

2025-01236.

IN THE SUPREME COURT OF SAMOA

HELD AT APIA

IN THE MATTER:

of Election Petitions as per Part 14
of the Electoral Act 2019

BETWEEN

PAPALII LIO OLOIPOLA TAEU MASIPAU
candidate for the Constituency of
Faasaleleaga 3

PETITIONER

AND

NAMULAUULU PAPALII LEOTA SAMI
LEOTA elected Candidate for the
Constituency of Faasaleleaga 3

RESPONDENT

ELECTION PETITION

TO: THE SUPREME COURT OF SAMOA

THE petition of PAPALII LIO OLOIPOLA TEAU MASIPAU of Faasaleleaga 3 in Samoa, whose name is subscribed hereto, a candidate for the Faasaleleaga 3 Electoral Constituency in the 2025 General Elections, showeth as follows:-

1. AT the 2025 General Elections for the Legislative Assembly of Samoa, an election for a Member of Parliament for the Electoral Constituency of Faasaleleaga 3 was held, the poll wherefore was appointed for the 29th day of August 2025.
2. AT the said election, the Petitioner and Respondent were candidates.
3. ON the 5th day of September 2025, the Electoral Commissioner officially declared and reported the Respondent as being duly elected.
4. THE Petitioner was one of the candidates at the said election and polled sufficient votes to qualify him to file this petition.
5. THE official declaration by the Electoral Commissioner of the result of the poll for the Electoral Constituency of Faasaleleaga 3 shows that the Petitioner and the Respondent polled the following votes:

NAMULAUULU PAPALII LEOTA SAMI LEOTA	1023
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PAPALII LIO OLOIPOLA TAEU MASIPAU	789
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6. THE Petitioner alleges that the Respondent is guilty of corrupt practices in that, he committed bribery and /or treating as outlined in affidavits filed in support of the Petition as follows:-

- a) on or about 28th day of August 2025 the Respondent gave \$50.00 to one Selo Siaki Mafua who is a voter for the electoral constituency of Faasaleleaga 3, for the purpose of inducing the voter to vote.
- b) On or about 27 August 2025, the Respondent gave \$100 to Talivaa Iva who is a voter for the electoral constituency of Faasaleleaga 3, for the purpose of inducing the voter to vote.
- c) On or about 28 August 2025, the Respondent gave \$70.00 to Manai Kalava who is a voter for the electoral constituency of Faasaleleaga 3, for the purpose of corruptly influencing the voter to vote.
- d) On or about 29 August 2025, the Respondent gave \$70 to Memea Ah Niu , for the purpose of inducing the voter to vote.
- e) On or about 10 August 2025, the Respondent gave \$20.00 to Ioka Tuilaepa, for the purpose of inducing the voter to vote.
- f) On or about 18 August 2025, the Respondent gave \$100 to Memea Okesene who is a voter for the electoral constituency of Faasaleleaga 3, for the purpose of inducing the voter to vote.
- g) On or about 28 August 2025, the Respondent gave \$50.00 to Tepora Ila who is a voter for the electoral constituency of Faasaleleaga 3, in order to induce the voter to vote.
- h) On or about 10 August 2025, the Respondent gave \$20 to Afiatioaga Tuilaepa who is a voter for the electoral constituency of Faasaleleaga 3, for the purpose of inducing the voter to vote.
- i) On or about 10 August 2025, the Respondent gave \$6000.00 to the villagers of Tapuaelele who are voters for the electoral constituency of Faasaleleaga 3, for the purpose of inducing the these voters to vote.
- j) On or about 28 August 2025, The Respondent gave \$6000.00 to the villagers of Fogapoa in a village meeting for the purpose of inducing voters in that village to vote.

WHEREFORE the Petitioner prays as follows:

- (A) For a declaration that the Respondent was not duly elected and his election void, and that a by-election be ordered; and
- (B) Costs.

DATED at Apia this 18th day of September 2025.



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PETITIONER

THE PETITIONER authorises LUI AND CHANG, Barrister and Solicitor, to act as his representative and their address for service is at the LUI AND CHANG, Macdonald Building, Savalalo

IN THE SUPREME COURT OF SAMOA

HELD AT APIA

ELECTION PETITION NO. MISC – 114/21

IN THE MATTER: of Election Petitions as per Part 14
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BETWEEN PAPALII LIO OLOIPOLA TAEU MASIPAU
candidate for the Constituency of
Faasaleleaga 3

PETITIONER

AND NAMULAUULU PAPALII LEOTA SAMI
LEOTA elected Candidate for the
Constituency of Faasaleleaga 3

RESPONDENT

ELECTION PETITION

LUI AND CHAND
Barristers & Solicitors
Macdonald Building
SAVALALO