

- (b) They should have the power to initiate legislation in all matters except those reserved to the administering authority. Whether or not they should sit as representatives in the Legislature should be decided by the Samoan people.
- (c) They should advise the High Commissioner in all matters relating to the Government and welfare of Western Samoa. This should include the right to be consulted on the choice of the heads of executive Departments, and also on any emergency regulations proposed by the High Commissioner (see paragraph 36 of this chapter).
- (d) The above powers should be exercised by the *Fautua* acting as a group.

## H. LEGISLATIVE POWER

42. The Mission encountered strong criticism of the present Legislative Council from a wide variety of persons interviewed, Samoan and European. The Council possesses "no real power," it was said; to persuade capable Europeans to stand for election is most difficult; its proceedings are "a farce." Samoan leaders, in their evidence, showed that they consider control of the legislative authority as the crux of self-government.

43. The plan for a new Government presented to the Mission by the Samoan representatives proposes to vest legislative power in a new *Fono* or Parliament of *Faipule*. It asks that this be composed of forty-four or forty-five members—forty-one Samoans, and three or four Europeans. A power of veto would be accorded to the representative of New Zealand, but, in turn, the Samoan Legislature would have a right of appeal over this veto to the United Nations.

44. The plan proposed by the European Citizens' Committee first suggested a Legislative Council composed of seven Samoans and five Europeans. The heads of Departments under this plan were to have the right to speak in the meetings on matters for which they would be responsible, but not the right to vote. Financial measures would require a two-thirds majority. As in the Samoan plan, power of veto would be allowed to the New Zealand representative. This plan was later modified to provide for a Legislative Council composed of seven Samoans, five elected Europeans, and not more than six Government officials. Financial measures would be passed by majority vote.

45. The Mission believes that legislative power should be placed in the hands of a local legislature, subject to the rights reserved to the administering authority as outlined above. Only by giving greater scope than is allowed to the present Legislative Council can the inhabitants of the Territory gain the legislative experience necessary for progress in self-government.