

LAND FOR FOREIGN PURPOSES

WESTERN SAMOA

Arrangement of Provisions

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1992/1993, No. 27.

AN ACT to make provision for the grant of interests in freehold and public land to foreign States and to certain international and other organisations

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

1. **Short Title** - This Act may be cited as the Land for Foreign Purposes Act 1992/1993.

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

"Foreign State" has the meaning given to it by section 8 of the Diplomatic Privileges and Immunities Act 1978.

"Foreign organisation" means an organisation to which section 9 of the Diplomatic Privileges and Immunities Act 1978 applies, and includes an organisation to which section 3 of this Act applies;

"Minister" means the Minister of Lands, Surveys and Environment, under the Land, Surveys and

Environment Act 1989 and includes any person who held the equivalent office under any earlier enactment.

3. **Extended meaning of "foreign organisation"** - Where a non-profit making organisation or a Government organisation of any foreign State is acting in Western Samoa for the primary purpose of rendering assistance to the Government or people of Western Samoa, the Head of State acting on the advice of Cabinet may by Order determine that such organisation is a foreign organisation for the purposes of this Act.

4. **Power to grant leases and licences** - Notwithstanding the provisions of any other enactment the Minister of Lands is empowered to grant to any foreign State or foreign organisation a lease of or licence to occupy such freehold or public land as he may deem appropriate in the circumstances, and for such term and for such rental and subject to such covenants conditions and stipulations as may from time to time be agreed upon between the Minister of Lands and the foreign State or foreign organisation.

5. **Ratification of prior grants** - Every lease or licence of freehold or public land which purports to have been granted by the Government or the Minister prior to the commencement of this Act to a foreign State or to an organisation which is, or becomes, pursuant to this Act, a foreign organisation, is by this Act ratified and declared to be valid and lawful for all

purposes.

6. **Alienation of freehold land** - Paragraph (i) of subsection (1) of section 5 of the Alienation of Freehold Land Act 1972 is amended by adding after the word "State" the words "or to or by any foreign organisation to which the Land for Foreign Purposes Act 1992/1993 applies".

FANUA MO GALUEGA A MALO MAI FAFO

SAMOA I SISIFO

Faatulagaina o Aiaiga

- | | |
|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| 1. Igoa Puupuu | 5. Aloaiafaale-tulafonoolisi ma laisene na tuujina atu ao le i amata faamamaluina lenei Tulafono. |
| 2. Faamatalaina o uiga o Upu | |
| 3. Faalauteleina o le faauigaina o "faalapotopotoga mai fafo". | |
| 4. Pule e tuuina atu ai ni lisi ma laisene. | 6. Faaliliuina atu o fanua umia saoloto. |

1992/1993, Nu. 27

O SE TULAFONO e faia ai se aiaiga mo le tuuina atu o aia i fanua umia saoloto ma fanua o le malo i Malo mai fafo ma nisi o faalapotopotoga faava-o-malo ma isi faalapotopotoga

UA FAIA e le Fono Aoaio Faitulafono o Samoa i Sisifo i totonu o le Palemene ua potopoto e faapea:-

1. Igoa Puupuu- E mafai ona taua lenei Tulafono o le Tulafono o Fanua mo Galuega a Malo mai Fafo 1992/1993.

2. Faamatalaina o uiga o Upu- I totonu o lenei Tulafono, ae vagana ai ua manaomia e le mataupu se isi uiga e ese mai ai "Malo mai Fafo" o lo o i ai lona faauigaina ua tuuina i ai e le fuaiupu 8 o le Tulafono o Tulaga Aloaia ma Puipuiga malu tau le va o Malo 1978.

"Faalapotopotoga mai fafo" o lona uiga o se faalapotopotoga o lo o faasino i ai le fuaiupu 9 o le Tulafono Aloaia ma Puipuiga malu tau le va o Malo 1978, ma e aofia ai se faalapotopotoga o lo o faasino i ai le fuaiupu 3 o lenei Tulafono;

"Minisita" o lona uiga o le Minisita o Eleele, Fuagafanua ma Siosiomaga, i lalo o le Tulafono o Eleele Fuagafanua

ma Siosiomaga 1989 ma e aofia ai so o se tagata o ia lea sa umia le tofi tutusa i lalo o so o se tulafono na faia muamua.

3. Faalateleina o le faauigaina o "faalapotopotoga mai fafo". A fai o se faalapotopotoga e le o se faalapotopotoga sue-tupe po o se faalapotopotoga faale-malo a so o se Malo mai fafo, o lo o galue i Samoa i Sisifo mo le faamoemoe autu e tuuina atu fesoasoani i le Malo ma tagata o Samoa i Sisifo, o le Ao o le Malo i le faia i luga o le fautuaga a le Kapeneta e mafai i luga o se Tulafono Faa-Poloaiga ona fuafuaina e faapea o sea faalapotopotoga o se faalapotopotoga mai fafo mo faamoemoe-ga o lenei Tulafono.

4. Pule e tuuina atu ai ni lisi po o ni laisene- E ese mai ai na i lo aiaiga o so o se isi tulafono o le Minisita o Eleele ua tuuina i ai le pulse e tuu ai i so o se Malo mai fafo po o se faalapotopotoga mai fafo se lisi o po o se laisene e aofia ai se fanua umia saoloto po o fanua faale-malo e pei ona ua ia manatu ua tala-feagai ai e tusa ai ma lea tulaga, ma mo se vaitaimi ma mo se totogi faa-lisi ma e noatia i luga o ni tuutuuga o ni feagaiga ma ni aiaiga o le a malilie i ai i le va o le Minisita o Eleele ma le Malo mai Fafo po o le faalapotopotoga mai fafo.

5. Aloaia faale-tulafono o lisi ma laisene na tuuina atu a o o le i amata faamamaluina lenei Tulafono- O lisi uma po o laisene o fanua umia saoloto po o fanua tau le Malo e faapea ua tuuina atu e le Malo po o le Minisita a o le i amata faamamaluina lenei Tulafono i se Malo mai Fafo po o se faalapotopotoga

o lo o, po o, e tusa ai ma lenei Tulafono, o le a avea ma se faalapotopotoga mai fafo, o le a aloaia faale-tulafono i lalo o lenei Tulafono ma faasilasila ua aloaia ma faatulafonoina mo faamoemoega uma o lenei Tulafono.

6. Faaliliuina atu o fanua umia saoloto- O le Parakalafa (i) o le faafuaiupu (1) o le fuaiupu 5 o le Tulafono o le Faaliliuina atu o Fanua Umia Saoloto 1972 ua teuteuina i le faaopopoina i ai ina ua tuanai le upu "Malo" ia upu "po o i po o e so o se faalapotopotoga mai fafo o lo o faasinomia i ai le Tulafono o Fanua mo Galuega a Malo mai Fafo 1992/1993".