

POLICE SERVICE AMENDMENT

WESTERN SAMOA

Arrangement of Provisions

- | Title | |
|-------------------|---|
| 1. Short Title | 3. Commissioner |
| 2. Interpretation | 4. Act to apply to present Commissioner |

1992/1993, No. 26.

AN ACT to amend the Police Service Act 1977

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 Police Service Amendment Act 1992/1993 and shall be read together with and deemed part of the Police Service Act 1977 (hereinafter referred to as the principal Act).

2. **Interpretation** - Section 2 of the principal Act is amended by inserting in its proper alphabetical location the following definition:-

"Time of retirement" means the time at which a member of the Police Service is ordinarily required to retire pursuant to paragraph (a) or paragraph (b) of subsection (1) of section 22 of this Act.

3. **Commissioner** - Section 5 of the principal Act is amended by placing the expression "(1)" and the words "Subject to subsection (4) of this section" at the commencement thereof, and by adding the following subsections:-

" (2) The Commissioner shall hold office for a period of three years and (subject to section 22 of this Act) shall be eligible for reappointment.

(3) If a person holding office as Commissioner is not reappointed to that office at the conclusion of any period of appointment, and -

(a) he was a member of the Police Service immediately prior to his first appointment as Commissioner; and

(b) has not reached his time of retirement when he ceases to be Commissioner,

he shall revert to such rank as may be designated by the Head of State (being a rank not lower than the rank which he held immediately prior to his first appointment as Commissioner), with such salary increments and other benefits as he would have been entitled to if he had held the rank so designated during the period or periods that he held office as Commissioner. "

(4) The Head of State shall not appoint any person to be the Commissioner of the Police Service unless such person has -

(a) served in the Police Service for a period not less than 10 years; and

(b) held a rank not below that of a Commissioned Officer at the time

immediately prior to the recommendation
for appointment."

4. **Act to apply to present Commissioner** - This Act shall apply to the person who holds office as the Commissioner of Police at the commencement of this Act as if this Act had been in force at the time of his appointment and he had been appointed pursuant to the provisions of this Act.

TEUTEUGA O LE TULAFONO O GALUEGA
TAU LEOLEO

SAMOA I SISIFO

Faatulagaina o Aiaiga

- | | |
|------------------------------|---|
| 1. Igoa Puupuu | 4. Tulafono ina ia faaaoaga i le Komesina o lo o i ai i le taimi nei. |
| 2. Faamatalaina o uiga o Upu | |
| 3. Komesina | |

1992/1993, Nu. 26.

O SE TULAFONO e teuteu ai le Tulafono o Galuega Tau Leoleo 1977.

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

1. Igoa Puupuu - E mafai ona taua leni Tulafono o Teuteuga o le Tulafono o Galuega Tau Leoleo 1992/1993 ma e tataua ona faitauina faatasi ma avea ai o se vaega o le Tulafono o Galuega Tau Leoleo 1977 (e pei ona faasinomia mulimuli ane iinei o le Tulafono autu).

2. Faamatalaina o uiga o Upu - Fuaiupu 2 o le Tulafono autu ua teuteuina i le faaofiina i ai i o latou tulaga talafeagai i le faasologa o mataitusi o le Pi le faamatalaga e faapea:-

"Taimi o faamalologa litaea" o lona uiga o le taimi e masani ona manaomia ai se sui o Galuega tau Leoleo ina ia faamalolo litaea e tusa ai ma le parakalafa (a) po o le parakalafa (b) o le faafuaiupu (1) o le fuaiupu 22 o leni Tulafono.

3. Komesina - Fuaiupu 5 o le Tulafono autu ua teuteuina i le tuuina i ai o le faaupuga "(1)" ma upu "I le fai

fuafua i le faafuaiupu (4) o leni fuaiupu" i le amataga o lea fuaiupu, ma le faaopoopoina i ai o faafuaiupu e faapea:-

" (2) E tatau i le Komesina ona umia le tofi mo se vaitaimi e tolu tausaga ma (i le noatia ma le fai fuafua i le fuaiupu 22 o leni Tulafono) e tatau ona agavaa mo le toe tofiaina.

(3) A fai o se tagata o lo o umia le tofi e avea ai o le Komesina ua le toe tofiaina i lena tofi i le faaiuga o so o se vaitaimi o le tofiga, ma -

(a) sa avea o ia ma se sui o Galuega Tau Leoleo i le uluai taimi a e le i tofia muamua o ia e avea ma Komesina; ma

(b) na te le i ausia lona taimi faamalolo litaea ina ua faamuta ona avea o ia ma Komesina, e tatau ona toe foi i le tulaga e pei ona o le a tofiina i ai o ia e le Ao o le Malo (o se tulaga e le i lalo ifo o le tulaga sa umia e ia a o le i uluai tofia o ia e avea ma Komesina), faatasi ai ma se siitaga i lona totogi ma isi faamanuiaga e pei ona sa tatau ona agavaa i'ai o ia pe ana fai sa umia e ia le tulaga ua tofia i ai a o faagasolo le vaitaimi po o ni vaitaimi e faapea na umia ai e ia le tofi o le Komesina.

(4) O le a le tatau i le Ao o le Malo ona tofia so o se tagata e avea ma Komesina o Leoleo vagana ai o sea tagata sa
ia -

(a) galue i Galuega tau Leoleo mo se vaitaimi e le itiiti

ifo i le 10 tausaga; ma

(b) umia se tofi e le maulalo ifo i se ofisa fai-pine i le taimi aupito sosoo atu i le faatuina o ia mo le tofiga."

4. Tulafono e faaaoga i le Komesina o lo o i ai i le taimi nei - O leni Tulafono e tatau ona faaaoga i se tagata o ia lea o lo o umia le tofi o le Komesina o Leoleo i le amataga o leni Tulafono e avea ai e faapei o leni Tulafono sa amata faamamaluina i le taimi o lona tofiga ma e faapea sa tofia o ia e tusa ai ma aiaiga o leni Tulafono.