uma o le Komisi!
- Le paia ma le mamalu o Samoa, faafetai le tali mai i taimi o a tatou faatalatalanoaga faalauaitele i taimi taua aemaise le tofa e sasaa mai i sa matou tatalo ma se faatalauula atu!
- Le loaloa o Ofisa ma Matagaluega a le Malo, faafetai tele le tali mai i taimi e saili atu ai la outou fesoasoani i ni faaumauga manaomia mo a matou suesuega, aemaise o so outou sao foi i ni faasoa i tulafono o tau iloilo mo le toefuataiina.

Faafetai! Faafetai! Faafetai tele! O la outou pule lea!

la alofa mai le Atua i le amatalia ai o tiute ma faiva, aemaise fuafuaga faataatitia a Samoa i lenei tausaga fou ua savalia!

Thank you and God bless!

PROJECT UPDATES

Review of the Traffic Laws of Samoa

Following ‘The Reformer’ Issue 2, 2023, the Commission started its **further research and analysis** on additional issues or matters raised and discussed during public and stakeholder consultations.

Part of the Commission’s further research and analysis included further discussions with the MoPPCS to clarify issues and concerns related to processes and enforcement as asked by the public. The Commission also sought comments and some discussions with the Land Transport Authority and the Judiciary. The Commission acknowledges the busy schedules of these key stakeholders to this Review, and will continue to seek their views and assistance in the last stage of our Review.

The Commission is now at the early stages of developing its Final Report with recommendations for law reforms (Stage 6).

REQUESTED REVIEWS:

Request to review the Ministry of Women, Community and Social Development (MWCSO) Legislation:

The MWCSO in a letter of 22 September 2023 has requested a review of the laws of the Ministry. Due to a shortage in the Commission’s legal staff, the Commission proposed an initial meeting after the completion of our Upolu Public Consultations for the Review of the Arms Ordinance 1960.

In preparation for a meeting with the MWCSO, the Commission carried out preliminary research into the laws governing the functions and duties of the MWCSO.

On 20 December 2023 and again 2 February 2024, the Commission met with representatives of the MWCSO to discuss and clarify the goal of its requested legislative review, in order to guide the development of a TOR that encompasses the objective of the MWCSO.

It is anticipated that a Terms of Reference will be developed in the last half of financial year 23/24.

COMMENTS/INPUT MADE BY THE COMMISSION

From July to December 2023, the Commission has undertaken legal and doctrinal research on a few matters referred (in table below). These references usually require that the Commission carries out required research, make analysis and provide input and comments to requesting Ministries/SOEs and others. The Commission continues to strive to provide high-quality research-based responses in a timely manner to assist the requesting agencies.

NAME OF REQUEST	DATE RECEIVED	DATE OF COMPLETION
Tali a le Malo – Annual Report of the SLRC 2021/2022	26 July 2023	30 October 2023
Right to Freedom of Thought, Conscience and Religion	22 September 2023	26 September 2023
s.219 in Crimes Act 2013 (following SLRC’s Review of the Crimes Ordinance	24 August 2023	25 August 2023
Draft Criminal Records (Clean Slate) Bill 2020	July 2023	24 August 2023
Revitalization of the PLGED Pacific Leaders Gender Equality Declaration	31 August 2023	6 September 2023

PARLIAMENTARY SUMMONS

PARLIAMENT COMMITTEE	REPORT DISCUSSED	DATE
Komiti Faapalemene o Tupe Maua ma Tupe Totogi	Faamatalaga o Tupe a le Malo mo le Tausaga Faaletupe faaiuina 30 Iuni 2021	7 Novema 2023

CONFERENCES, WORKSHOPS & TRAININGS

ALL STAFF



The Commission conducted its first ever "Performance Review and Planning Seminar" on Friday 4 August 2023 at Samoa Shipping Services Conference Room, Apia. The initiative has been directed at reviewing the overall performance of the Commission's Key Performance Indicators (KPIs) for the last Financial Year 2022/2023, identifying the issues in the performance of these KPIs, and the lessons learnt to shape a way forward. The second stage of this Seminar directed at putting together our Annual Management Plan for this new FY23/24.

The theme of this Seminar: "Limalima Faatasi mo se Taeao Manuia".

LEGAL DIVISION

Training/Course Title	Provider	Date	Location	SLRC Employee
Professional Mediation Skills Training	Samoa Law Society - Professor Nadja Alexander	19 - 21 July 2023	MJCA Conference Room	Legal Staff
Pasefika Lawyers Collective - Continuing Professional Development	Pasefika Lawyers Collective - PLAQ, PLAN, PLA (NZ), Samoa Law Society	26 - 28 July 2023	TATTE Conference Centre	Legal Staff
Consultation on the Review of the Citizenship Investment Act (CIA) 2015	MCIL	7 August 2023	MCIL Conference Centre	Hope Crichton
Consultation for the Development of the National Anti-Corruption Strategy	PSC	11 August 2023	Lava Hotel Conference Room	Aunua Uele Tovale Filipo
Authority to appoint & reshuffle of Cabinet Minister	Assistant Executive Director, SLRC	21 September 2023	SLRC Conference Room	Legal Staff
Lefagaolii Matter - Applicable Law? and any areas of law requiring review to recommend reforms?	Assistant Executive Director, SLRC	21 September 2023	SLRC Conference Room	Legal Staff
Law & Justice Sector Meeting	Law & Justice Sector Committee	26 September 2023	MJCA Conference Room	Tapuala Mearold Viliamu Leaumoana Salima L. Salima
Public Service Induction Training	PSC	30 - 31 October 2023	MOH Conference Room	Aunua Uele Malota Vili
Follow-Up Visit to the Pacific - Regional Experience - Sharing Workshop on Implementation of Recommendations (CRC)	UN Committee on the Rights of the Child	20-22 Novemner 2023	Taumeasina Island Resort Hotel Conference Room	Tapuai Leaunae Sheliza Tapuai

CORPORATE SERVICE DIVISION

Training/Course Title	Provider	Date	Location	SLRC Employee
Consultation for the Community Sector Plan 2023 - 2027	MWCSD	14 July 2023	Tooa Salamasina Hall	Tovale Filipo
Chief Accountant's Forum	MOF	1 August 2023	TATTE Conference Centre	Leaumoana Salima Phillia Leleimalefaga Fugalaau Siaki
Post School Education and Training (PSET) Conference 2023	SQA	13 - 14 September 2023	Taumeasina Island Resort Conference Room	Tovale Filipo
Special Human Resource Coordinators Forum	PSC	21 September 2023	SSS Conference Room	Leaumoana Lasalo Salima Philia Leleimalefaga Fugalaau Siaki
Finance One Refresher Training	MOF	25 - 29 September 2023	CBS Building, Level 2	Leaumoana Lasalo Salima Fugalaau Siaki

NEW RECRUITS



Aunua Uele

Senior Legal Analyst

The Commission were fortunate to gain an additional member to its team when Ms. Aunua Uele joined the Commission's Legal Team as a Senior Legal Analyst on 24 July 2023. Prior joining the Commission, Ms. Uele worked for the Office of the Attorney General, under the Criminal Prosecution Division. We welcome Ms. Uele and look forward to working with her and her contribution to law reform in Samoa.

Public Service Day 2023



COMMUNITY INVOLVEMENT



Public Consultation on the Review of the Arms Ordinance 1960, 27 November 2023, Tuutuuleloloto Hall, Mulivai



Public Consultation on the Review of the Arms Ordinance 1960, 28 November 2023, Methodist Hall, Vaitele-uta



Public Consultation on the Review of the Arms Ordinance 1960, 29 November 2023, EFKS Hall, Faleula



Public Consultation on the Review of the Arms Ordinance 1960, 30 November 2023, EFKS Fasitoo-tai,



Public Consultation on the Review of the Arms Ordinance 1960, 1 December 2023, Methodist Hall, Manono-uta



Public Consultation on the Review of the Arms Ordinance 1960, 4 December 2023, Methodist Hall, Tafagamanu Lefaga

COMMUNITY INVOLVEMENT CONT'D



Public Consultation on the Review of the Arms Ordinance 1960, 5 December 2023, EFKS Hall, Saanapu



Public Consultation on the Review of the Arms Ordinance 1960, 6 December 2023, EFKS Hall, Saleilua Falealii



Public Consultation on the Review of the Arms Ordinance 1960, 7 December 2023, EFKS Hall, Aufaga



Public Consultation on the Review of the Arms Ordinance 1960, 8 December 2023, EFKS Hall, Saleaumua Aleipata



Public Consultation on the Review of the Arms Ordinance 1960, 11 December 2023, EFKS Hall, Lona Fagaloa



Public Consultation on the Review of the Arms Ordinance 1960, 12 December 2023, EFKS Hall, Leusualii

SLRC CORNER



Father's Day Celebration, 11 August 2023



Celebrating Tovale Filipo's achievement @ Pacific Games, Solomon Islands 2023



Pasefika Lawyers Conference, 26 - 28 July 2023, Apia Samoa



Contact us
HAVE YOUR SAY



A -

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

Q -

How to give the Commission my Feedback?

**1st Floor, Fiame Mata'afa
Mulino II Building**



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