

**GENERAL ELECTIONS
1991, 1996 & 2001
REPORT**

**OFFICE OF
THE CHIEF ELECTORAL OFFICER
SAMOA**

FOREWORD

It is necessary for me to point out at the outset that the Registrar of Electors and Voters and Chief Electoral Officer is not required by the Electoral Act 1963 to report to any authority on the Conduct of Elections.

All questions as to compliance with the exercise of powers and duties conferred by the Act are presented to the Court for the Decisions of the Court.

All election petitions are presented to the Court. The Court after making a determination certifies in writing the determination to the Speaker and may make a special report to the Speaker on any matters arising in the course of the trial which in the judgement of the Court, ought to be submitted to the Legislative Assembly.

This report is therefore presented for the explicit purpose of providing written information, tables of statistics pertaining to Samoa Parliamentary elections conducted since adoption of Universal Suffrage in the year 1990 and recommendations for planning and relevant legislations necessary to upkeep a democratic electoral process of international standards for Samoa.

The Speaker of the Legislative Assembly approached me late on October 1988 that he intended to nominate me as Clerk of the Legislative Assembly. I expressed my reluctance as I had just begun a 2 year leave without pay from my appointment as Specialist Obstetrician Gynecologist in the Government Health Services to take a much needed break. He did not accept my apology and nominated me to office.

Thus I was appointed Clerk of the Legislative Assembly on November 1988, on the understanding that I was to return to the Health Services at the completion of the 2 years leave period previously approved.

On July 1990 Cabinet directed that the Clerk of the Legislative Assembly be appointed Registrar of Electors and Chief Returning Officer to administer the 1990 Plebiscite and all future Parliamentary elections.

Thus the responsibilities of registering voters, compiling the rolls and conducting the polls for the 1990 Plebiscite, was added to my responsibilities as Clerk of the Legislative Assembly. The Office of the Clerk was transformed to be the Plebiscite Office concurrently with parliamentary responsibilities.

After the Plebiscite, the Prime Minister informed me that he intended to recommend an amendment to the Electoral Act to permit the Public Service Commission to appoint the same person to hold office both as Chief Returning Officer and Registrar of Electors and Voters, and I was to be that person. The Office of the Chief Returning Officer had been by practice held by previous Clerks while that of the Registrar of Electors and Voters had been held by an appointee from the Public Service.

I again expressed much reluctance as I had realised that registrations and compiling rolls for the Plebiscite and conducting the polls had required a lot of hard work and had taken much of my time which would have been expended on my responsibilities as Clerk of the Legislative Assembly. Accepting the two proposed offices would mean continuing with the added heavy workload. I had to reluctantly accept when the Prime Minister threw me the challenge asking, "*O lona uiga e te le mafaia?*".

Given to myself, I would have preferred to concentrate on Parliamentary work. Instead I had to accept the responsibilities of the 2 added offices and made submissions for increasing of overtime entitlements for staff of the Legislative Department, in the effort to bring the Official Report of the Proceedings and Journals of the Legislative Assembly up to date.

Following my acceptance of the appointment to the Offices of Registrar of Electors and Voters and Chief Electoral Officer, an Electoral Section employing 5 staff was set up within the Department of the Legislative Assembly. All staff of the Office of the Clerk became Electoral Officers and parliamentary work was once again put on hold. Once the official results of the 1991 general elections were declared, quick reversal of roles back to Legislative Officers was necessary for preparation for calling of Parliament and for the First Meeting of Parliament.

The procedures for duties and responsibilities set up for the 1991 general elections, except for minor changes required to provide for amendments in the Electoral Act were instituted for preparation and conduct of the 1996 general elections.

Following the 1996 general elections, I entreated with the Prime Minister to appoint someone else to the Office of the Registrar of Electors and Voters and Chief Returning Officer for health reasons, as I was due for an operation in New Zealand.

Thus my appointment to Registrar of Electors and Voters and Chief Returning Officer was revoked on 13th August 1996. The revocation only lasted just under 2 years when I was again reappointed to the 2 offices on 10th July 1998 when the Clerk Assistant who had held the offices was transferred to the public service.

On August 2000, the Clerk Assistant was appointed Registrar of Electors and Voters and the Office of the Registrar of Electors and Voters was transferred to the Ministry of Justice. This was taken as response of the Government of the Day to complaints voiced against having one person holding 3 offices - Clerk of the Legislative Assembly, Registrar of Electors and Voters and Chief Electoral Officer seeing such appointment as "*ua tele le paoa ua tuuina i le tagata e toatasi*"

The move however though welcomed by many including myself brought its own problems as will be highlighted in the report.

Thus my appointment as Registrar of Electors and Voters was again revoked, while continuing with the Office of the Clerk and the Office of the Chief Electoral Officer to date.

And now a word about the Report. The Report highlights the amendments to the Electoral Act which provides for the Electoral Reforms enacted in 1990 for Universal Suffrage and subsequent amendments. The mechanics of elections are explained together with statistics for the 1991, and 1996 and 2001 General Elections. Manuals for Candidates, Scrutineers, Registration of Political Parties and Radio Talks are annexed for information on public and voter education published and made available to the public since the adoption of Universal Suffrage in 1990. Compendium of Election Laws published in the year 1995 and the year 2000 and Manuals for Polling Officials 2001 are also annexed for further elaboration on the Samoa Electoral Process.

Amendments to the Electoral Act which I had recommended and included in the various amendments since 1990 were purely administrative, and have shown to have improved administration of the electoral process.

Successful culmination of the electoral process since my taking up of office is largely attributed to hard work of the staff of the Legislative Assembly. Despite their heavy workload they stood up to pressure from the public and politicians, and exemplify professionalism under extraordinary conditions. For this I am deeply indebted to the staff of the Legislative Assembly.

I express gratitude to Hon. Aeau Peniamina, Hon. Afamasaga Fatu Vaili and Hon. Toleafoa Faafisi for support and for having allowed the staff of the Legislative Assembly to assist in the administration and conduct of electoral activities during their terms of offices as Speakers of the Legislative Assembly.

I express gratitude to Hon. Tuilaepa Sailele, Responsible Minister (5/11/1998 - 18/3/2001) pursuant to the Electoral Act, for his trust and support enabling conduction of the 2001 General Elections in accordance with international standards as was exercised in the Conduct of the 1991 and 1996 General Elections.

Finally, I express my sincere thanks and gratitude to the late Hon. Tofilau Eti Alesana, Responsible Minister (April 1988 - 23/11/98) pursuant to the Electoral Act, for his trust in me and the challenge with the added appointments of Registrar of Electors and Voters and Chief Electoral Officer, and for NEVER interfering with my work NOR attempt to influence any of the Decisions which I had made in exercise of the powers and performance of duties pursuant to the Electoral Act since I took up his challenge in 1990.

Mase Dr Fetuao Toia Alama
CLERK OF THE LEGISLATIVE ASSEMBLY
& CHIEF ELECTORAL OFFICER OF SAMOA

The 27th day of November, 2003.

CHAPTER I

INTRODUCTION

The XIIth Legislative Assembly of the Independent State of Samoa was sworn in on 16th May 1996 following General Elections held on 26th April 1996.

Dissolution of the 12th Legislative Assembly

His Highness O le Ao o le Malo, acting on the advice of the Prime Minister in pursuance to Article 63 of the Constitution gave the Dissolution Notice reproduced below:

DISSOLVING THE LEGISLATIVE ASSEMBLY

IN EXERCISE of the Powers and Authority vested in me by the Constitution of the Independent State of Samoa and the Electoral Act 1963, I MALIETOA TANUMAFILI II, O le Ao o le Malo, ACTING ON THE ADVICE of the Prime Minister, DO HEREBY DECLARE the Legislative Assembly dissolved effective on Tuesday, twenty third day of January in the year two thousand and one.

GIVEN under my Hand this 22nd day of January in the year 2001.

Malietoa Tanumafili II
O LE AO O LE MALO

The XIIth Legislative Assembly was thus dissolved 92 days before the date of expiry of the 5 year term prescribed in the Constitution.

- ❖ The Xth Legislative Assembly was dissolved on 19th day of February 1991, being 6 days before the date of expiry of the 3 year term.
- ❖ The XIth Legislative Assembly was dissolved on the 22nd day of March 1996, being 13 days before the date of expiry of the 5 year term.

The Speaker

The Speaker, pursuant to the Legislative Powers and Privileges Act 1960 continued in Office until the newly elected Legislative Assembly was summoned.

Caretake Government

The Prime Minister and Cabinet remained as Caretaker Government pursuant to Article 33 of the Constitution.

Warrant for issue of writs

Pursuant to the Constitution and the Electoral Act 1963 His Highness O le Ao o le Malo, within 7 days from the day of the dissolution of the Legislative Assembly directed the Chief Electoral Officer to issue Writs for General Elections in the Warrant reproduced below:

WARRANT OF ELECTIONS

In exercise of the Powers and Authority vested in me by the Constitution of the Independent State of Samoa and the Electoral Act 1963, I MALIETOA TANUMAFILI II, O le Ao o le Malo, ACTING ON THE ADVICE of the Prime Minister, DO HEREBY ISSUE this Warrant to direct you to proceed forthwith to issue Writs for General Elections for election of Members of Parliament for all Territorial Constituencies and Individual Voters.

GIVEN under my Hand this 30th day of January in the year 2001.

Malietao Tanumafili II
O LE AO O LE MALO

Writs for General Elections

In compliance with the Warrant for Elections given by His Highness O le Ao o le Malo the Chief Electoral Officer, within 3 days of receipt of the Warrant issued the Writs for General Elections reproduced below:

WRITS FOR GENERAL ELECTIONS 2001

In compliance with the Warrant for Issue of Writs given by His Highness O le Ao o le Malo pursuant to the Constitution of the Independent of State of Samoa and the Electoral Act 1963, I hereby give Public Notice of Writs for the General Elections to elect Members of Parliament to represent the 41 Territorial Constituencies and Individual Voters:-

1. Polling Day is declared for Friday, 2nd day of March 2001.
2. Nominations will close at 12.00 noon on Friday, 16th February 2001.
Nominations fee of \$300.00 to be paid before close of Nominations.
3. Last day appointed for withdrawal of Nominations is Friday, 16th day of February 2001 at 12.00 noon.
4. The Election Period commences Saturday, 3rd February 2001 and ends at close of Polls on Friday, 2nd day of March 2001.
5. Return of Writs is declared for the 18th day of March 2001.

GIVEN at Mulinuu this 2nd day of February 2001.

Mase Dr Toia Alama
CHIEF ELECTORAL OFFICER

CHAPTER II

LEGAL FRAMEWORK FOR ELECTIONS

1. The Constitution of the Independent State of Samoa:

Article 44 - Members of the Legislative Assembly-(1) The Legislative Assembly shall consist of:

- (a) One member elected for each of 41 territorial constituencies having such names and boundaries and including such villages or sub-villages or villages and sub-villages as are prescribed from time to time by Act:
- (aa) Six additional members being one additional member elected for each of such 6 of those territorial constituencies as are prescribed from time to time by Act.
- (b) Members elected by those persons whose names appear on the individual voters' roll.

(2) The number of members to be elected under the provisions of subclause (b) of clause (1) shall be determined under the provisions of the Second Schedule.

(3) Subject to the provisions of this Constitution, the mode of electing members of the Legislative Assembly, the terms and conditions of their membership, the qualifications of electors, and the manner in which the roll for each territorial constituency and the individual voters roll shall be established and kept shall be prescribed by law.

(4) Members of the Legislative Assembly shall be known as Members of Parliament.

Article 63 of the Constitution - Prorogation and dissolution of Legislative Assembly - (1) The Head of State may at any time, by notice published in the *Samoa Gazette*, prorogue the Legislative Assembly.

(2) If, at any time, the office of Prime Minister is vacant, the Head of State shall, by notice published in the *Samoa Gazette*, dissolve the Legislative Assembly as soon as he is satisfied, acting in his discretion, that a reasonable period has elapsed since that office was last vacated and that there is no Member of Parliament likely to command the confidence of a majority of the Members.

(3) The Head of State may at any time, by notice published in the *Samoa Gazette*, dissolve the Legislative Assembly, if he is advised by the Prime Minister to do so, but shall not be obliged to act in this respect in accordance with the advice of the Prime Minister unless he is satisfied, acting in his discretion, that, in tendering that advice, the Prime Minister commands the confidence of a majority of the Members of Parliament.

(4) The Head of State shall dissolve the Legislative Assembly at the expiry of five years from the date of the last preceding general election, if it has not been sooner dissolved.

Article 64 of the Constitution - General Elections:- There shall be a general election of the Legislative Assembly at such time within three months after every dissolution of the Assembly as the Head of State appoints by notice in the *Samoa Gazette*.

2. The Electoral Act 1963

3. The Territorial Constituency Act 1963

Qualification of Members

The Electoral Act provides that any person who is registered as an elector of any constituency is the holder of a Certificate of Identity and is a holder of a Matai title is qualified to be elected a Member of Parliament for that constituency and a person registered as a voter in the individual voters roll is qualified to be elected a Member of Parliament to represent the Individual Voters.

The Electoral Act further provides for disqualification if a person:

1. loses any qualification required to enable him to be registered as an elector or voter; or
2. has not resided in Samoa for a period equaling or exceeding 3 years; or
3. is an undischarged bankrupt; or
4. has been convicted in Samoa or American Samoa of an offence punishable by death or by imprisonment for a term of 2 years or upwards; or has been convicted in Samoa of a corrupt practice within the preceding 4 years;
5. is of unsound mind and is subject to an order of medical custody.

Persons exempted from the 3 years residency requirement are:

1. persons appointed under Foreign Affairs Act and their spouses; and
2. persons appointed to a post in an international organisation and the Samoa government nomination or sponsorship; or
3. persons who are required to be outside of Samoa for medical treatment; and
4. holders of Government position, post or office or a member or official of a representative body or an organisation based in Samoa who are required to be overseas for the conduct of official duties.

Number of Members to be elected

The number of Members of the Legislative Assembly to represent the Territorial Constituencies is prescribed in Article 44 (1) (a) and (aa) as last amended by the Constitution Amendment Act (No.3) 1991.

The number of Members of the Legislative Assembly to represent the individual voters is determined by the Registrar of Electors and Voters who shall be appointed Electoral Commissioner by Le Ao o le Malo to carry out the determination at intervals of not less than 5 years and not more than 6 years as prescribed in the Second Schedule of the Constitution.

The last determination as declared in 1995 is reproduced below:-

REPORT OF THE ELECTORAL COMMISSIONER TO THE HEAD OF STATE ON DETERMINATION OF MEMBERS OF PARLIAMENT TO BE ELECTED BY PERSONS WHOSE NAMES APPEAR ON THE INDIVIDUAL VOTERS ROLL

3. Determination:

- (a) Number of persons whose names appear on the Individual Voters roll as at 31 December 1995 = 1,705
- (b) Number of persons deemed to be represented by Members of Parliament to be elected by persons whose names appear on the individual voters roll

calculated by multiplying the number of persons on the individual voters roll by 3 : thus : $1,705 \times 3 = 5,115$

- (c) (i) Official Population of Western Samoa as at 31 December 1995 = 161,298
(ii) Non citizen of Western Samoa = 3,177

- (d) Number of persons deemed to be represented by one Member of Parliament elected by Territorial Constituencies calculated by subtracting from the official population the total number of non citizens and the number of persons deemed to be represented by Members elected by individual voters, and dividing the result by 47.

$$161,298 - (3,177 + 5,115) \div 47 = 3,255$$

- (e) Using above ratio of 1:3255, or one (1) Member of Parliament representing 3,255 territorial constituents, the number of Members of Parliament to be elected by persons on the individual voters roll is calculated by dividing 5,115 by 3,255:

$$\text{thus: } 5,115 \div 3,255 = 1.571$$

- (f) In making this determination Article 4 provides that the Electoral Commissioner shall regard as one any fraction thereof, therefore 1.571 is hereby regarded as 2.

4. In accordance with this provisions of the Second Schedule of the Constitution of the Independent Sate of Western Samoa therefore, I hereby determine that the number of Members of Parliament to be elected by persons whose names appear on the individual voters roll shall be two (2).

DATED at Apia this 15th day of January 1996.

MASE TOIA
Electoral Commissioner

PLEBISCITE 1990 ACT

In 1990, an electoral system where only Samoans who hold matai titles and Samoan citizens of foreign extraction were permitted to vote finally came to end when the people voted "yes" to universal suffrage in the 1990 Plebiscite in which the following questions were put to the vote.

1. "Do you agree that every citizen of Western Samoa who has attained the age of 21 years is entitled to be registered to vote at any General Election or By Election?
2. "Do you agree that there should be a second Assembly for Parliament to be called the Maota o le Aganuu comprising members from each of the eleven (11) traditional divisions of Western Samoa, such members to be elected in accordance with customs and tradition?.

Fifty four thousand and two (54,002) or 83% of the estimated 65,000 adult population (ages 21 and over) registered for the plebiscite.

Of the 54,002 registered, 40,011 representing 74% of the registered voters voted at the Plebiscite.

Results:

Question 1.

Yes	-	50.3%
No	-	45.3%
Informal	-	4.6%

Question 2.

Yes	-	35.9%
No	-	55.8%
Informal	-	8%

AMENDMENTS TO THE ELECTORAL ACT 1963

1990 Amendments

- The Electoral Amendment Act 1990 provides for the Reforms following the 1990 Plebiscite as follows:
 1. The Public Service Commission may appoint the same person to hold office both as Chief Returning Officer and Registrar of Electors and Voters.
 2. Qualification of electors was amended to -
"Every adult if he is a Western Samoa citizen shall be qualified to be an elector of a constituency if:
 - (a) He is a Western Samoa citizen; and
 - (b) His name does not appear on the Individual Voters Rolls"
- 1. Constituency of registration to be determined on whether or not the elector is a holder of a matai title. If the elector is neither a holder of a matai title nor a descendant or spouse of a holder of a matai title, then he can be registered in a constituency which is confirmed to the satisfaction of the Registrar that he is rendering service to the village; or in the constituency in which he is a bonafide resident at the time he applies for registration.
- 2. A choice of constituency maybe revoked and a fresh choice made and notified to the Registrar at any time
- 3. Spouses of persons on the Individual Voters roll were to be eligible to be registered in the Individual Voters roll.
- 4. Compilation of electoral rolls:
 - A transitional provision was adopted whereby:
 - (i) Every person who was on the Constituency Roll and the Individual Voters Roll on the 27th day of March 1990 was deemed registered for any election to be held in 1991.
 - (ii) Every person whose name appears on the Rolls prepared for the Plebiscite 1990 did not need to reapply for registration.
 - (iii) Every other person 21 years and over to appear before the Registrar for registration and for issue of a certificate of identity.
- 5. Rules for determining place of residence within Samoa.

6. Signing and witnessing applications for registration.
7. Procedures following application for registration.
8. Closing of Rolls.
9. No person shall be entitled to vote at any election except upon production of a valid certificate of identity to be issued to electors and voters free of charge with replacement of lost or damaged certificates of identity at minimal cost. Certificate of Identity to be valid for 10 years.
10. Permitting electors to cast special votes in booths outside of constituencies but strictly within the islands of Samoa
11. Reducing the period for O le Ao o le Malo Warrant to the Chief Returning Officer from 50 clear days to 35 clear days and the Chief Returning Officer's Writs from 45 clear days to 30 clear days,
12. Reducing the time for presentation of election petitions from 14 days to 7 days.
13. Amendments to fines.

1991 Amendments

The Electoral Amendment Act 1991 and the Electoral Amendment Act (No.2) 1991 provides for:

1. Qualifications of electors amended to permit descendants, spouses and siblings of matai title holders to register in constituencies where they are residing tautua.
2. Certificates of identities not to be issued to persons applying during the period on which the rolls are temporary closed provided that any person who loses his certificate of identity may apply for a replacement before 4.00pm on the day before polling day.

1991 (No.2) Amendments

1. The main roll and supplementary roll which were used at an election which has been avoided shall be used at the subsequent by-election without amendment or addition.

1995 Amendments

The Electoral Amendment Act 1995 provides for:

1. The Interpretation of the Chief Electoral Officer.
2. Qualification of Candidates to include a 12 months residency in Samoa with exemption to persons appointed under the Foreign Affairs 1976 Act and their spouses.
3. A further provision of how vacancies are created.
4. Removal of names from the Rolls of persons whose deaths are notified by the Registrar of Births and Deaths or by spouse, mother, father, brother, sister or child of that person.
5. Registrar of the Court to notify cause of certain vacancies.

6. Electors choice of constituency of registration to be exercised once between general elections.
7. Revision of Rolls - Inquiry to be made on all persons on the rolls in every year in which a Legislative Assembly is due to expire. All persons are required to sign and return the form of inquiry - non compliance result in removal of name from the roll.
8. Disqualification for registration of persons;
 - (i) detained under the mental Health Ordinance; and
 - (ii) detained in any prison pursuant to a conviction ; and
 - (iii) whose name is on a Corrupt Practice list.
9. Publication of Corrupt Practice List containing names and particulars of all persons convicted of corrupt practice or reported by the Supreme Court.
10. The Registrar may from time to time print composite rolls.
11. Provisions for dormant files.
12. O le Ao o le Malo's Warrant to be given not later than 7 days after the day of the dissolution or expiration of the last Assembly.
13. The Chief Returning Officer to issue Writs for elections within 3 days of receipt of O le Ao o le Malo's Warrant.
14. The Speaker to issue Warrant for bi-elections.
15. Power to resolve bi-election not to be held if -
 - (i) Vacancy arises in the period of 6 months before expiration of the Legislative Assembly; or
 - (ii) The Prime Minister tables in Parliament a document informing Parliament that a general election will be held within 6 months.
16. Nominations not to be accepted if the Candidate does not state that he is qualified to be a candidate.
17. Withdrawal of Nomination to be on "noon on nomination day"
18. An amended form of ballot paper showing the candidate Political Parties.
19. The Electoral Amendment Act (No.2) 1995 provided for the Registrar to remove names of persons who have become disqualified from the rolls used at elections that have been avoided.
20. Election petitions to be presented only by a person who had been a candidate for that election provided he had polled 50% or more of the total number of votes polled by the person elected at that election.
21. Amendments to fines.

1996 Amendments

The Electoral Amendment Act 1996 provides for:

1. Retaining names of all persons in the Roll who had failed to respond during Revision of Rolls who the Registrar is satisfied are alive and holders of valid certificates of identity.

2000 Amendments

The Electoral Amendment Act 2000 provides for:

1. Qualification of members -
 - (i) residency requirement period in Samoa to increase from 12 months to 3 years; and
 - (ii) persons appointed to a post in an international organisation overseas under government sponsorship to be excepted from the residency provision.
2. Political parties to be registered.
3. The Chief Electoral Officer to establish and maintain a Register of Political Parties.
4. Compulsory registration of electors and voters.
5. The Chief Electoral Officer may designate polling booths for any constituency outside the boundaries of that constituency.
6. Employees to have time off to vote.
7. Exception to illegal activities being -
Food and or drink on polling day presented to each individual to the total value of not more than SAT\$10.00 and provided not less than 100 metres from the polling place.
8. Returning Officers designation by the Chief Electoral Officer for Scrutiny of Rolls and the Official Count.
9. Changing fines to penalty units.
10. Increasing security costs of elections Petitions from SAT\$100.00 to SAT\$2,000.00.
11. Increasing all penalties
12. No Writs to be issued pending an election petition

2000 (No.2) Amendments

The Electoral Amendment Act (No.2) 2002 provides for further amendments to the Qualifications of Members as follows:

- (i) Persons requiring and obtaining medical treatment overseas for more than 125 days in any one year or more for the consecutive three year period be exempted from the 3 year residency requirement; and
 - (ii) Three years residency in Samoa shall mean being present in Samoa for at least 240 days each year for the consecutive three years period
13. Increasing the validity of Certificate of Identity from 10 years to 11 years.

AMENDMENTS TO THE CONSTITUTION

There were 3 amendments made to the Constitution in 1991; effecting increase in membership of the Executive, the length of the Parliamentary Term and increase in membership of the Legislative Assembly as follows:

- The Constitution Amendment Act 1991 provides for the members of Cabinet to be not fewer than 8 and nor more than twelve raising the number of Ministers including the Prime Minister to twelve.
- The Constitution Amendment Act (No.2) 1991 provides for the increase of double member constituencies from four to six, increasing the membership of the Legislative Assembly from forty seven to forty nine.
- The Constitution Amendment Act (No.3) 1991 provides for increase of the Parliamentary Term from 3 years to 5 years.

CHAPTER III

THE ELECTORAL ROLLS AND CERTIFICATES OF IDENTITY

The Existing Electoral Rolls

The existing Electoral Rolls which were computerised from the start were first compiled for the 1991 General Elections, the first elections under universal suffrage. These Rolls have been maintained in pursuance to Section 17 of the Electoral Act 1963 and are temporarily closed only during election periods.

The basis of the Electoral Rolls compiled for the 1991 General Elections were the Matai Rolls and the Individual Voters Roll as at 27th November 1990 as well as the Rolls prepared for the purpose of the Plebiscite Act 1990 pursuant to Section 18 of the Electoral Act 1963 as amended by Section 7 of the Electoral Amendment Act 1990.

Correction/Amendments to the Rolls

The Electoral Act provides for the Registrar to remove from the rolls the names of persons:

- (i) whose deaths are notified in writing.
- (ii) who request in writing the removal of their names.
- (iii) who were not qualified to be in the rolls.
- (iv) whose names are entered on the Corrupt Practice List.
- (v) who fail to respond to the Revision of Rolls except those persons whom the Registrar is satisfied are alive and hold valid certificates of identity.

The Electoral Act also provides for the Registrar to restore to the rolls the names of any persons that have been omitted through misinformation or errors.

Amendments to the rolls are required to provide for transfer of electors between constituencies and between the Constituency Roll and the Individual Voters Roll as the electors and voters may choose once between General Elections.

In making amendments to the rolls the Registrar may not remove or enter any names to the rolls during the period when the rolls are temporarily closed.

Qualifications of Electors and Voters

According to the Electoral Act 1963, a person is qualified to be enrolled as an elector or voter if -

- (a) he is a citizen of Samoa;
- (b) he is 21 years or over;
- (c) he is not detained in a hospital or prison or other place under the Mental Health Ordinance 1961;
- (d) he is not detained in a prison pursuant to a conviction;
- (e) his name does not appear on the Corrupt Practice List.

The rolls for Constituencies and for the Individual voters are printed in two different formats, the single spaced blue covered rolls and the double spaced yellow covered rolls. The single spaced rolls are supplied to the "pulenuu" and "sui o le malo" and are also made available to the public.

The double spaced rolls with distinct yellow covers are the Official Rolls for the Elections. These are used for voting at the polling booths and for scrutiny of the rolls during the official count. It is an offence to give out any information in regards to any names or numbers on the Official Rolls.

Certificates of Identity

Certificates of identity were first required under the Electoral Amendment Act 1990 to be issued to all registered electors or voters. These certificates containing photographs of persons identified and other personal details were to be issued free of charge with subsequent replacements for lost ones at a reasonable cost. All certificates of identity to be valid for 10 years and no new certificates to be issued while the rolls are closed. The certificates of identity were to provide identification at the polling booths - no elector or voter was to be permitted to vote without producing a valid certificate of identity.

Registration and issuance of certificates of identity for the 1991 general elections commenced on December 1990 and ended on 16th day of March 1991, the date on which the rolls were temporarily closed.

Registration stations were set up in each Constituency for registration and issuance of certificates of identity. Two Registration stations were also set up in New Zealand; one in the Samoa Consular General Office in Auckland and the other in the Samoa High Commissioner's Office in Wellington.

This was a mammoth undertaking given the scope of the work and the limited time permitted. Staff were trained in set Procedures to assist in detecting attempts at fraudulent registrations and to ensure that the provisions of the Electoral Act and relevant legislations were complied with in order to achieve an accurate Electoral Roll. Cameras for taking photos required for the certificates of identity were obtained through New Zealand Aid. Staff were trained in the use of cameras and laminator machines from manuals provided with the equipments at no extra cost. The Samoa Consular General Office in Auckland and the Samoa High Commissioner's Office in Wellington were each provided with camera and laminator for processing of the certificates of identity issued from their those offices.

During the process a significant number of claims for constituencies of registration were found to be false and were rejected. It was also noted that a small number of registered matais who had actually voted in previous elections were not Samoan citizens and therefore not qualified to be registered neither as matais nor as voters. Birth certificates were also found to have been used for false identification, both at registration and for passports purposes.

A total of 58,874 registered electors and voters were issued certificates of identity for the 1991 General Elections. Since the Electoral Act at the time permitted changes of choice of constituency of registration at any time, many of the electors and voters revoked their choices and were re-issued with certificates of identity for different constituencies before the rolls were closed.

Registration of new electors and voters including the issuance of certificates of identity have since been effected through the Main Office of the Registrar in Apia and Salelologa in Savaii and in specific constituencies where updating of the rolls and issuance of certificates of identity were required for bi-elections. A total of 19,280 new certificates of identity (other than replacements) were issued between the 1991 and 1996 general elections.

In determining that all the 58,874 certificates which were issued for the 1991 general elections would expire just before the expiry of the XIIth Legislative Assembly, the Electoral Act was amended to increase the validity of the certificates of identity from 10 to 11 years (Electoral Amendment Act (No.2) 2002). This would permit the certificates issued on December 1990 and early 1991 to be used for the 2001 general elections.

Annual Revision of Rolls

Annual revision of rolls was first legislated for in the Electoral Amendment Act 1995 providing for the removal from the rolls, the names of those who have died, those who have ceased to render tautua and those who have moved away from original constituencies of registration thus purging the rolls of the names of those electors and voters who no longer qualify for the original constituencies of registration. The procedures provided for the revision of rolls require the Registrar to send to every registered elector or voter Forms completed with individual personal details. The Forms are to be corrected where necessary and to be returned to the Registrar by the close of the revision period. The names of those who fail to return the forms will be removed by the Registrar.

The first revision of rolls was carried out in 1995 in preparation for the 1996 General Elections. The forms were delivered by Teams visiting all houses in each village including houses in the plantations in Samoa while the forms for electors and voters residing in New Zealand were sent to the Samoa Consular General Office in Auckland, and the Samoa High Commissioner's Office in Wellington.

A number of registered electors were not reached because of difficulties inherent in the registration system.

The main difficulties were:

- (1) many electors who qualify through matai heritage or through rendering of tautua reside outside of constituencies of registration and are often not known to those who reside within the constituencies. This being the case, no point of contact could be established for such electors.
- (2) there is high mobility recorded for people who qualify under "tautua".
- (3) as common in Samoa one person maybe known under a variety of christians and surnames and are therefore difficult to identify.
- (4) Many electors and voters residing outside of Samoa were not reached.

This led to the government introducing and passing the Electoral Amendment Act 1996 which came into force on 1st February 1996 providing for the Registrar to

retain in the rolls the names of persons who the Registrar is satisfied are alive and according to the records are holders of valid certificates of identity.

This effectively prevented the Registrar from removing the names of those electors and voters who did not respond to the revision of the rolls.

The second revision of the Rolls was conducted in 2000 in preparation for the 2001 General Elections. The revision for Upolu Constituencies was undertaken by my Office while that of the Savaii Constituencies was continued by the Office of the newly appointed Registrar of Electors and Voters under the Department of Justice.

Rolls for the 2001 General Election

The rolls were closed by Notice of the Chief Electoral Officer reproduced below:

TEMPORARY CLOSING OF ELECTORAL ROLLS

In compliance with the provisions of Section 34 of the Electoral Act 1963, notice is hereby given that the Electoral Rolls for all Territorial Constituencies of Samoa and for the Individual Voters will be temporarily closed from, 20th January 2001 until after the upcoming General Elections.

Pursuant to Section 25D of the Electoral Act 1963 the Registrar shall not at any time while the rolls are temporarily closed, register any new application or transfer application that the Registrar receives after 4.00pm on Friday, 19th January 2001.

GIVEN at Mulinuū this Wednesday, 3rd day of January 2001.

Mase Dr Toia Alama
CHIEF ELECTORAL OFFICER

STATISTICS RELATING TO REGISTERED ELECTORS AND VOTERS

Voting Strength: **Table I**

Table I sets out the Population and the number of electors and voters registered for the 1991, 1996 and 2001 general elections.

Population and Registered Electors and Voters

	1991	1996	2001
	General Elections	General Elections	General Elections
	Census	Estimated	Census
Population	161,296 * 158,121	163,371	174,140

Registered Electors And Voters	58,874	78,154	93,213
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* Samoan citizens

Table I shows that the registered electors and voters represented:

- 36.5% of the population in 1991;
- 47.8% of the population in 1996;
- 53.5% of the population in 2001

Table II

Table II shows the numbers of registered electors and voters for each constituency and individual voters who were holders of valid certificates of identity for the 1991, 1996 and 2001 general elections.

Registered Electors and Voters for General Elections 1991, 1996 and 2001 by Constituencies

(Territorial Constituencies)	General Election 1991	General Election 1996	General Election 2001
Vaimauga Sasae	710 *	603 *	2452
Vaimauga Sisifo	2633	3645	5788
Faleata Sasae	1717	3228	1643*
Faleata Sisifo	1900	3065	2264
Sagaga Le Falefa	2165	2868	2905
Sagaga Le Usoga	1712	2371	2693
Aana Alofi No. 1	1923	2501	3192
Aana Alofi No. 2	1267	1682	2028
Aana Alofi No. 3	1916	2728	2614
Aiga I le Tai	1682	2144	2559
Falelatai & Samatau	1452	2165	2820
Lefaga & Faleaseela	1750	2428	3182
Safata	2218	3061	2715
Siumu	963	1342	2182
Falealili	2472	2967	4652
Lotofaga	839	1201	857
Lepa	744	573	740
Aleipata Itupa I Luga	873	1390	1822
Aleipata Itupa I Lalo	1533	2074	2072
Vaa-o-Fonoti	1112	1669	2296
Anoamaa Sasae	1105	1702	1918
Anoamaa Sisifo	1520	2136	2630
Faasaleleaga No. 1	2171	2524	3197
Faasaleleaga No. 2	1411	2520	2973
Faasaleleaga No. 3	1196	1340	1502
Faasaleleaga No. 4	852	1029	1272
Gagaemauga No. 1	1760	2246	2584
Gagaemauga No. 2	647	855	1441
Gagaemauga No. 3	1113	1475	1728
Gagaifomauga No. 1	1012	1052	1212
Gagaifomauga No. 2	1380	1343	1530
Gagaifomauga No. 3	716	975	892
Vaisigano No. 1	812 *	1603 *	2247

Vaisigano No. 2	696	965	1136
Falealupo	1215	1675	1667
Alataua Sisifo	1130	1247	1463
Salega	1746	2046	2511
Palauli Sisifo	1384	1603	2080
Satupaitea	837	1146	1503
Palauli	1253	1568	1918
Palauli le Falefa	1537	1749	2099
Individual Voters	1790	1650	2233
TOTAL	58,874	78,154	93,213

* Election not contested.

The number of registered electors in constituencies where elections were not contested are noticeably low with marked rise in the years when the elections were contested.

eg: Vaimauga Sasae recorded 710 and 603 for 1991 and 1996 respectively when the elections were not contested but the number rose to 2452 in 2001 when the election was contested. Vaisigano No.1 also shows the same picture. Faleata Sasae's roll which recorded 1717 and 3228 in 1991 and 1996 respectively dropped to 1643 in 2001 when the election was not contested.

Table III

Table III shows the numbers and percentages of electors and voters transferred out of the rolls in which they were previously registered.

Movements between constituencies and between Constituency Rolls and the Individual Voters Roll:

Electors Transfers out of Constituencies

(Territorial Constituencies)	General Election 1996		General Election 2001	
	Numbers	%	Numbers	%
Vaimauga Sasae	219	26.6 *	40	1.6
Vaimauga Sisifo	522	12.6	549	8.7
Faleata Sasae	179	5.3	1520	48.1 *
Faleata Sisifo	171	5.3	844	27.2
Sagaga Le Falefa	236	7.6	437	13.1
Sagaga Le Usoga	121	4.9	342	11.3
Aana Alofi No. 1	180	6.8	251	7.3
Aana Alofi No. 2	120	6.7	187	8.5
Aana Alofi No. 3	118	4.2	489	15.8
Aiga I le Tai	153	6.7	271	9.6
Falelatai & Samatau	86	3.9	213	7.1
Lefaga & Faleaseela	157	6.1	240	7.1
Safata	195	6.0	689	20.3
Siumu	89	6.3	113	5.0
Falealili	259	8.1	253	5.2
Lotofaga	56	4.5	374	31.1
Lepa	184	24.3	96	11.5
Aleipata Itupa I Luga	73	5.0	201	10.0
Aleipata Itupa I Lalo	141	6.4	367	15.1
Vaa-o-Fonoti	99	5.6	180	7.3
Anoamaa Sasae	73	4.2	233	10.9
Anoamaa Sisifo	98	4.4	272	9.4

Faasaleleaga No. 1	147	5.5	230	6.8
Faasaleleaga No. 2	93	3.6	475	13.8
Faasaleleaga No. 3	133	9.1	175	10.5
Faasaleleaga No. 4	81	7.3	100	7.3
Gagaemauga No. 1	134	5.7	285	10.0
Gagaemauga No. 2	48	5.4	87	5.7
Gagaemauga No. 3	85	5.5	245	12.5
Gagaifomauga No. 1	97	8.5	134	10.0
Gagaifomauga No. 2	185	12.1	192	11.2
Gagaifomauga No. 3	46	4.5	161	15.3
Vaisigano No. 1	173	9.7	133	5.6
Vaisigano No. 2	65	6.4	141	11.1
Falealupo	159	8.7	382	18.7
Alataua Sisifo	103	7.7	157	9.7
Salega	157	7.2	214	7.9
Palauli Sisifo	114	6.7	125	5.7
Satupaitea	80	6.6	137	8.4
Palauli	87	5.3	169	8.1
Palauli le Falefa	86	4.7	186	8.2
Individual Voters	193	10.5	501	18.4
TOTAL	5795	6.9	12,390	11.7

* Election not contested

The 1990 Amendment Act as previously referred to, provides for multiple title holders and electors who are registered through matai heritage the right of claim to changes of choice of constituencies at any time. This provision lead to situations where electors would change choice of constituencies a number of times as long as the rolls were open or for the purposes of enabling of voting for different constituencies during the same Parliamentary Term. This was amended by the 1995 Amendment Act which provides for electors' choice of constituencies to be exercised once between general elections.

The figures show the same pattern of transfers of large numbers of electors out of the constituencies where the elections were not contested, with much small numbers of transfers recorded in those constituencies where elections were contested.

The percentage of transfers for the 1996 general elections was recorded at 6.9%. A significant increase of transfers was recorded at 11.7% for the 2001 general elections.

A contributing factor to these mass transfers between rolls is the use of the certificates of identity as trading cards by candidates and electors and voters for goods or money in return for votes.

CHAPTER IV

THE POLLING SCHEME

The Clerk of the Legislative Assembly holding also the Office of the Registrar of Electors and Voters and the Office of the Chief Electoral Officer not only utilises the personnel but also facilities of the Office of the Clerk for the purposes of Planning and Conduct of all general elections and bi-elections from December 1990 to date and for the purposes of registration of electors and voters from December 1990 to 28th August 2000.

For the 2001 general elections the Writs reproduced in Chapter I prescribed the following dates:

- Nomination day - 16th day of February 2001,
- Polling day - 2nd day of March 2001, and
- Return of Writs - 18th day of March 2001

Nominations Plan:

1. Nominations to close at noon on the 16th day of February 2001.
2. Acceptance of nominations required:
 - (i) lodging of nomination and consent of candidate before noon on nomination day;
 - (ii) the consent of the candidate to state that he is qualified to be elected a member of Parliament in terms of the Electoral Act 1963;
 - (iii) statement in the nomination paper that the candidate is a registered elector of a specified constituency or individual voter;
 - (iv) the nomination paper to be signed by at least two registered electors of the constituency for which the nomination is made;
 - (v) the nomination fee is paid by noon on nomination day.
3. The Chief Electoral Officer to give public notice of nominations in the Gazette, in the Savali, and in a newspaper published in Samoa or by radio broadcast and in each constituency at the close of nominations.
4. Withdrawal of nominations if any to be given public notice at close of nominations.

Nominations of Candidates:

The day for closing of nominations for the 2001 general elections as declared in the Writs given on the 2nd day of February 2001 was 12.00noon on Friday 16th day of February 2001 being the 14th day from the day of issue and 13 days from the day declared for polling to take place.

Any person qualified to be a candidate for any constituency could be with his consent be nominated by at least any 2 registered electors of that constituency and any persons registered in the Individual Voters roll could be with his consent be nominated by at least 2 registered individual voters.

All nomination forms were inspected for the following:

1. The candidate's consent and declaration that he qualifies to run as a candidate for the general elections under Part II of the Electoral Act 1963;
2. The candidate's declaration that he is a registered elector of a specified constituency or a registered voter;
3. That he has been in Samoa for at least 240 days for each of the previous 3 years, or he is exempted from the 3 years resident requirement and providing evidence of such claim.

The nomination form and consent of candidate together with the nomination fee of SAT300.00 were required to be submitted to the Chief Electoral Officer before noon on nomination day.

The Chief Electoral Officer was required to reject any nomination that did not comply with the requirements set out in the Electoral Act.

Uncontested Elections:

If only one member is to be elected and only one nomination is received or in the case of double member constituencies only 2 nominations are received the Chief Electoral Officer by public notice on or before polling day is required to declare the candidate or candidates deemed elected and report to O le Ao o le Malo.

There was only one uncontested election in the 2001 general elections as compared to 2 in the 1991 general elections and 2 in the 1996 general elections.

Table IV

Table IV shows a marginal difference in the number of Nominations received for the 1991, 1996 and 2001 general elections - the highest was recorded in the 1996 general elections.

**Number of Nominations by Territorial Constituency 1991, 1996
& 2001 General Elections**

(Territorial Constituencies)	1991	1996	2001
Vaimauga Sasae	1*	1*	2
Vaimauga Sisifo	8	6	6
Faleata Sasae	2	2	1*
Faleata Sisifo	3	4	3
Sagaga Le Falefa	6	5	2
Sagaga Le Usoga	5	2	4
Aana Alofi No. 1	9	10	7
Aana Alofi No. 2	2	4	3
Aana Alofi No. 3	3	5	8
Aiga i le Tai	4	6	5
Falelatai & Samatau	2	2	2
Lefaga & Faleaseela	4	2	3
Safata	6	5	4
Siumu	3	3	4
Falealili	6	10	6
Lotofaga	2	4	3
Lepa	3	2	2
Aleipata Itupa i Luga	2	4	2
Aleipata Itupa i Lalo	4	5	5
Vaa-o-Fonoti	2	4	3
Anoamaa Sasae	3	2	2
Anoamaa Sisifo	3	4	4
Faasaleleaga No. 1	6	9	8
Faasaleleaga No. 2	5	4	2
Faasaleleaga No. 3	4	3	4
Faasaleleaga No. 4	3	4	3
Gagaemauga No. 1	2	4	4
Gagaemauga No. 2	4	2	4
Gagaemauga No. 3	2	3	3
Gagaifomauga No. 1	3	2	3
Gagaifomauga No. 2	5	3	4
Gagaifomauga No. 3	2	2	2
Vaisigano No. 1	1*	1*	2
Vaisigano No. 2	2	4	3

Falealupo	2	2	2
Alataua Sisifo	2	2	2
Salega	5	5	4
Palauli Sisifo	3	4	4
Satupaitea	4	4	3
Palauli	4	3	3
Palauli le Falefa	6	3	4
Individual Voters	3	7	7
Total	151	163	153

* Election not contested

Table V

**Number of Nominations by Political Parties 1996
& 2001 General Elections**

Political Parties	1991	1996	2001
Puipuia Aia Tatau a Tagata (HRPP)	*	57	55
Samoa National Development Party (SNDP)	*	42	33
Pati a Samoa Aoa (SAPP)	*	7	1
Samoa Labour Party (SLP)	*	1	-
Laasaga Taofiofi a Samoa (SCPP)	*	1	-
Fealofaniga o Samoa (SUPP)	*	-	5
Independents	*	55	59
Total	*	163	153

NB: * For the 1991 general elections, Form 5 (Nomination Paper) did not require name of Political Party. Form 5 (Nomination Paper) was amended to include the name of the Political Party by the Electoral Amendment Act 1995.

- SLP and SCPP were not registered as required by the Electoral Amendment Act 2000, Sect.6. SUPP was only registered on 1st February 2001.

Selecting of Polling Booths:

As with previous elections the polling booths used in the immediate previous elections were to be inspected to verify continuing suitability for polling. These were invariably the school buildings, church ministers houses or church halls or women's committee buildings because such buildings are usually:

- (i) spacious; and
- (ii) have good facilities for polling officers and scrutineers; and
- (iii) have big compounds to avoid overcrowding of voters; and
- (iv) easily accessible to voters as they are mostly situated in parts of villages where the population is concentrated; and
- (v) under the collective protection of the village and therefore assured security for the polls and staff.

Other buildings to be considered for polling booths only when the previous were not easily accessible to the voters.

The polling booths to be acceptable to all candidates. No polling booth to be located in an individual's home or placed in a building owned by a candidate or his relatives or his supporters. Suitable arrangements to be made for accommodations of polling staff and to avoid any obligations to any candidate or political party.

Table VI

**Number of Polling Booths by Constituencies
used in the 1991, 1996 and 2001 General Elections.**

Territorial Constituencies	1991	1996	2001
Vaimauga East	No election	No election	7
Vaimauga West	8	9	16
Faleata East	4	8	*
Faleata West	4	7	6
Sagaga Le Falefa	6	6	6
Sagaga Le Usoga	4	6	5
Aana Alofi Nu. 1	4	5	6
Aana Alofi Nu. 2	4	4	4
Aana Alofi Nu. 3	4	5	7
Aiga i le Tai	7	8	9
Falelatai & Samatau	4	6	6
Lefaga & Faleaseela	4	6	7
Safata	5	7	9
Siumu	2	3	3
Falealili	6	7	9
Lotofaga	3	3	3
Lepa	3	3	3
Aleipata Itupa i Luga	2	3	3
Aleipata Itupa i Lalo	4	5	5
Vaa o Fonoti	3	5	7
Anoamaa East	4	6	7
Anoamaa West	4	6	7
Faasaleleaga Nu. 1	5	7	10
Faasaleleaga Nu. 2	3	4	5
Faasaleleaga Nu. 3	2	3	5
Faasaleleaga Nu. 4	2	3	3
Gagaemauga Nu. 1	4	5	6
Gagaemauga Nu. 2	2	2	2
Gagaemauga Nu. 3	2	3	3
Gagaifomauga Nu. 1	2	2	3
Gagaifomauga Nu. 2	4	4	4
Gagaifomauga Nu. 3	4	4	4
Vaisigano Nu. 1	*	*	4
Vaisigano Nu. 2	2	2	3
Falealupo	2	2	3
Alataua West	3	3	4
Salaga	5	6	8
Palauli West	4	4	5
Satupaitea	2	3	4
Palauli East	3	3	4
Palauli Le Falefa	4	4	6
Individual Voters	4	5	5
Special Booths	15	21	45

Total	163	208	271
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* Elections not contested

Layout of Polling Booths:

The layout of the polling booths and provision of voting compartments within the polling booths were to be included in the Manual for Polling Officers published by the Chief Electoral Officer and used for training of polling officers and conduct of polls.

The capacity of the polling booths to accommodate 3 voting compartments and a large area for issuance of votes and an area for the candidates' scrutineers to be ensured.

Separate entrances and exits to be marked. Chairs for old people and for the sick to be provided.

Improvised Polling Booths:

Provision for voting outside of the booth for the sick, the very old and those unable to walk were through arrangement of an improvised polling booth. This require the Presiding Officer to take the ballot paper and ballot box to the entrance of the polling booth where the elector/voter can cast his vote.

Special Polling Booths:

The Electoral Act provides that electors may cast special votes outside of their constituencies. The scheme provided for a special table in each polling booth for casting of special votes and one special polling booth for each constituency to be sited in Apia. The special polling booths in Apia were placed mainly in the Malifa Education Compound, Court Houses and Church Halls.

Appointment of Polling Officers:

The Electoral Act 1963 provides for the Polling Officers to be appointed by the Public Service Commission on recommendation of the Chief Electoral Officer pursuant to the Electoral Act. Like previous elections, notices were sent out to government departments and organisations for names of senior officers to be trained and appointed polling officers.

Those appointed in previous elections were scrutinised to check for good performance of duties and good behaviour before final appointments were to be made. Polling officers not to be appointed to constituencies where they are registered.

Categories of Polling Offices:

1. The Returning Officers being the most senior polling officers were selected from heads or deputy heads of government departments/ organisations and from senior staff of the Legislative Assembly;
2. The Presiding Officers were appointed from 3rd level staff of government departments/organisations;
3. The polling clerks were appointed from lower levels staff of government departments/organisations.
4. Police Officers:
Two police officers were appointed to each polling booth; one to act as cue master and the other to be the ballot box guard.

Table VII

Number of Polling Officials engaged in the Conduct of the General Elections 1991, 1996 and 2001

	1991	1996	2001
Returning Officers	16	26	38
Deputy Returning Officers	390	489	542
Poll Clerks	148	188	270
Police Officers	164	190	270
Total	718	893	1120

Responsibilities of Polling Officials:

The Polling officials categories, duties and responsibilities as set out in the Handbook for Polling Officials are as follows:

1. **Returning Officers (RO):**

Each Territorial Constituency or 2 of the smaller constituencies are run by the appointed Returning Officer. The Returning Officer is responsible to the Chief Electoral Officer for the effective organisation and operation of polling activities within each polling place in the Constituency.

Returning Officers designated by the Chief Electoral Officer for the scrutiny of the rolls and the official count under the provisions of section 79.

2. **Deputy Returning Officer (DRO):**

The Deputy Returning Officer is accountable to the Returning Officer for the way polling activities are carried out. The work involves the issuing of ordinary and special ballot papers. Other duties include catering for the needs of electors and voters with special needs, eg. Old people, the blind, the deaf and those who can neither read nor write. The Deputy Returning Officer is the Presiding Officer for the polling booth and is responsible for the smooth running of polls and with the help of the Police for observance of Law in the polling booth.

3. **Poll Clerk (PC):**

The Poll Clerk is accountable to the Deputy Returning Officer for accuracy in the locating and marking of the Certified Booth Roll during the issuing of ordinary votes.

4. **Cue Master and Ballot Box Guard:**

The two Police Officers allocated to each polling booth are responsible for keeping order in the booths. In addition to keeping order the cue master assists and guides electors/voters ensuring that there are only 6 electors/voters present within the polling booth at any one time while the ballot box guard ensures that the electors/voters deposit the ballot papers in the ballot box before leaving the booth.

Training of Polling Officials:

The success of the conduct of the polls of any election depends not only on the accuracy of the electoral rolls used for the polls but to a large extent on the polling scheme devised based on legislations, the preparations and practical application of the scheme of conduct of polls, vote counting at the booths, return of ballot papers and materials, the official count and declarations of the official results.

As done prior to the 1991 and the 1996 General Election training of polling officials were undertaken during the period of 2 weeks before polling day. These were based on the "Handbook for Polling Officials" a handbook that was first written for the guide of polling officials for the Plebiscite 1990, the second edition for the General Elections 1991, the third for the General Elections 1996 and the fourth edition for the 2001 General Elections.

Training consisted of detailed courses of instructions for each group in procedures as detailed in the Handbook followed by setting up of "mock" polling booths with the trainees acting as presiding officers, polling clerks, police personnel as security officers and cue masters and ballot box guards, scrutineers, electors/voters, blind or incapacitated electors/voters to understand the duties expected of them.

Special emphasis was placed on the following:

- (i) That no voter be permitted to enter a polling booth without producing a valid certificate of identity.
- (ii) Identification of voter through his certificate of identity, distinguishing between fake and genuine identity, manner of cutting mark on the certificate of identity to show that the voter has already been issued a ballot paper in this election.
- (iii) System of marking the ballot papers by the voters, tendered votes, special votes, spoilt votes etc.
- (iv) Conduct of the Preliminary Count.
- (v) Statement of ballot papers accounts.
- (vi) Communication of Results to the Chief Electoral Officer.
- (vii) Security of the ballot boxes.

Elections 2001 Handbook for Polling Officials:

The "Election 2001 Handbook for Polling Officials" provides a Guide to its Aims, Understanding of the Samoa Parliamentary Elections, The Electoral System, How elections are organised, Who are responsible for specific activities and Practical Procedures involved in activities required for and during the period before, during and after polling day. The handbook itemises duties and responsibilities of polling officials in various categories, how to issue votes, counting of votes, and notifying preliminary results to the Chief Electoral Officer, legal obligations of polling officials and scrutineers and provisions in regards to illegal practices and corrupting are included.

The full text of the Elections 2001 Handbook for Polling Officials is annexed to this report for detail information. Copies of the Plebiscite 1990 Handbook for Polling Officials, Election 1991 Handbook for Returning Officers, Deputy Returning Officers and Polls Clerks and the Election 1996 Handbook for Polling Officials maybe obtained from the Parliamentary Library.

Public Education:

- **Voters Education**

Voter education for the 1991, 1996 and 2001 general elections were conducted through Radio Talks broadcasted over Radio 2AP during the 2 week periods before Polling day.

Full text of the Radio Talks for the 2001 general election is annexed to this report.

- **Candidates**

A handbook for candidates titled "Candidates Handbooks was first written to assist the candidates standing election for the 1991 general elections, the second edition was written for the 1996 general elections and the 3rd edition for the 2001 general election. The 2001 general election edition is annexed to this report.

- **Scrutineers**

The candidate's scrutineers were invited to observe the Official training sessions to familiarise them with polling procedures.

The Scrutineer Handbook was first written for the 1991 general elections, the second edition for the 1996 general elections and the third edition for the 2001 general elections. The Handbook details the responsibilities of scrutineers, election offences and how and where to cast votes. A sample of the ballot paper is included for voter education.

Political Party registration

A Handbook for Registration of Political Parties defining the Process of Registration, Notification of registered parties, and Inspection of the Register is annexed to this report.

Transport:

Transport plan for Savaii set out the hire of a ferry to transport the 2 trucks to be loaded with ballot boxes containing ballot papers and election materials already allocated to polling booths. The polling officers to travel on the ferry. The ferry was to leave Apia the day before Polling day to permit sufficient time for distribution of the polling officers, ballot papers and election materials and for preparation and laying out of the polling booths.

One vehicle for each of the 19 Returning Officers were also to be on the chartered ferry.

The trucks transporting ballot boxes for Savaii were to be under the responsibility and supervision of the Chief Returning Officer for Savaii whose responsibility was to distribute the ballot boxes to each presiding officer in Savaii on arrival. The same trucks to collect the ballot boxes after the preliminary counts were completed.

All polling officers for Savaii to travel by bus to the wharf in Apia to catch the chartered ferry and to be collected by Savaii buses on reaching the Salelologa wharf in Savaii. The same buses to collect the polling officers after the preliminary counts taken at the polling booths were completed.

The transport plan for Upolu set out the hire of buses and vans to transport the polling officers and their ballot boxes and supplies to their appointed polling booths. The polling officers appointed to polling booths 20 miles outside of Apia

were to be transported with supplies to their appointed polling booths the day before Polling day. The same buses were to collect the same polling officers, ballot boxes and election materials after the preliminary counts were completed.

Polling officers appointed to polling booths within Apia were transported to the polling booths with ballot boxes and election materials on the morning of polling day and collected after the completion of the preliminary counts taken at the polling booths.

Table VIII
Number of Vehicles used for General Elections 1991, 1996 & 2001

<u>Upolu</u>	1991	1996	2001
Buses	16	27	27
Vans	9	9	21
Double cab - pick ups	11	6	7
Single cab pick up	1	1	4
Station wagon	1	-	-
Ford pick up	-	-	2
<u>Savaii</u>			
Buses	7	9	16
Vans	2	9	8
Double cab - pick ups	7	1	5
Land cruiser / 4 Runner	3	1	1
Truck	1	1	1
Total	58	64	92

- none used

Return of Ballot Boxes and Accounts to the Chief Electoral Officer:

The Presiding Officer of each polling station was required to return the ballot papers locked in two ballot boxes assigned to each polling booth together with accounts of ballot papers to the Chief Electoral Officer in Mulinu'u where these were to be kept under lock and police security until the Official Count is completed.

CHAPTER V

THE BALLOT PAPERS

The Electoral Act (No.1) 1995 provides for changes to the Forms of ballot papers as shown below:

1. **Forms of Ballot Papers:**

- Ordinary ballot papers:
The political parties were inserted in the ballot papers for the first time in the 1996 General Elections. The new form of ballot paper prescribed the following:
 - (i) the names of candidates to be arranged alphabetically in order of matai titles for constituencies candidates and surnames for Individual Voters candidates.
 - (ii) given names to follow the matai titles or surnames.

- (iii) the name of political party if any to show immediately below the candidates name in smaller characters and shall not be in bold type.
- (iv) independent candidates to have the word "independent" below the names.
- (v) no matter identification such as title, honour or degree to show on the ballot paper.
- (vi) a square to be shown to the right of each candidates name.
- (vii) the ballot papers to have counterfoils and consecutive numbers.
- (viii) special ballot papers

2. **Printing of Ballot Papers:**

The ballot papers as for all elections were printed by the Government Printer who delivered all printed ballot papers to the Chief Electoral Officer in person.

Distribution of ballot papers:

Table IX

**Ballot Papers printed in 1991, 1996 & 2001
general elections**

Territorial Constituencies	1991	1996	2001
Vaimauga Sasae	*	*	
Vaimauga Sisifo	4800	5700	9000
Faleata Sasae	2600	4800	*
Faleata Sisifo	2800	5100	5100
Sagaga Le Falefa	3600	4500	4750
Sagaga Le Usoga	2800	4000	4650
Aana Alofi No.1	2800	4000	6250
Aana Alofi No.2	2400	2600	4250
Aana Alofi No.3	2800	4500	5200
Aiga i le Tai	2900	3500	5100
Falelatai & Samatau	2800	3500	5600
Lefaga ma Faleaseela	2800	4000	6300
Safata	3000	5000	5400
Siumu	1800	3000	4300
Falealili	3000	5000	9250
Lotofaga	1800	2000	2100
Lepa	1800	1000	1600
Aleipata Itupa i Luga	1800	2000	3700
Aleipata Itupa i Lalo	2400	2800	4100
Vaa o Fonoti	2600	2800	4800
Anoamaa Sasae	1500	2800	3800
Anoamaa Sisifo	2400	2950	5250
Faasaleleaga No.1	3200	4000	6350
Faasaleleaga No.2	2400	4000	5900
Faasaleleaga No.3	2200	2000	2950
Faasaleleaga No.4	1800	1950	2500
Gagaemauga No.1	2800	4000	5150
Gagaemauga No.2	1400	1400	2850
Gagaemauga No.3	2200	2100	3400

Gagaifomaua No.1	2000	1950	2400
Gagaifomaua No.2	2400	2000	3050
Gagaifomaua No.3	1600	1500	1800
Vaisigano No.1	*	*	4450
Vaisigano No.2	1200	1500	2200
Falealupo	2210	2400	3550
Alataua Sisifo	2100	2000	2900
Salega	3000	3500	5150
Palauli Sisifo	2800	2800	4100
Satupaitea	1600	2800	3200
Palauli	2400	2800	3800
Palauli le Falefa	2800	2800	4150
Individual Voters	3000	2800	4250
Special Ballot Papers	20000	25500	16050
TOTAL	118310	149350	195650

* Elections not contested

The ballot papers were printed in books, each book containing 50 ballot papers.

As done with the calculation for numbers to be printed, the distribution to various polling booths were calculated to be 2½ times the number of ballot papers used in the same polling booth in the immediate previous election.

Preventing irregularity as to ballot papers:

The prevention of irregularities and improper procuring of ballot papers were ensured through adherence to the requirements where:

- (i) The Chief Electoral Officer supplies the Printer with a receipt specifying the number of ballot papers received and the Printer to destroy any remaining ballot papers in his possession.
- (ii) Every Presiding Officer to give the Chief Electoral Officer a receipt specifying the total number of ballot papers received from the Chief Electoral Officer.
- (iii) Every Presiding officer to be responsible for the ballot papers handed over to him until he returns them to the Chief Electoral Officer after polls.
- (iv) The Chief Electoral Officer to be responsible for all ballot papers received from the Printer until such are sent to the Registrar of the Supreme Court after the completion of the Official Count.

Methods of Voting:

As the electoral system being used in Samoa is the First Past the Post only one candidate is to be marked in the case of single member constituencies and 2 candidates to be marked for 2 members constituencies. The 1995 (No.1) Electoral Amendment provides for use of a √ to be placed to the right of the name of the candidate of choice.

Ballot papers that would contain no √ or contain more than required are to be ruled informal.

Special Voting:

Special voting is used by those electors/voters who cast votes in polling booths outside of their constituencies or in special polling booths allocated in Apia and those electors/voters who are sick in hospital.

The special ballot papers are printed without the names of constituencies and without names of candidates - these are to be filled in by the Special Votes Presiding Officer who issues the ballot paper. The ballot is marked the same way as is done for an ordinary vote.

CHAPTER VI

ELECTION MATERIALS

The stock taking and ordering of various election materials for replenishment commenced two months before dissolution of the XII Legislative Assembly on 23rd January 2001.

Assessment of election materials and ordering was based on the number of polling booths to be used, which in turn was calculated as shown under "Polling Booths".

The following orders were supplied:

Table X - Stationeries supplied for 1991, 1996, 2001 General Elections

Stationeries	1991	1996	2001
Rulers	978	1248	1626
Drawing pins	326	416	542
Gum Paste/clue stickers	326	416	542
Pair of scissors	652	832	1084
Black pens	978	1248	1626
Blue pens	978	1248	1626
Red pens	625	832	1084
Green pens	50	100	200
Cello tapes/masking tapes	500	650	850
Snowman markers	500	650	850
Black label stickers	1304	1664	2168
Ink pads & ink bottles	489	624	813
Official booth stamps	489	624	813
Wrapping paper - brown	6 rolls	8 rolls	12 rolls
Strings	12 rolls	18 rolls	24 rolls
Carbon papers	12 boxes	18 boxes	4 boxes
Envelopes - small	3260	4160	5420
Envelopes - medium	3260	4160	5420
Envelopes - large	3260	4160	5420

Table XI Election Materials supplied for 1991, 1996 & 2001 General Elections

	1991	1996	2001
1. Ballot Boxes - Ordinary	163	208	271
- Special	163	208	271
2. Locks and keys to ballot boxes	163	208	271

3. Electoral Rolls	370	460	585
4. Hand books - Officials	815	1040	1355
- Scrutineers	815	1040	1355

Other Materials with actual numbers supplied to each polling booth for the conduct of polls for 2001 General Elections

Declaration forms	10
Large envelope for declaration	3
Large envelope for marked booth roll	3
Questions that may be put to voters	20
Small envelope for E 10	20
Tendered voters list	4
Small envelope for tendered votes	20
Moderate envelope for E10A & E12A	20
Certificate, accounting & result sheet (Ordinary)	6
Instructions for guidance of electors and voters	6
Notice - "Fale Palota"	4
Special votes certificate and accounts	6
Special envelopes for special votes	20
Large envelope for E22 - own constituency	4
Large envelope for other constituencies E22	4
Large envelope for E12B	4
List of special voters	4
Large envelope for list of special voters	4
Large envelope for spoilt special ballot papers	4
Large envelope for spoilt ordinary ballot papers	4
Preliminary Result form	10
Large envelope for E26, E14, E21	4
List of candidates and party affiliations	2
Large envelope for informal votes	4
Large envelope for unused ballot papers & stubs	4
Large envelope for used ballot papers	4
List of scrutineers for each candidate	2
Scrutineers sign	4
In & Out sign	4

Duty Badges

For certification of polling officials appointed for duty at polling booths on polling day, duty badges were issued to Returning Officers, Presiding Officers and Poll Clerks

Posters

Special Posters were supplied to each Polling booth -

- (i) Posters showing method of voting
- (ii) Posters showing the Polling Booths

Other Materials

Different types of forms and different types of envelopes of various sizes were printed and supplied as calculated in accordance with the expected voting strength.

Ballot Boxes

The white wooden ballot boxes with crevice on the lids for depositing votes have been used since the first Parliamentary elections in 1957. It has been proven beyond doubt that these wooden ballot boxes provide optimum security for the ballot papers.

The number of ballot boxes issued to each polling booth was calculated on the expected voting strength. Each ballot box has 2 keys, one issued to the Presiding Officer of the polling booth, the second was retained by the Chief Electoral Officer. The Special booths set up in Apia were each given large ballot boxes.

Telephone Network

As was done for the 1991 and 1996 elections, arrangements were made with the Health Department, the Commissioner of Police and private Hotels in Savaii for the use of telephones and fax machines for contact with Presiding Officers in Savaii and for transmission of Preliminary Results to the Chief Electoral Officer.

CHAPTER VII

THE POLL

Dates of Poll

In accordance with the Warrant issued by Le Ao o le Malo the Writs for the 2001 General Elections set the following dates:

- Nomination day - 16th day of February 2001
- Polling Day - 2nd day of March 2001
- Return of writs - 18th day of March 2001

Polling Hours

The hours of Polling as prescribed by the Electoral Act 1963 commences at 9.00 o'clock in the morning and closes at 3 o'clock in the afternoon.

Weather

For the 2001 General Elections, the weather in Upolu was fine in the morning, but there was heavy rains in the afternoon. In Savaii the weather in the eastern side was fine but heavy rains and strong winds were reported in the western side in the early morning. This fortunately did not cause any problems with voter turnout in the western side as the rain and winds eased later in the morning.

There was however heavy rains and strong winds both in Savaii and Upolu in the afternoon which caused problems with the return trips of Polling Officers and transport of ballot papers and polling materials back to Office of the Chief Electoral Officer. In spite of the bad weather conditions, all ballot papers and polling materials were returned and accounted for within the prescribed time.

Admission to Polling Booths

As was in 1991 and 1996 general elections, polling was peaceful and orderly throughout the country. The electors and voters formed queues outside the booths and were admitted under the control of the cue masters. There were no complaints in regards to waiting time. The only complaints received were in

regards to the Faasaleleaga No.2 Roll and Vaisigano No.2 Roll. The Faasaleleaga No.2 Roll claims of fraudulent registrations was admitted as an electoral petition and was upheld in Court.

The percentage of voter turnout recorded for the 2001 general elections was lower than that of the 1996 general elections which in turn was much lower than that recorded for the 1991 general elections. See Tables XII, XIII and XIV.

Polling Procedure

The Polling Procedures set out in the Manual for Polling Officers were adhered to. The cue masters controlled the cues and provided for the needs of the old, the sick and the handicapped. Requirement for entrance was the valid certificate of identity - Electors and Voters without certificates of identity were not permitted entrance to the polling booths. Electors and Voters with valid certificates of identity whose names were missing from the rolls were issued special ballot papers.

Electors and Voters casting votes outside of their Constituencies were also issued special ballot papers. Once issued a ballot paper, the certificate of identity was cut at the identified corner being the mark for the 2001 general elections.

❖ Separate marks were identified for the 1991 and 1996 general elections.

Secrecy of Ballot

The secrecy of the ballot was maintained through strict adherence to procedures as was done in the 1991 and 1996 general elections. There were no claims of breach of secrecy.

Spoilt Ballot Papers

The Spoilt Ballot papers either by Polling Officers or electors or voters were replaced with new ballot papers as required by section 72 of the Electoral Act. The spoilt ballot papers were retained and delivered to the Chief Electoral Officer in separate parcels at the close of Poll.

Tendered Ballot Papers

All tendered ballot papers were not deposited in the ballot boxes, but were set aside for separate custody by the Presiding Officers, and delivered to the Chief Electoral Officer at close of Polls as prescribed by section 74 of the Electoral Act.

Polling after closing hour

Electors and Voters who were standing at cues at 3.00pm were given special cards permitting them to vote in their turn. Those who were not in the cues at 3.00pm but arriving later were not permitted to vote. The same procedures were observed in the 1991 and 1996 general elections.

Preliminary Count

The Preliminary Counts were performed by the Presiding Officers at the Polling Booths at the close of polls in the presence of scrutineers in accordance with procedures prescribed by section 75 of the Electoral Act 1963. The scrutineers present at the counts countersigned the Accounts for the ballot papers and the Preliminary Results Counts. The Presiding Officers announced the Results of the Polls at the polling booths and copies of the Results were posted in the individual

booths, before these were forwarded together with the ballot papers, accounts and election materials to the Chief Electoral Officer.

Preliminary Results received by the Chief Electoral Officer were posted in the COUNT BOARD in the Office of the Chief Electoral Officer and broadcasted over Radio 2AP on Polling Day.

The Official Count

The Official Count and Scrutiny of Rolls were conducted by the Chief Electoral Officer and the designated Returning Officers under the procedures prescribed in sections 76, 77, 78 and 79 of the Electoral Act.

The Official Count and Scrutiny of Rolls for the 2001 general elections differed from those of the Official Counts of the 1991 and 1996 general elections in that two Returning Officers were designated by the Chief Electoral Officer to assist in the conduct of the Official Count and Scrutiny of Rolls as provided under the 2000 Amendment, whereas the Official Count for the 1991 and 1996 general elections were done wholly by the Chief Electoral Officer with assistants.

The Official Count and Scrutiny of the Rolls of the 2001 general elections commenced the day after Polling Day, being 3rd March 2001 and the Official Results were declared on the 12th March 2001.

Thus the Official Count of the 2001 general elections had taken 10 days, and the Writs were returned 8 days before the last day prescribed for Return of the Writs.

The Official Count and Scrutiny of the Rolls of the 1991 general elections was conducted in 17 days and the Writs were returned 2 days before the last day prescribed for the Return of the Writs.

The Official Count and Scrutiny of the Rolls of the 1996 general elections was conducted in 18 days and the Writs were returned 1 day before the last day prescribed for the Return of the Writs.

Declaration of Result of Polls

The Official results of the polls were declared and reported to Le Ao o le Malo as prescribed in section 80 of the Electoral Act.

All the Members of Parliament declared returned during the Preliminary Counts were confirmed in the Chief Electoral Officer's Official Count.

The Chief Electoral Officer endorsed all the Counts performed by the designated Returning Officers except the Vaisigano No.2 Count where the Returning Officer who conducted the Count made a wrong declaration. This was corrected by the Chief Electoral Officer through a recheck Count and the Returned Candidate was declared. The Chief Electoral Officer's Declaration of the Vaisigano No.2 Results was questioned through an electoral petition where a judicial recount confirmed the return of the candidate as declared by the Chief Electoral Officer.

CHAPTER VIII

VOTING STRENGTH

The overall percentage of electors who casted votes in the 1991 general elections was recorded 91.9% - a high number indeed. However, the average recorded for 1996 and the 2001 general elections although still relatively high showed a downward trend.

The downward trend in voting strength reflects the increasing number of registered electors and voters residing outside of Samoa. The Electoral Act provides for all polling booths to be sited within Samoa and does not provide for postal votes. Since Samoans living in New Zealand and Australia were encouraged to register for the 1991 and 1996 general elections in centres previously described, and since there is continuous emigration, the number of registered electors and voters living overseas who cannot vote for Parliamentary elections in Samoa has continued and will continue to rise.

Names of electors and voters residing outside of Samoa could have been removed through the procedures set out for the Revision of Rolls but this was made difficult by the controversial 1996 amendment. Double registrations and failure to remove the names of the dead also contribute to the drop in voting strength in a minor degree.

Overall Voting Strength 1991 General Elections

Table XII

The following table shows the number and percentage of Electors on the Constituency Rolls and Voters on the Individual Voters Roll who voted in the 1991 general elections.

(Territorial Constituencies)	No. of Registered Electors	No. of Registered Electors Voted	% of Registered Electors Voted
Vaimauga Sasae	710	*	*
Vaimauga Sisifo	2633	2380	90.4
Faleata Sasae	1717	1479	86.1
Faleata Sisifo	1900	1733	91.2
Sagaga Le Falefa	2165	1984	91.6
Sagaga Le Usoga	1712	1567	91.5
Aana Alofi No. 1	1923	1747	90.8
Aana Alofi No. 2	1267	1146	90.4
Aana Alofi No. 3	1916	1758	91.7
Aiga i le Tai	1682	1567	93.2
Falelatai & Samatau	1452	1340	92.3
Lefaga & Faleaseela	1750	1606	91.8
Safata	2218	2066	93.1
Siumu	963	833	86.5
Falealili	2472	2288	92.5
Lotofaga	839	786	93.7
Lepa	744	695	93.4
Aleipata Itupa i Luga	873	795	91.1
Aleipata Itupa i Lalo	1533	1398	91.2
Vaa-o-Fonoti	1112	994	89.4
Anoamaa Sasae	1105	1004	90.8
Anoamaa Sisifo	1520	1342	88.3
Faasaleleaga No. 1	2171	2011	92.6
Faasaleleaga No. 2	1411	1309	92.8

Faasaleleaga No. 3	1196	1118	93.5
Faasaleleaga No. 4	852	815	95.6
Gagaemauga No. 1	1760	1634	92.8
Gagaemauga No. 2	647	596	92.1
Gagaemauga No. 3	1113	1024	92.0
Gagaifomauga No. 1	1012	929	91.8
Gagaifomauga No. 2	1380	1278	92.6
Gagaifomauga No. 3	716	666	93.0
Vaisigano No. 1	812	*	*
Vaisigano No. 2	696	641	92.1
Falealupo	1215	1142	94.0
Alataua Sisifo	1130	1092	96.6
Salega	1746	1578	90.4
Palauli Sisifo	1384	1277	92.3
Satupaitea	837	779	93.1
Palauli Sasae	1253	1170	93.4
Palauli le Falefa	1537	1491	97.0
Individual Voters	1780	1488	83.6
Total	58,874	52,546	
Average %			91.9

* Election not contested

Overall Voting Strength 1996 General Elections

Table XIII

The following table shows the number and percentage of Electors on the Constituency Rolls and Voters on the Individual Voters Roll who voted in the 1996 general elections.

(Territorial Constituencies)	No. of Registered Electors	No. of Registered Electors Voted	% of Registered Electors Voted
Vaimauga Sasae	603	*	*
Vaimauga Sisifo	3645	2910	79.8
Faleata Sasae	3228	2479	76.8
Faleata Sisifo	3065	2292	74.8
Sagaga Le Falefa	2868	2161	75.3
Sagaga Le Usoga	2371	1780	75.1
Aana Alofi No. 1	2501	2004	80.1
Aana Alofi No. 2	1682	1188	70.6
Aana Alofi No. 3	2728	2132	78.1
Aiga i le Tai	2144	1780	83.0
Falelatai & Samatau	2165	1645	76.0
Lefaga & Faleaseela	2428	1913	78.8
Safata	3061	2449	80.0
Siumu	1342	1003	74.7
Falealili	2967	2297	77.4
Lotofaga	1201	945	78.7
Lepa	573	363	63.3
Aleipata Itupa i Luga	1390	1156	83.2
Aleipata Itupa i Lalo	2074	1598	77.0
Vaa-o-Fonoti	1669	1305	78.2
Anoamaa Sasae	1702	1361	80.0

Anoamaa Sisifo	2136	1640	76.8
Faasaleleaga No. 1	2524	1929	76.4
Faasaleleaga No. 2	2520	2073	83.2
Faasaleleaga No. 3	1340	992	74.0
Faasaleleaga No. 4	1029	857	83.3
Gagaemauga No. 1	2246	1700	75.7
Gagaemauga No. 2	855	695	81.3
Gagaemauga No. 3	1475	1095	74.2
Gagaifomauga No. 1	1052	760	72.2
Gagaifomauga No. 2	1343	1005	74.9
Gagaifomauga No. 3	975	810	83.1
Vaisigano No. 1	1603	*	*
Vaisigano No. 2	965	775	80.3
Falealupo	1675	1317	78.6
Alataua Sisifo	1247	991	79.4
Salega	2046	1616	78.9
Palauli Sisifo	1603	1209	75.4
Satupaitea	1146	988	86.2
Palauli Sasae	1568	1302	83.0
Palauli le Falefa	1749	1380	79.0
Individual Voters	1650	914	55.4
Total	78,154	58,799	
Average %			77.3

* Election not contested

Overall Voting Strength 2001 General Elections

Table XIV

The following table shows the number and percentage of Electors on the Constituency Rolls and Voters on the Individual Voters Roll who voted in the 2001 general elections.

(Territorial Constituencies)	No. of Registered Electors	No. of Registered Electors Voted	% of Registered Electors Voted
Vaimauga Sasae	2452	2076	84.7
Vaimauga Sisifo	5788	4154	71.8
Faleata Sasae	1643	*	
Faleata Sisifo	2264	1193	52.7
Sagaga Le Falefa	2905	1770	60.9
Sagaga Le Usoga	2693	1885	70.0
Aana Alofi No. 1	3192	2151	67.4
Aana Alofi No. 2	2028	1343	66.2
Aana Alofi No. 3	2614	1651	63.1
Aiga i le Tai	2559	1893	74.0
Falelatai & Samatau	2820	2064	73.2
Lefaga & Faleaseela	3182	2337	73.4
Safata	2715	1789	65.9
Siumu	2182	1640	75.2
Falealili	4652	3588	77.1
Lotofaga	857	513	59.8
Lepa	740	553	74.7
Aleipata Itupa i Luga	1822	1368	75.1
Aleipata Itupa i Lalo	2072	1358	65.5

Vaa-o-Fonoti	2296	1647	71.7
Anoamaa Sasae	1918	1442	75.2
Anoamaa Sisifo	2630	1853	70.4
Faasaleleaga No. 1	3197	2331	72.9
Faasaleleaga No. 2	2973	1995	67.1
Faasaleleaga No. 3	1502	1105	73.6
Faasaleleaga No. 4	1272	996	78.3
Gagaemauga No. 1	2584	1729	66.9
Gagaemauga No. 2	1441	1098	76.2
Gagaemauga No. 3	1728	1270	73.5
Gagaifomauga No. 1	1212	802	66.2
Gagaifomauga No. 2	1530	1073	70.1
Gagaifomauga No. 3	892	579	64.9
Vaisigano No. 1	2247	1752	78.0
Vaisigano No. 2	1136	859	75.6
Falealupo	1667	1226	73.5
Alataua Sisifo	1463	927	63.4
Salega	2511	1894	75.4
Palauli Sisifo	2080	1584	76.1
Palauli le Falefa	2099	1644	78.3
Satupaitea	1503	1151	76.6
Palauli Sasae	1918	1535	80.0
Individual Voters	2233	1473	66.0
Total	93,213	65,146	
Average %			73.0

* Election not contested

Double Members Constituencies Voting Strength

Table XV shows an upward trend in block voting or using one vote only in Double Members Constituencies with an average of 21.5% in the 1991 general elections, 26.5% in the 1996 general elections and 29.6% in the 2001 general elections.

Table XV

Two Member Constituencies	No. of Registered Electors	No. of Electors Voted	% of Reg. Electors Voted	No. of Votes Polled	No. electors Casted 1 Vote	
					No.	%
1991						
Vaimauga Sisifo	2633	2380	90.4%	4219	531	22.4%
Aana Alofi Nu.1	1923	1747	90.8%	2969	525	30.0%
Falealili	2472	2288	92.5%	4003	573	25%
Faasaleleaga Nu.1	2171	2011	92.6%	3739	283	14%
Individual Voters	1780	1488	83.6%	2755	221	14.8%
Total	10979	9914		17685	2133	
Average %			90.3%			21.5%
1996						
Vaimauga Sisifo	3645	2910	79.8%	3861	1959	67.3%
Aana Alofi Nu.1	2501	2004	80.1%	3248	620	30.9%

Safata	3061	2449	80.0%	4172	324	13.2%
Falealili	2967	2297	77.4%	3804	188	8.1%
Faasaleleaga Nu.1	2524	1929	76.4%	3499	359	18.6%
Salega	2046	1616	78.9%	2812	580	35.9%
Individual Voters	1650	914	55.4%	1721	107	11.7%
Total	18,394	14,119		23,117	4137	
Average %			75.4%			26.5%
Two Member Constituencies	No. of Registered Electors	No. of Electors Voted	% of Reg. Electors Voted	No. of Votes Polled	No. electors Casted 1 Vote	
2001						
Vaimauga Sisifo	5788	4154	71.8%	6336	1928	46.4%
Aana Alofi Nu.1	3192	2151	67.4%	3603	637	29.6%
Safata	2715	1789	65.9%	2977	595	33.2%
Falealili	4652	3588	77.1%	5932	1246	34.7%
Faasaleleaga Nu.1	3197	2331	72.9%	4118	526	22.6%
Salega	2511	1894	75.4%	3375	415	21.9%
Individual Voters	2233	1473	66.0%	2658	282	19.1%
Total	24,288	17,380		28,999	5629	
Average %			70.9%			29.6%

NB: Electors for double Members Constituencies and Individual Voters are entitled to 2 votes each using a single ballot paper.

Votes are casted by placing a ✓ sign next to the 2 names of candidates of choice.

CHAPTER IX

ANALYSIS OF VOTES

1. Special Votes

Special votes were casted by electors and voters who voted in polling booths outside of their Constituencies either because they reside outside their constituencies of registration or because they were required to work on polling day outside of their constituencies of registration eg. polling officers, members of the medical and nursing profession and other essential services and those admitted in hospitals.

Less than .1% of special votes were casted by those qualified electors or voters holding valid certificates of identity whose names were missing from the electoral rolls.

Table XVI

The following table shows the number of Electors and Voters who casted special votes in the 1991, 1996 and 2001 general elections.

(Territorial	1991	1996	2001
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Constituencies)			
Vaimauga Sasae	*	*	258
Vaimauga Sisifo	145	127	403
Faleata Sasae	72	91	*
Faleata Sisifo	129	94	42
Sagaga Le Falefa	141	92	64
Sagaga Le Usoga	58	72	52
Aana Alofi No. 1	94	85	76
Aana Alofi No. 2	47	91	45
Aana Alofi No. 3	82	136	67
Aiga i le Tai	87	185	71
Falelatai & Samatau	84	210	91
Lefaga & Faleaseela	241	262	101
Safata	200	336	65
Siumu	101	271	146
Falealili	240	280	314
Lotofaga	106	237	16
Lepa	88	58	27
Aleipata Itupa i Luga	188	447	81
Aleipata Itupa i Lalo	195	309	50
Vaa-o-Fonoti	112	396	64
Anoamaa Sasae	57	126	67
Anoamaa Sisifo	88	174	78
Faasaleleaga No. 1	238	222	94
Faasaleleaga No. 2	315	800	154
Faasaleleaga No. 3	171	163	58
Faasaleleaga No. 4	211	225	44
Gagaemauga No. 1	78	179	66
Gagaemauga No. 2	152	260	50
Gagaemauga No. 3	366	434	57
Gagaifomauga No. 1	383	278	34
Gagaifomauga No. 2	471	307	59
Gagaifomauga No. 3	115	207	25
Vaisigano No. 1	*	*	94
Vaisigano No. 2	120	235	29
Falealupo	336	617	61
Alataua Sisifo	221	284	28
Salega	239	338	138
Palauli Sisifo	170	203	60
Satupaitea	129	260	43
Palauli Sasae	268	324	71
Palauli le Falefa	184	269	89
Individual Voters	55	61	98
Total	6,777	9,745	3,530

* Election not contested

2. Tendered Votes (Ballot Papers)

Electors/voters whose rights to vote are challenged are permitted to cast tendered votes. Tendered votes are not included in the preliminary count but are sent to the Chief Electoral Officer for confirmation of right to vote or otherwise during the Official Count.

Table XVII

The following table shows the Numbers of Tendered Votes (ballot papers) recorded in the 1991, 1996 and 2001 general elections.

(Territorial Constituencies)	1991	1996	2001
Vaimauga Sasae	*	*	1
Vaimauga Sisifo	0	0	5
Faleata Sasae	1	0	*
Faleata Sisifo	3	0	3
Sagaga Le Falefa	0	1	0
Sagaga Le Usoga	0	0	0
Aana Alofi No. 1	0	3	0
Aana Alofi No. 2	2	0	0
Aana Alofi No. 3	1	3	0
Aiga i le Tai	0	0	3
Falelatai & Samatau	0	1	0
Lefaga & Faleaseela	0	1	2
Safata	1	0	1
Siumu	0	1	0
Falealili	0	0	0
Lotofaga	0	0	0
Lepa	0	0	2
Aleipata Itupa i Luga	0	0	0
Aleipata Itupa i Lalo	0	1	0
Vaa-o-Fonoti	0	0	0
Anoamaa Sasae	0	0	3
Anoamaa Sisifo	0	0	3
Faasaleleaga No. 1	0	0	2
Faasaleleaga No. 2	0	0	0
Faasaleleaga No. 3	0	0	2
Faasaleleaga No. 4	0	0	1
Gagaemauga No. 1	1	0	4
Gagaemauga No. 2	0	0	5
Gagaemauga No. 3	0	0	7
Gagaifomauga No. 1	0	0	0
Gagaifomauga No. 2	0	0	0
Gagaifomauga No. 3	0	0	2
Vaisigano No. 1	*	*	0
Vaisigano No. 2	0	0	0
Falealupo	0	1	0
Alataua Sisifo	0	1	0
Salega	0	0	2
Palauli Sisifo	0	0	0
Satupaitea	0	0	0
Palauli Sasae	0	1	0
Palauli le Falefa	0	0	1
Individual Voters	0	0	1
Total	9	14	50

* Elections not contested

NB: A marked increase was recorded in the number of Tendered Votes in the 2001 general elections. Possible contributing factor being the accumulation of Rolls and Certificates of Identity numbering inaccuracies.

3. Dual Votes

Dual votes are those casted by electors/voters who vote more than once in one election.

Table XVIII

The following table shows the Numbers of Electors that casted dual votes in the 1991, 1996 and 2001 general elections.

(Territorial Constituencies)	1991	1996	2001
Vaimauga Sasae	*	*	0
Vaimauga Sisifo	0	0	6
Faleata Sasae	0	0	*
Faleata Sisifo	0	0	7
Sagaga Le Falefa	0	1	0
Sagaga Le Usoga	0	0	0
Aana Alofi No. 1	0	3	2
Aana Alofi No. 2	0	0	4
Aana Alofi No. 3	0	2	0
Aiga i le Tai	0	0	7
Falelatai & Samatau	0	0	0
Lefaga & Faleaseela	0	1	0
Safata	0	1	0
Siumu	0	0	0
Falealili	0	0	3
Lotofaga	0	0	0
Lepa	0	0	0
Aleipata Itupa i Luga	0	0	6
Aleipata Itupa i Lalo	2	0	6
Vaa-o-Fonoti	0	0	0
Anoamaa Sasae	0	0	0
Anoamaa Sisifo	1	0	0
Faasaleleaga No. 1	0	0	2
Faasaleleaga No. 2	0	0	0
Faasaleleaga No. 3	0	0	0
Faasaleleaga No. 4	0	0	0
Gagaemauga No. 1	0	0	0
Gagaemauga No. 2	0	0	0
Gagaemauga No. 3	0	0	0
Gagaifomauga No. 1	0	0	0
Gagaifomauga No. 2	0	0	0
Gagaifomauga No. 3	0	0	0
Vaisigano No. 1	*	*	2
Vaisigano No. 2	0	0	0
Falealupo	0	0	2
Alataua Sisifo	0	0	0
Salaga	0	0	0
Palauli Sisifo	0	0	2
Satupaitea	0	0	2
Palauli Sasae	0	0	2
Palauli le Falefa	0	2	4
Individual Voters	0	0	0
Total	3	10	57

* Election not contested

NB: A marked increase in dual votes was encountered in the 2001 general elections. It is possible that the accumulation of Rolls and Certificates of Identity numbering inaccuracies previously referred to may have contributed to the increase. Such errors affected a number of electors and voters with same names eg. father/son, mother/daughter, grandparents/grandchildren and other close relatives who were issued with certificates of identity bearing one number. A number of these errors were discovered in the 1991 and 1996 general elections and were duly corrected.

4. Spoilt Ballot Papers

Ballot papers either spoilt by electors/voters or the presiding officer are set aside and recorded spoilt.

Table XIX

The following table shows the Numbers of Spoilt ballot papers in the 1991, 1996 and 2001 general elections.

(Territorial Constituencies)	1991	1996	2001
Vaimauga Sasae	*	*	2
Vaimauga Sisifo	2	0	6
Faleata Sasae	0	0	*
Faleata Sisifo	7	0	2
Sagaga Le Falefa	1	5	7
Sagaga Le Usoga	4	0	2
Aana Alofi No. 1	4	2	5
Aana Alofi No. 2	2	2	0
Aana Alofi No. 3	5	2	4
Aiga i le Tai	68	2	10
Falelatai & Samatau	1	1	2
Lefaga & Faleaseela	3	0	2
Safata	3	2	0
Siumu	0	0	2
Falealili	2	4	6
Lotofaga	0	1	0
Lepa	0	4	1
Aleipata Itupa i Luga	0	0	3
Aleipata Itupa i Lalo	1	5	1
Vaa-o-Fonoti	1	4	2
Anoamaa Sasae	4	0	12
Anoamaa Sisifo	1	1	5
Faasaleleaga No. 1	6	2	6
Faasaleleaga No. 2	0	0	3
Faasaleleaga No. 3	1	1	0
Faasaleleaga No. 4	0	0	1
Gagaemauga No. 1	3	0	2
Gagaemauga No. 2	1	0	0
Gagaemauga No. 3	0	0	2
Gagaifomauga No. 1	4	1	1
Gagaifomauga No. 2	0	1	1
Gagaifomauga No. 3	0	0	3

Vaisigano No. 1	*	*	0
Vaisigano No. 2	0	0	1
Falealupo	1	0	0
Alataua Sisifo	3	0	1
Salega	2	0	0
Palauli Sisifo	4	8	3
Satupaitea	1	1	2
Palauli Sasae	2	5	3
Palauli le Falefa	0	3	0
Individual Voters	1	3	2
Total	138	60	105

* Election not contested

5. Informal Votes

An Informal Vote is defined as a vote, the intention of the elector is not clear or a vote:

- (i) that do not bear the official mark if there is reasonable doubt that it was not issued by any Presiding Officer; or
- (ii) that do not indicate clearly the candidates of choice; or
- (iii) that has anything not authorised by the Electoral Act written or marked by which the elector can be identified; or
- (iv) that contains marks for more than the number of candidates to be elected.

Table XX

The following Table shows the Numbers of Electors and Voters who casted informal votes in the 1991, 1996 and 2001 general elections.

The Table shows the number of ballot papers that were ruled informal though low show an upward trend. Of the 52,546 electors who voted for 1991 general elections 229 or 0.43% casted votes that were ruled informal, 58,799 electors who voted for 1996 general elections 292 or 0.49% were ruled informal, and of the 65,146 electors who voted for 2001 general elections 360 or 0.55% were ruled informal.

Territorial Constituencies	1991	1996	2001
Vaimauga Sasae	0	0	13
Vaimauga Sisifo	4	9	17
Faleata Sasae	4	26	0
Faleata Sisifo	5	23	5
Sagaga Le Falefa	8	39	35
Sagaga Le Usoga	10	15	17
Aana Nu.1	5	7	16
Aana Nu.2	6	2	14
Aana Nu.3	17	26	6
Aiga I le Tai	3	3	16
Falelatai & Samatau	6	9	10
Lefaga & Faleaseela	5	12	19
Safata	6	5	7
Siumu	7	3	11
Falealili	9	7	16
Lotofaga	7	3	1
Lepa	3	1	2

Aleipata Itupa i Luga	6	0	8
Aleipata Itupa i Lalo	10	7	8
Vaa-o-Fonoti	2	2	6
Anoamaa Sasae	2	7	6
Anoamaa Sisifo	1	2	10
Faasaleleaga No. 1	2	8	7
Faasaleleaga No. 2	5	11	14
Faasaleleaga No. 3	7	7	5
Faasaleleaga No. 4	3	5	1
Gagaemauga No. 1	9	8	13
Gagaemauga No. 2	0	5	8
Gagaemauga No. 3	14	4	2
Gagaifomauga No. 1	3	1	3
Gagaifomauga No. 2	4	2	3
Gagaifomauga No. 3	2	2	0
Vaisigano No. 1	0	0	13
Vaisigano No. 2	6	4	6
Falealupo	7	6	5
Alataua Sisifo	3	1	4
Salaga	9	2	2
Palauli Sisifo	4	2	11
Palauli Sasae	5	9	8
Satupaitea	1	4	4
Palauli le Falefa	9	3	6
Individual Voters	10	0	2
Total	229	292	360

6. Valid Votes by Political Parties

Table XXI

The following Table shows the Numbers of Votes received by political parties and independent members at the Official Count in the 1996 and 2001 general elections.

NB: The Nomination Form was amended to show the names of the political parties by the Electoral Amendment Act 1995, hence political parties were not shown in the nomination forms used in the 1991 general election Official Count.

Votes received by Political Parties and Independents at the Official Counts for 1996 and 2001 General Elections

Political Parties	1991	1996	2001
Puipuia Aia tatau a Tagata (HRPP)	-	29,353	34,262
Samoa National Development Party (SNDP)	-	17,586	17,966
Samoa all Peoples Party (SAPP)	-	889	10
Samoa Labour Party (SLP)	-	773	-
Laasaga Taofiofi (SCPP)	-	359	-
Fealofaniga o Samoa (SUPP)	-	-	1,898

Independent members	-	18,454	22,315
Total		67,414	76,451

NB: - SLP and SCPP were not registered as required by the Electoral Amendment Act 2000, Sect.6. SUPP was only registered on 1st February 2001.

CHAPTER X
ELECTORAL PETITIONS, BI-ELECTIONS
&
JUDICIAL RECOUNTS

1. General Elections Petitions by Offences Alleged:

Table XXII

The following table shows the Numbers of Elections Petitions by Offences Alleged presented following the 1991, 1996 and 2001 general elections.

Petitions by Offences Alleged

Offences Alleged	1991	1996	2001
Corrupt Practices - bribery, treating, undue influence	9	16	5
Qualifications & Eligibility - Candidates	1	0	3
Qualifications & Eligibility - Electors & Voters	1	0	1
Validity of election results	0	1	1
Total	11	17	10

2. Results of Post General Elections Petitions

Table XXIII

The following Table shows the Results of Post General Elections Petitions tried by the Court. In 1991, 90.9% of the post general elections petitions were dismissed and withdrawn, in 1996, 70.5% were dismissed and withdrawn while in 2001, 50% were dismissed and withdrawn

Results	1991	1996	2001
Election Void	1	5	5
Dismissed	7	5	4
Withdrawn	3	7	1
Total	11	17	10

3. Judicial Recounts

Three applications were filed for Judicial Recounts following the Declarations of Results of the 1996 general elections.

Table XXIV

Table XXIV shows the Results of the Chief Electoral Officer Counts of votes and the Judicial Recounts filed for the 1996 general elections.

Constituency	Chief Electoral Officer Count	Judiciary Recount
1. Vaimauga Sisifo	C. 1 - 820 C. 2 - 951 C. 3 - 399 C. 4 - 661 C. 5 - 249 C. 6 - 772	C. 1 - 820 C. 2 - 951 C. 3 - 398 C. 4 - 661 C. 5 - 250 C. 6 - 774
2. Palauli Sasae	C. 1 - 281 C. 2 - 524 C. 3 - 488	C. 1 - 374 C. 2 - 525 C. 3 - 487
3. Satupaitea	C. 1 - 374 C. 2 - 93 C. 3 - 405 C. 4 - 112	C. 1 - 374 C. 2 - 92 C. 3 - 405 C. 4 - 111

C = Candidate

The Judicial Recounts confirmed the Chief Electoral Officer's Declarations:

Table XXV

Two Judicial Recounts were conducted following the 2001 general elections: One (Palauli Sasae) through an application for a Recount, and the other (Vaisigano No.2) at the direction of the Court during the Trial of petition.

Table XXV shows the Results of the Chief Electoral Officer Count and the Judicial Recount for the 2001 general elections.

Constituency	Chief Electoral Officer Count	Judicial Recount
1. Vaisigano No.2	C.1 - 118 C. 2 - 365 C. 3 - 368	C.1 - 118 C. 2 - 363 C. 3 - 366
2. Palauli Sasae	C.1 - 519 C. 2 - 527 C. 3 - 479	C.1 - 520 C. 2 - 526 C. 3 - 479

C = Candidate

The Judicial Recounts confirmed the Chief Electoral Officer's Declarations:

CHAPTER XI

DISTRIBUTION OF SEATS

Table XXVI Distribution of Seats by Political Parties according to the Official Count Results including Elections not Contested.

The Table shows distribution of seats according to political parties as shown on Nomination Forms.

	1991	1996	2001
Puipuia Aia Tatau a Tagata (HRPP)	*	24	23

Samoa National Development Party (SNDP)	*	11	13
Independent members	*	13	12
Samoa Labour Party (SLP)	*	1	-
Fealofaniga o Samoa (SUPP)	*	-	1
Total	*	49	49

* Refer to NB Table XXI

Table XXVII Distribution of Seats at Swearing In (First meeting of Parliament)

	1991	1996	2001
Puipuia Aia tataua a Tagata (HRPP)	32	34	28
Samoa National Development Party (SNDP)	14	11	13
Independent members	1	4	8
Total	47	49	49

NB: (i) The membership of Parliament was 47 until the Constitution Amendment Act (No.2) 1991 increased the number of members to 49.

(ii) Five of the members who ran as independent candidates in the 2001 general elections were included in the List of Members for the Puipuia Aia Tataua a Tagata (HRPP) submitted to the Speaker before sworn in pursuant to Standing Orders 19(2).

(iii) One member who ran as SUPP candidate in the 2001 general elections was sworn in as an independent member pursuant to Standing Orders 19(1).

Table XXVIII Distribution of Seats after Petitions and Post General Elections Bi-elections

	1991	1996	2001
Puipuia Aia Tataua a Tagata (HRPP)	31	35	29
Samoa National Development Party (SNDP)	15	11	13
Independent members	1	3	7
Total	*47	49	49

* Refer to NB(i) Table XXVII

CHAPTER XII

ELECTION EXPENSES

Election expenses recorded were those specifically charged to the Output for Conduct of Elections in the Vote of the Department of the Legislative for salaries and allowances of the 5 staff employed in the Electoral Section, expenses for casual workers, election materials, facilities, equipments, transport and administrative costs. Salaries and allowances of the staff of the Office of the Clerk who were required to carry out electoral work on top of their legislative responsibilities were charged to the votes of sections of employment. In addition the expenses for facilities and equipments of the Office of the Clerk used for

electoral work were charged to the Outputs of the Sections under which these are registered.

1. 1991 General Elections:

Breakdown of Expenses -

- 1. - Establishment of Electoral Section
 - Establishment of Computerised Roll
 - Nationwide Registration Teams
 - Issuance of 58,874 ID Cards conducted in different Constituencies & office - 280,000
- 2. Preparation & Conduct of general election - 350,000
- 3. Conduct of Post general elections Bi-elections (1) - 15,986

GRAND TOTAL 645,986

2. 1996 General Elections:

Breakdown of Expenses -

- 1. - 1995 Review of Electoral Rolls & Ongoing Registration
 - Issuance of ID Cards to:
 - New electors 19,280
 - Replacement of lost ID Cards & Transfers - 118,227
- 2. Preparation & Conduct of General Election - 419,100
- 3. Conduct of Post General Elections Bi-elections (5) - 99,270

GRAND TOTAL 636,597

3. 2001 GENERAL ELECTIONS:

Breakdown of Expenses -

- 1. Preparation and Conduct of general election - 449,418.24
- 2. Conduct of Post General Elections Bi-elections (4) - 43,809.63

GRAND TOTAL - 493,227.87

Table XXIX

The following Table shows the breakdown of expenses in the 1991, 1996 and 2001 general elections including the conduct of post general elections bi-elections

Breakdown of Expenses	1991	1996	2001
1. Registration & Issuance of Certificates of Identity	280,000	118,227	*
2. Preparation and Conduct of general elections	350,000	419,100	449,418.24
3. Conduct of Post general elections bi-elections	15,986	99,270	43,809.63
TOTAL	645,986	636,597	493,227.87

* Registration expenses for the 2001 general elections were recorded at the Office of the Registrar of Electors and Voters, Ministry of Justice.

CHAPTER XIII

PROBLEMS

1. Nominations

Processing of Nominations was made difficult in the 2001 general elections because the printed Electoral Rolls were not received from the Registrar of Electors and Voters until after the Nominations were closed.

Certifications of electors pending release of the Printed Electoral Rolls was effected through a form specially printed for the purpose. A copy of the Form is annexed to the report. Such problems with Nominations was not encountered in the 1991 and 1996 general elections when the electoral process was under one administration enabling planning of the whole process for timely implementation of activities.

2. Scrutiny and Official Count

Problems with accessibility to personal details of electors and voters required for assessing qualifications of those who casted special votes and/or assessing validity of votes set aside as tendered votes and those suspected of voting more than once was experienced for the first time in the 2001 general elections. These problems were not encountered in the Official Counts of the 1991 and 1996 general elections when registration of electors and voters and conduct of elections was under one administration with all records easily accessed.

CHAPTER XIV

RECOMMENDATIONS

1. The administration of the Electoral Process to be the responsibility of an independent body to be called the Electoral Commission.
 - The Electoral Commission to be directly responsible to the Legislative Assembly and shall communicate with the Legislative Assembly through the Parliamentary Electoral Committee to be chaired by the Speaker. The membership of the Parliamentary Electoral Committee to be of equal party representation irrespective of party membership.
 - The Electoral Commission to report to Parliament as soon as practicable after each bi-election and following general elections detailing proceedings and operations.
 - The Chief Executive Officer of the Electoral Commission to be called the Electoral Commissioner. The Electoral Commissioner and his deputy to be appointed by the Head of State on resolution of the Legislative Assembly.
 - The Electoral Commissioner to devote himself exclusively to duties of his office and not to hold any other office or engage in any other employment.
 - The Electoral Commissioner to exercise the powers and perform the duties in the Electoral Act as exercisable and performable by him.
 - The Electoral Commissioner and deputy to be paid salaries at the level of Chief Executive Officers and deputy of a ministry.
 - Staff of the Electoral Commission to be appointed by the Parliamentary Electoral Committee on recommendation of the Electoral Commissioner.
 - The responsibilities of the Electoral Commission to be as follows:

- (i) Exercise general directions and supervision over the administrative conduct of elections.
 - (ii) Registration of electors and compilation and maintenance of up to date electoral rolls.
 - (iii) Implement public education and information programmes to make the electoral process better known.
 - (iv) Registration of political parties and maintenance of a registry of agents of registered parties.
 - (v) Maintain a registry of agents of registered parties for the purpose of donations to registered parties;
 - (vi) Receive returns of election expenses incurred by or on behalf of each political party.
 - (vii) Prescribes forms for:
 - (a) recording information on expenses and claims;
 - (b) amount of money and commercial value of goods or services loans, advance, contributions, gifts;
 - (c) use as an official receipt;
 - (d) purpose of Income Tax.
 - (viii) Provide election materials.
 - (ix) Provide and conduct training for election officers.
 - (x) Advise the Parliamentary Electoral Committee on Electoral legislations and recommend amendments where required.
2. The boundaries of the Territorial Constituencies as prescribed under the Territorial Constituencies Act 1963 to be retained.
 3. The Individual Voters Roll be abolished and the 2 seats reallocated to constituencies where the population is expected to rise due to site and subdivision of land, e.g. Vaimauga Sisifo and Faleata Sisifo.
 4. The qualifications of Electors prescribed in section 16 of the Electoral Act 1963 be maintained provided that (2)(e) be amended to omit the following from the end of the paragraph:
 - "or to any community project or work related activity in that village".
 The provision now recommended for omission was too loose and therefore open to abuse as proven in the Faasaleleaga No.2, 2001 general elections petition.
 5. The proviso in Section 18A(8) of the Electoral Act 1963 as follows be omitted:
 - "Provided that the name of such person shall not be removed where -
 - (a) The Registrar is satisfied that such person is alive; and
 - (b) According to the records of the Registrar such person is the holder of a valid Identification Card."
 Omission of this proviso will enable the Registrar to remove all names of those electors who do not respond to the revisions. The majority of those are electors who have emigrated and do not return to Samoa to vote at elections.
 6. In addition to the Revision of the Rolls, names of those electors who had not voted for 2 consecutive elections to be removed from the Rolls.
 7. Since the Certificates of Identity have been used as trading cards for votes these should be abolished. Instead, photographs of electors are recommended to be part of the Rolls to be used for voting. Rolls with

photographs are to be released to the Presiding Officers for Voting only. It should be made an offence for anyone else to possess these Rolls printed with the photographs of electors.

8. Block voting through the use of one vote in two members constituencies be ruled informal. This could be effected by amending Section 79(2)(a) (iv) to read:

"that purports to vote for more or less candidates than the number of candidates to be elected".

This should encourage the electors of 2 members constituencies to use the two votes they are entitled to.

9. Voting age be changed to 18 years to be in line with the voting age in the majority of the Commonwealth countries where the level of education is comparable to that in Samoa. It is also worthy to point out that the voting age for some of the Commonwealth countries is now 16 years.

10. The First Past the Post Voting System which has been in practice in Samoa since the pre-independence era although considered to be perhaps the least democratic of the systems practiced in the democratic world it does have the major advantage of:-

- It is easy for the voters to understand and therefore informal voting is negligible.
- It is easy to count and therefore counting errors is negligible.
- Minor parties and independents sometimes win against major parties.
- It promotes a 2 party system thus ensuring stability in Parliament.

Since stability in Parliament ensures stability in the Country it is recommended that the First Past the Post Voting System be retained.
