



## Western Samoa

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## 1975 No. 26.

**AN ACT** establish the Banana Board to control, promote, and improve the banana industry in Western Samoa, to make provision for the acquisition and marketing by it of bananas, to provide for the fixing of prices for bananas for export, and to make provision for the regulation of export and marketing of bananas.

**BE IT ENACTED** by the Legislative Assembly of Western Samoa in Parliament assembled as follows:—

**1. Short title and commencement**—(1) This Act may be cited as the Banana Board Act 1975. (23 December 1975)

(2) This Act shall come into force on a date to be fixed for the commencement thereof by Order made by the Head of State, acting on the advice of Cabinet.

**2. Interpretation** — In this Act, unless the context otherwise requires, —

“Banana Board Account” means the account established by section 21:

“Banana Reserve Fund” means the fund established by section 22:

“Declared price” means a price fixed or prescribed in accordance with subsection (4) of section 20:

“Director of Agriculture” means the Director of Agriculture, Forests and Fisheries:

“Minister” means the Minister of Agriculture, Forests and Fisheries:

“Sale price” means the amount received by the Board for bananas sold by it less all costs and expenses incurred by the Board in connection with the sale:

“The Board” means the Banana Board established by section 3.

## PART I

**3. Banana Board established** — (1) There is hereby established for the purposes of this Act a Board to be known as the Banana Board which shall be a body corporate having perpetual succession and a common seal.

(2) The Board shall consist of —

(a) The Minister, who shall be the Chairman of the Board:

(b) The Director of Agriculture, who shall be the deputy chairman of the Board:

(c) The Financial Secretary:

(d) 4 other members to represent the interest of growers and producers of bananas.

(3) The members referred to in paragraph (d) of subsection (2) shall be appointed by the Head of States acting on the advice of Cabinet for a term of 4 years, and may be reappointed. Any such member may at any time resign his office by notice in writing to the Board and the Head of

State acting on the advice of Cabinet may at any time remove any such member for disability, neglect of duty, misconduct, or bankruptcy, In the event of such a vacancy arising, it may be filled by an appointment made in the same manner as that of the member vacating office.

(4) Members of the Board not being full-time salaried employees of the Government may be paid out of the Banana Board Account in respect of each day or part of a day of attendance as members of the Board such sum as Cabinet shall from time to time determine, together with any expenses reasonably incurred by them in respect of their attendance at meetings of the Board.

**4. Deputies of members —** (1) If any member of the Board is temporarily incapacitated by illness, absence, or other sufficient cause from attending any meeting of the Board —

(a) In the cases of the Director of Agriculture and the Financial Secretary, any senior officer of his Department authorised by him in writing; and

(b) In the case of an appointed member, any person nominated for the purpose by the Minister, —

may attend that meeting as the deputy of such member.

(2) No deputy shall act as chairman of the Board.

(3) Any deputy shall, while he acts as such, be deemed a member of the Board.

(4) No appointment of any deputy, and no act done by him as such, and no act done by the Board while any deputy is acting as such, shall in any proceedings be questioned on the ground that the occasion for his appointment had not arisen or had ceased.

**5. Meetings of the Board —** (1) Meetings of the Board shall be held at such times and places as the Board shall from time to time appoint.

(2) The chairman or any 4 members of the Board may at any time call a special meeting of the Board.

(3) At all meetings of the Board 5 members' shall form a quorum.

(4) The chairman shall preside at all meetings of the Board at which he is present, but in the event of his absence from any meeting of the Board the members present at such meeting shall appoint one of their number to be the chairman of the meeting.

(5) At any meeting of the Board the chairman shall have a deliberative vote and in the case of an equality of votes he shall also have a casting vote.

(6) A decision of the majority of the members present at a meeting of the Board shall be the decision of the Board.

**6. Board may sue or be sued** — (1) The Board may sue or be sued in respect of matters whether relating to contract, tort or otherwise arising in connection with the exercise of its powers or the carrying out of its operations under this Act.

(2) Service of any document on the manager of the Board shall be deemed to be service on the Board.

**7. Officers of the Board** — (1) The Head of State, acting on the advice of Cabinet, shall appoint a manager, and the Board may appoint such other officers and servants (either full-time or part-time) as it deems necessary for the efficient performance of its functions under this Act.

(2) In fixing the salary or remuneration to be paid to the manager and other officers and servants appointed under subsection (1), regard shall be had to the salaries payable to officers of the Public Service holding positions of comparable responsibility.

(3) The Manager shall be the chief executive officer of the Board and shall be responsible to the Board for the efficient administration of its operations.

(4) The Manager shall be in attendance at every meeting of the Board unless in any particular case he is excused by the Board from attendance.

#### FUNCTIONS AND POWERS OF BOARD

**8. Functions of Board** — (1) The principal functions of the Board, notwithstanding anything contained in the Agriculture, Forests, and Fisheries Ordinance 1959, shall be:

- (a) To acquire and market bananas grown in Western Samoa, and for this purpose the Board is hereby empowered to assume absolute or limited control of all bananas available or intended for export from Western Samoa, and the Board may determine from time to time the extent to which it is necessary

for the proper and effective discharge of its functions under this Act that it should exercise control over the export and marketing of bananas

- (b) To determine and fix prices which it is to pay for bananas, and to exercise and perform such functions, powers, and duties in relation to the export and marketing of bananas as are conferred or imposed on it under this Act or otherwise howsoever:
- (c) To undertake such activities as the Board considers necessary for the improvement and development of the banana industry in Western Samoa, to promote and encourage the planting and production of bananas, and to control and eradicate diseases affecting bananas, all with a view to improving and maintaining the quality and quantity of bananas grown and produced in Western Samoa.

(2) The Board shall have all such other functions as are by this Act or otherwise conferred upon it.

(3) The Board may purchase, take on lease or hire, or otherwise acquire such land, buildings, plant, machinery, and equipment as in the opinion of the Board are necessary for the performance of its functions.

(4) In the exercise of its functions and powers, the Board shall comply with any general or special directions given by the Minister to the Board pursuant to the policy of the Government in relation thereto.

**9. General powers of Board** — Without limiting any power or authority conferred on the Board by this Act, the Board shall have full power and authority to make and carry out such arrangements and give such directions as it thinks proper for all or any of the following matters:

- (a) For the purchase, grading, pooling, packing, handling, storage, transport, and stevedoring of bananas of which it has assumed control:
- (b) For the shipment of such bananas on such terms and in such quantities as it thinks fit:
- (c) For the sale and disposal of such bananas on such terms as it thinks advisable:
- (d) For the insurance against loss or deterioration of any such bananas either in Western Samoa or in transit from Western Samoa and until disposed of:
- (e) For the appointment of overseas agents to act for the Board in connection with the sale of such bananas:

- (f) For the purchasing, acquiring, or leasing of land buildings plant and machinery for the processing, handling, and storage of such bananas:
- (g) For the improvement and development of the banana industry in Western Samoa, and the control and eradication of diseases affecting bananas grown and produced in Western Samoa:
- (h) Generally for all such matters as shall be necessary for or incidental to the due discharge of its functions under this Act.

**10. Investigations and inquiries** — (1) In the exercise of its functions under this Act, the Board may make such investigations and inquiries as it thinks fit, and for such purpose the Board may from time to time require any person to submit, by statutory declaration, returns of bananas grown or produce or to produce any record, book or document, or to set down in writing any facts relating to the subject matter of the investigation or inquiry which are within the knowledge of such person.

(2) All information obtained by the Board by such investigation or inquiry shall be treated as confidential except for the purposes of this Act.

#### ORIGINAL ASSETS OF BOARD

**11. Original assets of Board** — (1) The original assets of the Board shall consist of —

- (a) All property, buildings, works, equipment, apparatus and other assets heretofore vested in the Government of Western Samoa in right of a division of the Department of Agriculture, Forests and Fisheries known as the Produce Marketing Division and used by that Division for the storage, packing, handling, inspection and export of bananas;
- (b) The sum of 20,000 tālā to be advanced by the Western Samoa Treasury to the Board by way of a grant, free of interest, repayable within a period of 5 years from the date of the advance;
- (c) Investments held in the name of the Produce Marketing Division, namely, —
  - (i) New Zealand inscribed stock in the value of 44,190 tālā as shown in the audited balance sheet

of the Division as at the 31st day of December 1973:  
and

(ii) Western Samoa National Development Loan stock in the value of 16,000 talā as shown in the audited balance sheet of the Division as at the 31st day of December 1973, —  
to be transferred to and vested in the Board from the date of the commencement of this Act.

(2) The sum referred to in paragraph (b) of subsection (1) shall be paid into the Banana Board Account; and the amounts referred to in sub-paragraph (i) and sub-paragraph (ii) of paragraph (c) of subsection (1) shall be transferred and credited to the Banana Reserve Fund.

(3) If any question arises as to whether any asset has become or is the property or responsibility of the Board, that question shall be decided by Cabinet.

## PART II

### CONTROL OF BANANAS FOR EXPORT

**12. Control of bananas intended for export** — (1) The control of bananas assumed by the Board under paragraph (a) of subsection (1) of section 8 shall operate as from the time to be specified in that behalf by the Board by notice given under this section.

(2) Notice by the Board of its intention to assume control of any bananas may be given by publication in any newspaper or newspapers.

(3) In any case where the Board has resolved to assume limited control of any bananas, it may subsequently increase or reduce the extent of such control, or may resolve to assume absolute control.

**13. Limited control**—Where the Board has assumed limited control of bananas intended for export the extent of its control shall be defined by publication in any newspaper or newspapers, or by agreement between the Board and the owners of such bananas or other persons having authority to enter into an agreement with the Board with respect to such bananas.

**14. Absolute control** — All bananas intended for export of which the Board has assumed absolute control shall be graded, packed and ship as the Board directs and shall be sold and disposed of only by the Board or by direction of the Board at such times, in such manner, and on such terms as the Board in its discretion shall determine.

### **Export of Bananas**

**15. Export of Bananas** — (1) Except pursuant to a licence issued under this Act, no person other than the Board shall export bananas from Western Samoa.

(2) Every person who exports or attempts to export bananas in contravention of this section commits an offence for which he shall be liable on conviction to a fine not exceeding 500 tala. All bananas in connection with which an offence has been committed shall be forfeited to the Board.

**16. Existing contracts** — (1) Notwithstanding any other provision in this Act, the Board shall not exercise any powers of absolute or limited control of bananas where it is satisfied that there is subsisting in relation to such bananas a bona fide contract or arrangement made before the commencement of this Act between the grower of those bananas and any other private persons for the sale and export of such bananas.

(2) Nothing in subsection (1) shall relieve any person from the duty on the commencement of this Act to obtain a licence to export such bananas, but every person who is a party to an agreement or arrangement referred to in subsection (1) shall be entitled as of right to a licence in respect of those bananas.

**17. Issue of licence**—The Board may, subject to this Act and to any regulations made thereunder, issue to any person applying therefore on payment of a fee as may be prescribed by regulations, a licence to export bananas to any place outside Western Samoa approved by the Board for any period of time to be specified in the licence.

**18. Refusal and cancellation of licences** — (1) The Board may refuse to issue a licence to any applicant who —

(a) Has previously held a licence which has been cancelled under this Act; or



(b) Has contravened or failed to comply with any provision of this Act.

(2) The Board may cancel the licence of any person who has contravened or failed to comply with —

(a) Any provision of this Act; or

(b) Any condition of his licence.

(3) Any person whose application for a licence is refused, or whose licence is cancelled, may within 21 days after being notified of that fact in writing by the Board, or within such further period as the Supreme Court may allow, appeal to the Supreme Court against the decision.

(4) On hearing the appeal, the Supreme Court may confirm reverse, or vary the decision of the Board.

**9. Standard of bananas exported under licence—**(1) All bananas exported under a licence issued under this Part, shall comply with such standards as to kind, grade, quality, quantity, freedom from disease insect or animal life or foreign matter as may be prescribed by the Board or by regulations made under this Act; and every exporter of such bananas shall in like manner comply with such requirements as to harvesting, handling, packing, transport and carriage as may from time to time be prescribed by the Board or by regulations.

(2) The Board may, by its authorised servants and agents, enter ~~upon~~ any premises where bananas for export are grown, kept or stored and inspect the same; and may direct the owner or such bananas to do such things and take all such measures as are necessary to comply with the standards and requirements prescribed under this section.

### PART III

#### Banana Prices and Accounts

**20. Purchase of bananas by the Board and price control —** It shall be lawful for the Board to purchase bananas direct from growers, and for the Board to re-sell or export any or all of such bananas.

(2) The Board may from time to time fix the price to be paid by it for bananas purchased by the Board for export, and for such purpose the Board shall be deemed to possess the powers and authorities of the Price Control Board to

issue and enforce price orders in accordance with procedure provided under the Price Control Act 1971.

(3) Such prices may be different, —

(a) According to whether the purchase of bananas is to be made from the place where they are grown, or upon delivery by the grower to Apia or to some other directed by the Board:

(b) According to the kind, grade and quality of the bananas.

(4) The Board may, in lieu of fixing a price, prescribe a formula in accordance with which that price is to be determined.

(5) Each such price is hereinafter referred to as a declared price.

**21. Banana Board Account** — (1) For the purposes of this Act there shall be established with the Bank of Western Samoa an account to be known as the Banana Board Account.

(2) There shall be paid into the Banana Board Account —

(a) All money derived from the operations of the Board:

(b) All money derived from the payment of export licences payable to the Board.

(c) Any other money that may by this Act or otherwise be lawfully payable to the Board.

(3) There shall be paid out of the Banana Board Account all costs, charges and expenditure incurred by the Board in the performance of its duties and the exercise of its powers and functions under this Act in the administration thereof.

(4) The Board may from time to time establish within the Banana Board Account such special accounts, pool accounts, or reserve as it deems necessary or expedient for any purpose authorised this Act.

**22. Banana Reserve Fund** — (1) The Board shall as soon as possible after each annual balance date pay out of the Banana Board Account and invest sufficient of its funds, the aggregate sum of the amounts so invested in accordance with this subsection to be known as the Banana Reserve Fund.

(2) The Banana Reserve Fund shall be invested in Government or other public securities in Western Samoa or elsewhere as the Board may deem fit from time to time, and such investments may be withdrawn or realised at any time by the Board.

(3) Notwithstanding the provisions of subsection (1), the Board may invest sums from the Banana Reserve Fund in purchasing or acquiring land, buildings, plant, and machinery for the purposes of this Act.

(4) Where it is necessary or expedient for economic reasons, the Board may, pursuant to section 20, fix and maintain any declared price at more than the sale price, and pay the difference from the Banana Reserve Fund, until the necessity or expediency ceases or the Banana Reserve Fund is exhausted whichever first occurs.

(5) It shall be lawful for the Board from time to time to allocate and distribute from the Banana Reserve Fund such Sum as it shall think proper by way of bonus to banana growers and producers (either collectively or individually), such bonus to be computed on such basis as the Board shall consider equitable including such factors as the quantity and quality of the bananas produced by such growers and producers and the Board may from time to time adopt a formula in accordance with which such bonus shall be computed.

(6) The Board may in its discretion expend or use all or any part of the income of the Banana Reserve Fund for the purpose of assisting in the development, improvement or otherwise for the benefit of the banana industry in Western Samoa in such manner as it thinks fit.

## PART IV

### MISCELLANEOUS PROVISIONS

**23. Power to lend or borrow—**(1) For the purposes of performing its functions under this Act, the Board may time to time borrow such sums as shall be considered by the Board necessary or expedient, and the Western Samoa Treasury shall have power to make any such advance to the Board pursuant to this subsection.

(2) The Board may from time to time advance sums of money to the Western Samoa Treasury on such terms as to interest and repayment as the Board may decide and the Western Samoa Treasury is hereby authorised to borrow such sums.

**24. Taxation —** The Board shall not be liable to taxation.

**25. Accounts, audit and annual report** — (1) The Board shall keep proper accounts and other records in relation thereto and shall prepare a statement of accounts in respect of each financial year, including trading, profit and loss, and appropriation accounts, and a balance sheet.

(2) The accounts of the Board shall be audited annually by the Controller and Chief Auditor:

Provided that the Controller and Chief Auditor may from time to time commission a practising public accountant to undertake such audit as the agent of the Audit Office.

(3) The Board shall, as soon as possible after the end of each financial year, lay before the Legislative Assembly a report dealing generally with the operations of the Board during that year containing such information with respect to the proceedings of the Board as can be made public without detriment to the interest of the Board, and having annexed thereto a copy of a statement of accounts together with a copy of any report made by the Auditor

**26. Liability of members for acts or omissions** — No member officer or servant of the Board shall be personally liable for any act or default done or omitted to be done in good faith in the exercise of his duties as a member officer or servant of the Board.

**27. Penalty for obstructing Board**—Every person who obstructs or impedes or tends to obstruct or impede the Board or any officer servant or agent of the Board, in exercising any of the functions, powers authorities, or duties conferred under this act commits an offence, and shall be liable on conviction to a fine not exceeding 500 talā or to imprisonment for a term not exceeding 12 months, or both.

**28. Regulations** — The Head of State acting on the advice of Cabinet may from time to time make regulations for all or any of the following purposes.

- (a) Prescribing the conditions relating to the harvesting, handling, packing, storage and delivery of bananas sold by growers and producers to the Board:
- (b) Prescribing the standards and conditions of bananas to be exported by growers and producers pursuant to a licence issued by the Board:
- (c) Making provision for the inspection, control, and treatment for disease of bananas grown or harvested for export:

- (d) Prescribing the form of a licence to export bananas, the fee payable therefor, and the conditions to be complied with and observed by the holder of such licence:
  - (e) Prescribing returns to be made and information to be supplied to the Board by growers and producers:
  - (f) Prescribing offences against the regulations, and penalties therefor:
  - (g) Providing for such matters as are contemplated by or are necessary for giving full effect to the provisions of this Act and for its due administration.
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## SAMOA I SISIFO

## VAEVAEINA

## Igoa

1. Igoa puupuu ma le amataga
2. Faamatalaina o Upu

## VAEGA I

## KOMITI FAATINO O LE FA'I

3. Faavaeina o le Komiti Faatino o le Fa'i
4. Sui Tofia o Sui Usufono
5. Fonotaga a le Komiti Faatino
6. E mafai e le Komiti Faatino ona molia se tasi po o le mafa'i ona molia o ia
7. Ofisa o le Komiti Faatino

## GALUEGA MA PULE A LE KOMITI FAATINO

8. Galuega a le Komiti Faatino
9. Pule Eseese a le Komiti Faatino
10. Suesuega ma sailiiliga

## ULUA'I MEA TOTINO A LE KOMITI FAATINO

11. Ulua'i Mea-totino a le Komiti Faatino

## VAEGA II

## PULEA O FA'I MO LE AUINA ESE ATU

12. Pulea o fa'i ua faamoemoe mo le auina ese atu

13. Pule faatapulaaina

14. Pule atoatoa

## AUINA ESE ATU O FA'I

15. Auina ese atu o fa'i
16. Feagaiga o loo i ai nei
17. Tuuina atu o le laisene
18. Te'ena o le tuuina atu o le laisene
19. Tulaga o fa'i e auina ese atu i lalo o le laisene

## VAEGA III

## TAU O LE FA'I MA TEUGA-TUPE

20. Faatauina ma'i o fa'i e le Komiti Faatino ma le pulea o tau
21. Teuga-Tupe a le Komiti Faatino
22. Tupe Faaagaaga o le Fa'i

## VAEGA IV

## AIAIGA ESEESE

23. Pule e nonoina atu ai ma aitalafu mai
24. Lafoga
25. Teuga-Tupe, Suetusi ma lipoti faale-tausaga
26. Noataga o Sui Usufono mo gaioiga ma mea ua le faia
27. Faasalaga mo le faalavelave i le Komiti Faatino
28. Tulafono Faatonutonu

1975, Nu. 26

**O SE TULAFONO** e faavaeina ai le Komiti Faatino o le Fa'i, na te pulea, faaalualuina i luma, ma faaleleia le galuega tau i le fa'i i totonu o Samoa i Sisifo, ina ia faia ai aiaiga mo le mauaina mai ma le maketiina e ia o fa'i, ia aiaia ai le fuafuaina o tau o fa'i mo le auina ese atu, ma ia faia ai aiaiga mo le faatonutonuina o le auina ese atu ma le maketiina o fa'i.

UA FAIA e le Fono Aoaofaitulafono o Samoa i Sisifo i totonu o le Palemene ua potopoto e faapea:—

**1. Igoa puupuu ma le amataga** — (1) E mafai ona taua le Tulafono leni o le Tulafono o le Komiti Faatino o le Fa'i 1975.

(2) O le Tulafono leni o le a faamamaluina i se aso e fuafuaina mo le amatalia o le Tulafono i se Poloaiga e faia e le Ao o le Malo, i le faia i luga o le fautuaga a le Kapeneta. [23 Tesema 1975]

**2. Faamatalaina o upu** — I totonu o le Tulafono leni, a e se'i vagana ai ona ua manaomia e le faaupuga nisi uiga e ese ai, —

“Teuga-Tupe a le Komiti Faatino” o lona uiga o le teuga-tupe ua faavaeina e le fuaiupu 21:

“Faaputuga-Tupe Faaaga o le Fa'i” o lona uiga o le faaputuga-tupe ua faavaeina e le fuaiupu 22:

“Tau ua tautinoina” o lona uiga o se tau ua fuafuaina po o ua faatonuina ina ia tusa ai ma le faafuaiupu (4) o le fuaiupu 20.

“Faatonu Sili o Faatoaga” o lona uiga o le Faatonu Sili o Faatoaga, Vaomatua ma Faiga-Faiva:

“Minisita” o lona uiga o le Minisita o Faatoaga, Vaomatua ma Faiga-Faiva:

“Tau e faatauina atu ai” o lona uiga o le aofa'i ua maua e le Komiti Faatino mo fa'i ua faatauina atu e ia toese ai tau uma ma tupe alu uma na oo i le Komiti Faatino faatatau i le faatauina atu:

“O le Komiti Faatino” o lona uiga o le Komiti Faatino ua faavaeina e le fuaiupu 3.

## VAEGA I

### Komiti Faatino o le Fa'i

**3. Faavaeina o le Komiti Faatino o le Fa'i**—(1) O lea ua faavaeina nei mo le aano moni o le Tulafono leni se Komiti Faatino e taua o le Komiti Faatino o le Fa'i lea ua avea o se faalapotopotoga ua tuufaatasia faale-tulafono ua i ai ia te ia le soloaiga tumau e faavavau ma se faamau faailoga e masani ai.

(2) O le Komiti Faatino o le a aofia ai —

(a) Le Minisita, o ia lea o le a avea ma taitaifono o le Komiti Faatino:

(b) O le Faatonu Sili o Faatoaga, o ia lea o le a avea ma sui taitaifono o le Komiti Faatino:

(c) O le Failautusi o Tupe:

(d) To'a 4 isi Sui Usufono e avea ma sui o le aufaifaa-toaga ma tagata e galueaiina fa'i.

(3) O Sui Usufono o loo ta'ua i totonu o le parakarafa (d) o le faafuaiupu (2) o le a tofia e le Ao o le Malo i le faia i luga o le fautuaga a le Kapeneta mo se vaitaimi e 4 tausaga, ma e mafai ona toe tofia. E mafai e so o sea sui usufono i so o se taimi ona faamavae ese mai lona tofi i se faaaliga tusia i le Komiti Faatino ma e mafai e le Ao o le Malo i le faia i luga o le fautuaga a le Kapeneta i so o se taimi ona aveeseina so o sea sui usufono ona o le lē agavaa, faatamala i tiute, amioga sesē e lē tusa ai, po o ua gau-mativa. A oo ina ua alia'i mai se avanoa faapaena, e mafai ona faatumuina sea avanoa i se tofiga e faia i le faiga lava e tasi e pei ona sa tofia ai le sui usufono ua na tu'ua le tofi.

(4) O Sui Usufono o le Komiti Faatino e le ni tagata faigaluega mo taimi atotoa a le Malo e mafai ona totogi atu i ai mai Teuga-Tupe a le Komiti Faatino e faasino i aso taitasi po o se vaega o se aso e auai e avea o se Sui Usufono o le Komiti Faatino se tupe e pei ona o le a fuafuaina mai lea taimi i lea taimi e le Kapeneta, faatasi ai ma so o se tupe alu na faaalaina ma le tatau e i latou e faatatau i lo latou auai i fonotaga a le Komiti Faatino.

4. Sui tofia o sui auai — (1) Afai so o se sui usufono o le Komiti Faatino ua taofia i se uiga le tumau ona o se gasegase, toesea po o se tasi mafuaga tatau mai le auai i se fonotaga a le Komiti Faatino —

(a) I itu uma tau i le Faatonu Sili o Faatoaga ma le Failautusi o Tupe, so o se ofisa sinia o lana Matagaluega ua faatagaina e ia i se faiga tusia; ma

(b) I le itu i se sui na tofia, so o se tagata ua filifilia mo le faamoemoe e le Minisita —

e mafai ona auai i lea fonotaga e avea o se sui tofia o lea sui usufono.

(2) E leai se sui tofia o le a galue e avea ma taitaifono o le Komiti Faatino.

(3) So o se sui tofia o le a, a o galue ai o ia faapea, faatatauina o se sui usufono o le Komiti Faatino



(4) E leai se tofiga o se sui tofia, ma e leai se gaoioiga ua faia e ia a o avea o ia ma sui tofia, ma e leai se gaoioiga ua faia e le Komiti Faatino a o galue ai se sui tofia e avea o se sui tofia, o le a suesueina i totonu o so o se taualumaga i luga o le mafuaaga e faapea o le vaitaimi o lona tofia sa le'i tupu mai po o ua faamutaina.

**5. Fonotaga a le Komiti Faatino** — (1) O fonotaga a le Komiti Faatino o le a tatau ona usua i ni taimi ma ni nofoaga e pei ona o le a atofaina e le Komiti Faatino mai lea taimi i lea taimi.

(2) E mafai e le taitaifono po o so o se toafa o sui usufono o le Komiti Faatino i so o se taimi ona valaauina se fonotaga faapitoa a le Komiti Faatino.

(3) I fonotaga uma a le Komiti Faatino o le a tatau ona toalima ni sui usufono e auai ona mafai lea ona fai se fonotaga.

(4) O le taitaifono o le a tatau ona taitai i fonotaga uma a le Komiti Faatino ia e auai o ia, a e peitai afai e toesea o ia mai so o se fonotaga a le Komiti Faatino o le a tatau i sui usufono o loo auai i sea fonotaga ona tofia se tasi o i latou e avea ma taitaifono o le fonotaga

(5) I so o se fonotaga a le Komiti Faatino o le i ai i le taitaifono se palota tau faiga-filifiliga ma afai e tutusa palota o le a i ai foi ia te ia se palota e fai a'i le faaiuga.

**6. E mafai e le Komiti Faatino ona molia se tasi po o e mafai foi ona molia o ia** — (1) E mafai e le Komiti Faatino ona molia se tasi po o e mafai foi ona molia o ia e faatatau i mataupu tusa lava pe faasino i se feagaiga, i se faiga sese po o se tasi lava uiga e aliali mai e faasino i le faagaoioiga o ana pule po o le faataunuaina o ana galuega i lalo o le Tulafono lenei.

**7. Ofisa o le Komiti Faatino**—(1) O le a tofia e le Ao o le le Malo, i luga o le fautuaga a le Kapeneta, se pule, ma e mafai e le Komiti Faatino ona tofia nisi ofisa ma auuuna (tusa lava pe galulue mo taimi atoa pe galulue mo na o ni taimi) e pei ona ua tatau ai ona ua faatatauina e ia ua tatau ai mo le lelei ona faataunuaina o ana galuega e tusa ma le Tulafono lenei.

(2) I le fuafuaina o le totogi po o le totogi faale-tofi e ao ina ia totogi atu i le pule ma ofisa ma auuuna e tofia i lalo o le faafuaiupu (1), o le a tatau i le Komiti Faatino ona na

aloa'ia ai le itu i totogi e mafai ona totogi atu mai lea taimi i lea taimi i ofisa o le aufaigaluega o Galuega a le Malo o loo umia ni avega tauave e foliga tutusa.

(3) O le Alii Pule o le a avea o le alii ofisa Sili o pulega faatonu o le Komiti Faatino ma o le a tatau ona faimea-faalogo i le Komiti Faatino mo le pulea lelei o ana gaoioiga.

(4) O le Alii Pule o le a tatau ona auai i fonotaga taitasi uma a le Komiti Faatino a e seia vagana ai i so o se itu faapitoa ona ua faagafuaina o ia e le Komiti Faatino mai le auai-

### Galuega ma Pule a le Komiti Faatino

8. Galuega a le Komiti Faatino — (1) O le galuega autu a le Komiti Faatino, e ui lava i se mea ua i ai i totonu o le Tulafono Faa-Poloaiga o Faatoaga, Vaomatua, ma Faiga-Faiva 1959, o le a:

- (a) Ia maua mai ma maketi atu fa'i e ola i totonu o Samoa i Sisifo, ma mo lea lava uiga moni ua tuuina atu ai nei le pule i le Komiti Faatino na te tauaaoina ai atoatoa po o le tauaaoina i le pule faatapulaaina fa'i uma ua avanoa po o ua faamoemoeina mo le auina ese atu mai Samoa i Sisifo, ma e mafai e le Komiti Faatino ona fuafuaina mai lea taimi i lea taimi le mea e oo i ai lea ua manaomia mo le faataunuaina lelei ma le atoatoa lelei ona taunuu o ana galuega e tusa ma le Tulafono leni e faapea ia tatau ia te ia ona faagaoioia o lana pulea i le auina ese atu ma le maketiina o fa'i:
- (b) Ia fuafua ma faamau tau ia ua totogi atu mo fa'i, ma ia faagaoioia ma faataunuu ni galuega, pule, tiute faasino i le auina ese atu ma le maketiina o fa'i e pei on ua faaee atu po o ua tuuina atu i ona luga ina ia tusa ai ma le Tulafono leni po o se tasi lava:
- (c) Ia tauaveina ni gaoioiga e pei ona ua manatu le Komiti Faatino ua tatau ai mo le faaleleia ma le atiina ae'ina o le galuega tau i le fa'i i totonu o Samoa i Sisifo, ia faaalualuina i luma ma faamallosia le totoina ma galueaiina o fa'i, ma ia pulea ma tafiese faama'i e aafia ai fa'i, o ia laasaga uma ma le faamoemoe i le faaleleia ma tausia o le tulaga ma le numera o fa'i ua ola ma ua galueaiina i totonu o Samoa i Sisifo.

(2) O le a i ai i le Komiti Faatino nisi lava tiute uma e pei ona ua faaee atu i ona luga e le Tulafono lenei po o se tasi lava tulafono.

(3) E mafai e le Komiti Faatino ona faatauina mai, tauaoina lisi po o le faaaogaina, po o se tasi lava tulaga manuia mai ni elele, fale, afi, masini ma totoga e pei ona ua i ai i le manatu o le Komiti Faatino ua tatau ai mo le faataunuina o ana galuega.

(4) I le faataunuina o ana galuega ma ana pule, o le a usita'i le Komiti Faatino i ni faatonuga faalautele po o faatonuga faapitoa e tuuina atu e le Minisita i le Komiti Faatino ina ia tusa ai ma le faiga faavae a le Malo e faatatau i ai.

**9. Pule Esee e a le Komiti Faatino**—E aunoa ma le faatapulaaina o so se pule po o se pule faataga ua faaee atu i luga o le Komiti Faatino e le Tulafono lenei, o le a i ai i le Komiti Faatino le pule atoatoa ma le pule faataga atoatoa na te faia ai ma faatunuu ni fuafuaga ma tuuina atu ni faatonuga e pei ona ua manatu o ia ua tatau ai mo mataupu uma po o se tasi o mataupu ua ta'ua i lalo:

- (a) Mo le faatauina mai, faavasegaina, tuufaatasia, fafaoina, taulimaina, teuina, fela'uaiga, ma le la'uina atu i luga o vaa o fa'i ia ua tauaoina e ia lo latou pulea;
- (b) Mo le la'uina atu i vaa o ia fa'i i luga o ni tuutuuga ma i ni aofaiga e pei ona ua manatu o ia ua tatau ai;
- (c) Mo le faatauina atu ma le tuueseina atu o ia fa'i i luga o ni tuutuuga e pei ona ua manatu o ia e ono tusa ma tatau ai;
- (d) Mo le inisiuaina e faasaga i le leiloa po o le maumauina o so o sea fa'i tusa lava po o totonu o Samoa i Sisifo po o le taimi a o auina ese atu mai Samoa i Sisifo ma se'ia oo ina ua uma ona faatauina atu o ia fa'i;
- (e) Mo le tofia o ni sui soopu i atunuu mamao e avea ma sui mo le Komiti Faatino i le faafeagai ai ma le faatauina atu o ia fa'i;
- (f) Mo le faatauina mai, maua mai, po o le lisiina o se fanua, fale, afi ma masini mo le gaosiga, taulimaina, ma le teuina o ia fa'i;
- (g) Mo le faaleleia ma le atiina a'eina o le galuega tau fa'i i totonu o Samoa i Sisifo, ma le pulea ma le

tafi'eseina o faama'i e afaina ai fa'i o loo ola ma galueaiina i totonu o Samoa i Sisifo;

- (h) Itu eseese mo mataupu uma faapena e pei ona o le a tatau ai mo, po o, e ono alia'i mai i lé faataunuaina i ala e tatau ai o ana galuega e tusa ma lenei Tulafono.

**10. Suesuega ma Saililiga** — (1) I le faataunuina o ana galuega e tusa ai ma le Tulafono lenei, e mafai e le Komiti Faatino ona faia o ni suesuega ma saililiga e pei ona ua manatu o ia ua tatau ai, ma mo ni faamoemoe e pei ona o le a mafai mai lea taimi i lea taimi e le Komiti Faatino ona mana'omia ai se tagata na te tuuina atu, i se tautinoga faaletulafono, ni faamatalaga o fa'i o loo ola po o loo galueaiina, po o le tuuina atu o so o se tusitusiga, tusi po o se pepa, po o le tusia i lalo i se faiga tusitusia so o se mea moni e faasino i le mataupu tonu lea ua suesueina po o se saililiga lea ua aofia i totonu o mea ua silafia e sea tagata.

(2) O faamatalaga uma na maua e le Komiti Faatino mai sea suesuega po o sea saililiga o le a le faaaogaina faalaua'iteleina se'i vagana e mo le faataunuina o le Tulafono lenei.

### Ulua'i Mea-totino a le Komiti Faatino

**11. Ulua'i mea-totino a le Komiti Faatino** — (1) O ulua'i mea-totino a le Komiti Faatino o le a aofia ai —

- (a) Mea-totino uma, fale, galuega, totoga, mea faigaluega ma isi mea-totino e oo mai i le taimi lea o loo i ai i le Malo o Samoa i Sisifo a e faaaogaina e se vaega o le Matagaluega o Faatoaga, Vaomatua ma Faiga-Faiva ua ta'ua o le Vaega e Faatauina atu Fua o le Eleele, ma faaaogaina e lea Vaega mo le teuina, fafaoina, taulimaina, asiasia ma le auina ese atu o fa'i;
- (b) Le aofaiga e 20,000 tālā e faauneina atu e le Ofisa o Tupe o le Malo o Samoa i Sisifo i le Komiti Faatino e le ala i se foa'i, e aunoa ma se tului, e toe totogi i totonu o se vaitaimi e 5 tausaga mai le aso na faauneina atu ai;
- (c) Tupe Teu Faafaigaluega e umia i le igoa o le Vaega e Faatauina atu Fua o le Eleele, o mea nei —

(i) Mea tausī a le Malo o Niu Sila e tusa le tau ma le 44,000 tālā e pei ona faaalīa i le tuufaatasiga o paleni eseese ua uma ona sueina faa-suetusi a le Vaega se'ia oo mai i le aso 31 o Tesema 1973; ma

(ii) Mea tausī i le Faaunega-Tupe a le Malo o Samoa i Sisifo mo le Atiina A'e e tusa lona tau ma le 16,000 tālā e pei ona faaalīa i le tuufaatasiga o paleni eseese ua uma ona sueina faa-suetusi a le Vaega se'ia oo mai i le aso 31 o Tesema 1973 —

(2) O le aofaiga o tupe e pei ona ta'ua i le parakafa (b) o le faafuaiupu (1) o le a totoģiina atu i le Teuga-Tupe a le Komiti Faatino o le Fa'i; ma o aofaiga e pei ona ta'ua i le faa-parakarafa (i) ma le faa-parakarafa (ii) o le parakarafa (c) o le faafuaiupu (1) o le a tatau ona faaliliuina atu ma tusia mo le lelei o le Faaputuga-Tupe Faaagaaga o le Fa'i.

(3) Afai e i ai se faa-fesili o le a tulai mai i le itu po o se mea-totino ua oo ina avea po o ua avea ma tiute tau'ave o le Komiti Faatino, o lena faafesili o le a tatau ona faaiuina e le Kapeneta.

## VAEGA II

### Pulea o Fa'i mo le Auina Ese Atu

12. Pulea o fa'i ua faamoemoe mo le auina ese atu — (1) O le pulea o fa'i ua tauaaoina e le Komiti Faatino i lalo o le parakarafa (a) o le faafuaiupu (1) o le fuaiupu 8 o le a faagaioiga e afua mai i le taimi e faaalīa manino mo lea faamoemoe e le Komiti Faatino i se faaaliga e tuuina atu ina ia tusa ai ma le fuaiupu lenci.

(2) O se faaaliga a le Komiti Faatino o lona faamoemoe e tauaaoina le pulea o ni fa'i e mafai ona tuuina atu i le faasalalauina i totonu o so o se nusipepa po o ni nusipepa.

(3) I so o se itu pe afai ua filifili le Komiti Faatino na te tauaaoina i se tulaga faatapulaaina o ni fa'i, e mafai e ia mulimuli ane ona faateleina po o le faaititia le tulaga e oo i ai lea pulea, po o e mafai e ia ona filifili na te tauaaoina le pulea i se tulaga atoatoa.

13. Pulea faatapulaaina — Afai ua tauaaoina e le Komiti Faatino le pulea faatapulaaina o fa'i ua faamoemoe mo le auina ese atu o le a tatau ona faamanoina le tulaga e oo i ai lana pule'aga i se faasalalaua i totonu o so o se nusipepa

po o ni nusipepa, po o i se feagaiga i le va o le Komiti Faatino ma e ona ia fa'i po o nisi lava tagata ua ia i latou le pule faataga e osia ai se feagaiga ma le Komiti Faatino i le itu i sea fa'i.

**14. Pulea atoatoa** — O fa'i uma ua faamoemoe mo le auina ese atu ia ua tauaaoina e le Komiti Faatino le pulea atoatoa o le a tatau lava ona faavasegaina, fafaoina ma auina atu i vaa e pei ona faatonuina e le Komiti Faatino ma o le a tatau lava ona faatoa faatauina atu ma tuueseina atu e le Komiti Faatino, po o, i se faatonuga a le Komiti Faatino i ni taimi, i se faiga, ma i luga o ni tuutuuga e pei ona o le a fuafuaina se tonu e le Komiti Faatino i lana lava faitalia.

#### AUINA ESE ATU O FA'I

**15. Auina ese atu o fa'i**—(1) vagana ona ua tusa ai ma se laisene ua tuuina atu e tusa ma le Tulafono lenei, e leai se tagata e ese ai na i lo le Komiti Faatino o le a na auina ese atu fa'i mai Samoa i Sisifo.

(2) O tagata taitoatasi uma o ia lea ua na auina ese atu po o le taumafai e auina ese atu fa'i e le tusa ai ma le fuaiupu lenei o le Tulafono ua ia faia se solitulafono lea o le a noatia ai o ia i luga o le faamaoniga o le solitulafono i se sala e le sili atu i le 500 tala. O fa'i uma na aafia i le faiga o se solitulafono o le a aveina faamalosi e le Komiti Faatino.

**16. Feagaiga o loo i ai nei**— (1) E ui lava i so o se tasi tuutuuga o i totonu o lenei Tulafono, o le a le tatau i le Komiti Faatino ona na faataunuina so o se pule o pulega ua maoti atoatoa po o se pulega faatapulaaina o fa'i pe afai ua malie o ia e faapea o loo i ai i le itu i ni fa'i faapena se feagaiga aloa'ia i le agaga faamaoni po o se fuafuaga na faia a o lumanai ai le amataga o lenei Tulafono i le va o le tagata faifaatoaga na totonu ia fa'i ma so o se tasi lava tagata taitoatasi mo le faatauina atu ma le auina ese atu o ia fa'i.

(2) E leai se mea o i totonu o le faafuaiupu (1) o le a tatau ona faagafuaina ai so o se tagata mai le tiute a o lumanai ai le amataga o lenei Tulafono o le maua lea e ia o se laisene na te auina ese atu ai ia fa'i, a e peitai o tagata taitasi uma o ia lea o se vaega e auai i se feagaiga po o se fua-

fuaga o loo ta'ua i totonu o le faafuaiupu (1) o le a tatau ona avanoa o ia e avea o se aiā' tatau na te mauaina ai se laisene i le itu i ia fa'i.

**17. Tuuina atu o laisene** — E mafai e le Komiti Faatino, i le fai fuafua i le Tulafono lenei ma nisi tulafono faatonutonu ua faia ai i lalo, ona tuuina atu i so o se tagata ua talosaga atu ina ua totogiina se totogi fuapau e pei ona ua faatonuina e tulafono faatonutonu, se laisene e auina ese atu ai fa'i i so o se atunuu i fafo atu o Samoa i Sisifo ua faamaonia e le Komiti Faatino mo so o se vaitaimi ua faaalua ma'oti i totonu o le laisene.

**18. O le teena ma le soloia o le laisene** — (1) E mafai e le Komiti Faatino ona na teena le tuuina atu o se laisene i so o se tagata e talosaga mai o ia lea —

(a) Sa ia umia talu ai se laisene lea ua soloia i lalo o lenei tulafono; po o

(b) Ua na solia po o ua na lē tausisia so o se tuutuuga o lenei Tulafono.

(2) E mafai e le Komiti Faatino ona na soloia le laisene o so o se tagata o ia lea ua na solia po o ua na lē tausisia—

(a) So o se tuutuuga o lenei Tulafono; po o

(b) So o se tuutuuga o lona laisene.

(3) So o se tagata o ia lea e ona le talosaga mo se laisene ua teena, po o e ona le laisene ua soloia, e mafai e ia i totonu o aso e 21 talu ona logoina e uiga i lea mea moni i se tusi e le Komiti Faatino, po o totonu o se tasi vaitaimi faapena e ono mafai ona faaavanoaina e le Faamasinoga Sili, ona talosaga atu i le Faamasinoga Sili e faasaga i le faaiuga.

(4) I luga o le suesuega o le talosaga, e mafai e le Faamasinoga Sili ona na faamaonia, toe felia'i, po o le fetuutuuna'i o le faaiuga a le Komiti Faatino.

**19. Tulaga o fa'i e auina ese atu e tusa ma se laisene** —

(1) O fa'i uma e auina ese atu e tusa ma se laisene ua tuuina atu i lalo o le Vaega lenei, o le a tatau ona usiusita'i i ni tulaga e faatatau i le ituaiga, vaega, tulaga, aofa'i, saoloto mai manu ninii o faama'i po o meaola po o nisi mea e ese mai ai e pei ona o le a faatonuina e le Komiti Faatino po o ni tulafono faatonutonu ua faia i lalo o le Tulafono lenei; ma o tagata taitoatasi uma e auina ese atu ia fa'i o le a tatau foi i se faiga faapena ona ia usiusita'i i ia manaoga i le

itu i le seleseleina, taulimaina, fafaoina,, femalagaiga ma le fela'uaiga e pei ona faatonuina mai lea taimi i lea taimi e le Komiti Faatino po o tulafono faatonutonu.

(2) E mafai e le Komiti Faatino,i ana auuuna faataga-ina ma sui sooupu, ona ulu atu i ni nofoaga o loo ola ai ni fa'i mo le auina ese atu, taofia ai po o le teuina ai ma asi-asia ia lava mea; ma e mafai ona faatonuina le tagata e ona ia fa'i ina ia faia ni mea ma ia ona faia ni laasaga e pei ona ua tatau ai ina ia usiusita'i ai i le tulaga ma manaoga ua faatonuina i lalo o le fuaiupu lenei.

### VAEGA III

#### TAU O LE FA'I MA TEUGA-TUPE

**20. Faatauina mai o fa'i e le Komiti Faatino ma le pulea o le tau** — (1) O le a tusa ai ma le tulafono mo le Komiti Faatino le faatauina mai o fa'i se faiga tuusao mai le aufaifaatoaga, ma mo le Komiti Faatino e toe faatau atu po o le auina ese atu o nisi po o ia fa'i uma

(2) E mafai e le Komiti Faatino mai lea taimi i lea taimi ona fuafua le tau e totogiina atu e ia mo fa'i ua faatauina e le Komiti Faatino mo le auina ese atu, ma mo lea lava faamoemoe o le a faatatauina e le Komiti Faatino ua i ai ia te ia pule ma pule faataga a le Komiti Faatino e Pulea Tau na te tuuina atu ma faamalosi poloaiga o tau ina ia tusa ai ma le faagasologa ua aiaia i lalo o le Tulafono o le Pulea o Tau 1931.

(3) O ia tau e mafai ona eseese, —

(a) Ina ia tusa ai ma po o le faatauina mai o fa'i ua faia mai le nofoaga lea e ola ai fa'i, po o i le lauina mai e le tagata faifaatoaga i Apia po o se tasi ua faatonuina e le Komiti Faatino;

(b) Ina ia tusa ai ma le ituaiga, vasega ma le tulaga o fa'i.

(4) E mafai e le Komiti Faatino, i se faiga e sui a'i le fuafuaga o se tau, ona faatonu se faiga lea ua fuafua aga'i i ai sea tau.

(5) O ia tau taitasi e pei ona mua'i ta'ua iinei ua faaigoaina o se tau ua tautinoina.

**21. Teuga-Tupe a le Komiti Faatino o le Fa'i** — (1) Mo le aano moni o le Tulafono lenei o le a faavaeina nei ma le



Fale Teutupe o Samoa i Sisifo se teuga-tupe e ta'ua o le Teuga-Tupe a le Komiti Faatino o le Fa'i.

(2) O le a totogi atu i totonu o le Teuga-Tupe a le Komiti Faatino o le Fa'i —

- (a) Tupe uma na maua mai galuega a le Komiti Faatino;
- (b) Tupe uma na maua mai i totogi o laisene mo le auina ese atu na totogiina atu i le Komiti Faatino;
- (c) So o se tasi tupe ua mafai ina ia tusa ai ma le Tulafono lenei po o se tasi tulafono ona totogi atu i le Komiti Faatino.

(3) O le a totogi atu mai le Teuga-Tupe a le Komiti Faatino o le Fa'i tau uma, tupe alu uma ua tusia ma tupe alu uma ua oo i le Komiti Faatino i le faataunuaina o ona tiute ma le faagaoioiga o ana pule ma ana galuega i lalo o le Tulafono lenei ma le pulea o le Tulafono.

(4) E mafai e le Komiti Faatino mai lea taimi i lea taimi ona faavae i totonu o le Teuga-Tupe a le Komiti Faatino ni teuga-tupe faapitoa, teuga-tupe tuufaatasi, po o teuga-tupe faaagaaga e pei ona o le a faatatauina ua mana'omia po o e aoga mo so o se faamoemoe ua faatagaina e le Tulafono lenei.

**22. Teuga-Tupe Faaagaaga a le Komiti Faatino — (1)**  
O le a totogi atu e le Komiti Faatino i se taimi vave pe a mavae le aso e tapuni ai tusi i tausaga taitasi mai tupe o le Teuga-Tupe a le Komiti Faatino o le Fa'i ma ia teuina faafaigaluega se tupe ia lava o ana teuga-tupe, le vaega atoa o aofaiga ua faapea ona teuina faafaigaluega ina ia tusa ai ma le faafuaiupu lenei e igoa o le Teuga-Tupe Faaagaaga o le Fa'i.

(2) O le Teuga-Tupe Faaagaaga o le Fa'i o le a teuina faafaigaluega i totonu o le Malo po o isi puipuiga malu i totonu o Samoa i Sisifo po o se tasi atunuu e pei ona o le a mafai ona faatatauina e le Komiti Faatino ua tatau ai mai lea taimi i lea taimi, ma o ia tupe teu faafaigaluega e mafai ona toe tatalaina po o le toe maua i so o se taimi e le Komiti Faatino.

(3) E ui lava i aiaiga o le faafuaiupu (1), e mafai e le Komiti Faatino ona teuina faafaigaluega ni aofaiga o tupe mai le Teuga-Tupe Faaagaaga o le Fa'i i le faatauina mai po o le mauaina mai o eleele, fale, afi, ma masini mo le faamoemoe o le Tulafono lenei.

(4) Afai e mana'omia po o e aoga mo le itu tau le tama-oaiga, e mafai e le Komiti Faatino, ina ia tusa ai ma le fuaiupu 20, ona fuafua ma tausia se tau ua tautinoina e sili atu i lo le tau na faatauina atu ai, ma totogi le eselega mai le Teuga-Tupe Faaagaaga o le Fa'i, se'ia oo ina ua faamutaina le mana'omia po o aoga po o ua leai se tupe i le Teuga-Tupe Faaagaaga o le Fa'i, po o le fea lava uiga e muamua ona tupu.

(5) O le a tusa ai ma le tulafono i le Komiti Faatino mai lea taimi i lea taimi le faasoasoaga atu ma tufatufa atu mai le Teuga-Tupe Faaagaaga o le Fa'i se aofaiga e pei ona o le a manatu o ia ua tatau ai e ala i se ponesi i le aufaifaatoaga fa'i ma tagata e galueaina le fa'i (tusa lava pe i se faiga toatele po o le taitoatasi), se ponesi e faitau i luga o se faavae e pei ona o le a fuafuaina e le Komiti Faatino ua tutusa e aofia ai ni mea moni e pei o le aofai ma le tulaga o fa'i ua tuuina mai e ni faifaatoaga ma tagata e galuaiina le fa'i ma e mafai e le Komiti Faatino mai lea taimi i lea taimi ona faaaga se faiga lea o le a faitauina ai sea ponesi.

(6) E mafai e le Komiti Faatino i lana lava faitalia ona faaalu po o le faaaga tupe maua uma po o se vaega o le tupe maua o le Teuga-Tupe Faaagaaga o le Fa'i mo le faamoemoe e fesoasoani ai i le atiina a'e, faaleleia po o se tasi uiga mo le lelei o le galuega tau i le fa'i i totonu o Samoa i Sisifo i se faiga ua ia manatu ua tatau ai.

## VAEGA IV

### AIAIGA ESEESE

**23. Pule e nono atu po o le aitalafu mai** — (1) Mo le aano moni o le faataunuuna o ana galuega e tusa ma le Tulafono leni, e mafai e le Komiti Faatino mai lea taimi i lea taimi ona aitalafu ni aofaiga o tupe e pei ona o le a fuafua e le Komiti Faatino ua mana'omia po o ua tatau ai, ma o le Ofisa o Tupe i Samoa i Sisifo o le a i ai le pulu e faia ai sea nonoga-tupe i le Komiti Faatino ina ia tusa ai ma le faafuaiupu leni.

(2) E mafai e le Komiti Faatino mai lea taimi i lea taimi ona nono atu ni aofaiga o tupe i le Ofisa o Tupe o Samoa i Sisifo i luga o ni tuutuuga e faasino i le tului ma le toe to-

togiina mai e pei ona o le a manatu ai le Komiti Faatino ma ua faatagaina nei le Ofisa o Tupe o Samoa i Sisifo na te aitalafu mai ia aofaiga o tupe.

**24. Lafoga** — O le a le noatia le Komiti Faatino i le lafoga.

**25. Tausiga o Tusi, Sueina faa-Suetusi lipoti faale-tausaga** — (1) O le a tausia e le Komiti Faatino ni faamatalaga tau tupe ua tatau ai ma nisi faamaumauga e faasino i ai ma o le a tatau ona saunia se faamatalaga o le tausiga o tusi e faatatau i tausaga faale-tupe taitasi, e aofia ai fe-faatauaiga, tupe faasili ma tupe pa'ū, ma faamatalaga o le faatatauina o tupe, ma se pepa o faamatalaga a o paleni eseese.

(2) O faamatalaga o tupe a le Komiti Faatino o le a sueina faa-suetusi i tausaga taitasi e le Pule ma Suetusi Sili:

A e vagana ai e faapea e mafai e le Pule ma Suetusi Sili ona poloaiina se tausī tusi faitele o loo galue i lea taimi ina ia ona faia lea suega faa-suetusi e avea ma sui sooupu o le Ofisa Suetusi.

(3) O le a tatau i le Komiti Faatino, i se taimi vave lava e mafai ai pe a mavae le faaiuga o tausaga faale-tupe taitasi, ona faataatia i luma o le Fono Aoaofa se lipoti o loo tagofia ai i le tulaga aoaofa galuega a le Komiti Faatino a o faagasolo lena tausaga e aofia ai ni faamatalaga e faasino i taualumaga a le Komiti Faatino e pei ona o le a mafai ona faaalua faalaua'itele e aunoa ma mea e faaleagaina ai le aia a le Komiti Faatino, ma ua faapipii atu faatasi ai se ata o se faamatalaga o tupe faatasi ma se ata o se lipoti ua faia e le Suetusi.

**26. Noataga o Sui Usufono mo gaoioiga ma mea ua le faia** — E leai se tagata ofisa po o se auaua a le Komiti Faatino o le a noatia lava o ia mo so o se gaoioiga po o se mea ua le faatanuuina po o ua le faia i le agaga faamaoni i le faatanuuina o ona tiute e avea o tagata ofisa po o se auaua a le Komiti Faatino.

**27. Faasalaga mo le faalavelaveina o le Komiti Faatino** — O tagata taitoatasi uma o ia lea ua faalavelave po o ua na punitia po o ua aga'i atu ina faalavelave po o ua aga'i

atu ina ia ona punitia le Komiti Faatino po o so o se ofisa auauna po o se sui sooupu o le Komiti Faatino, i le faatau-nuina o se tasi o ana galuega, pule, pule faataga, po o tiute ua faaee atu e tusa ai ma le Tulafono lenei ua faia e ia se solitulafono, ma o le a noatia ina ua faamaonia le solitulafono i se faasalaga tupe e le silia le 500 tālā po o i le tuuina i le falepuipui mo se vaitaimi e le silia le 12 masina, po o faasalaga uma e lua.

**28. Tulafono Faatonutonu** — E mafai e le Ao o le Malo i le faia i luga o le fautuaga a le Kapeneta mai lea taimi i lea taimi ona faia tulafono faatonutonu mo le faamoemoe atoa po o nisi o faamoemoega nei:

- (a) Faatonuina tuutuuga e faasino i le seleseleina, tau-limaina, fafaoina, teuina ma le la'uina atu o fa'i ua faatauina atu e le aufai-faatoaga ma tagata e galueaiina le fa'i i le Komiti Faatino:
- (b) Faatonuina ai tulaga ma uiga o fa'i e auina ese atu e le aufai-faatoaga ma tagata e galueaiina le fa'i ina ia tusa ai ma se laisene na tuuina atu le Komiti Faatino:
- (c) Faia ai aiaiga mo le asiasia, pulea ma togafiti o faama'i o fa'i e ola po o le seleseleina mo le ina ese atu:
- (d) Faatonuina le faatulagaina o se laisene e auina ese atu ai fa'i, le totogi e tatau ona totogiina mo le laisene, tuutuuga e ao ina usiusita'i i ai mo tau-sisia e le tagata ua tuuina atu i ai se laisene:
- (e) Faatonuina faamatalaga toe faafoi e ao ina faia ma faamatalaga e ao ina tuuina atu i le Komiti Faatino e le aufai-faatoaga ma tagata e galueaina le fa'i:
- (f) Faatonuina ai solitulafono faasaga i tulafono faatonu-tonu, ma faasalaga mo ia solitulafono:
- (g) Aiaiga mo ni mataupu ua mafaufauina e po o ua mana'omia mo le faataunuina atoatoa o aiaiga o le Tulafono lenei ma lona pulea tatau.