



Western Samoa

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AN ACT to establish The Western Samoa Polytechnic.

[16 February 1993]

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

**PART I
INTRODUCTORY**

1. **Short title** - (1) This Act may be cited as The Western Samoa Polytechnic Act 1992/1993.

2. **Interpretation** - (1) In this Act, unless the context otherwise requires, -

"Board" means the Board of the Polytechnic, constituted pursuant to section 7 of this Act:

"Cabinet" means the Cabinet of Ministers:

"Chairperson" means the chairperson of the Board of the Polytechnic:

"Charter" means the document setting out the goals and purposes of the Polytechnic as defined in section 21 of this Act:

"Chief Executive Officer" means the person who is the chief executive of the Polytechnic and includes a person for the time being performing the duties of the Chief Executive Officer.

"Commissioner" means the person who is for the time being the Commissioner of Labour:

"Director" means the person who is for the time being the Director of Education:

"Financial year" means a period of twelve months commencing on each 1st day of July and ending on the 30th day of June next following:

"Government" means the Government of the Independent State of Western Samoa:

"Member" means a member of the Board:

"Minister" means the Minister of Education:

"Statute" means any Statute made under section 19 of this Act:

"Polytechnic" means The Western Samoa Polytechnic established under this Act.

(2) The provisions of the Education Ordinance 1959 shall not apply to the Polytechnic.

3. Establishment of the Polytechnic - (1) There is hereby established a Polytechnic to be called The Western Samoa Polytechnic.

(2) The Polytechnic is a body corporate with perpetual succession and a common seal, and shall be capable of entering into contracts, of acquiring, holding and disposing of real and personal property, of suing and being sued and of doing all such other acts and things as bodies corporate may lawfully do.

PART II FUNCTIONS, POWERS AND ADMINISTRATION

4. Functions of the Polytechnic - (1) The functions of the Polytechnic shall be -

(a) to provide a wide diversity of continuing education, including vocational training, that contributes to the maintenance, advancement, and dissemination of knowledge and expertise and promotes community learning, and by research, particularly applied and technological research, that aids development in Western Samoa;

(b) to comply with the objects of its Charter.

5. Polytechnic to determine courses etc. - (1) Subject to this Act and to its Charter, the Polytechnic shall have full and free liberty to determine the courses of study and training which it proposes to offer, the nature thereof, its staff, and the manner in which its teaching functions shall be carried out.

(2) In exercising its rights under subsection (1) of this section the Polytechnic shall act in a manner that is consistent with -

- (a) The need for the maintenance by it of the highest ethical standards and the need to permit public scrutiny to ensure the maintenance of those standards; and
- (b) The need for proper accountability by it and the proper use of resources allocated to it.

6. Powers of the Polytechnic - (1) The Polytechnic shall have all the powers and authorities necessary for the effective performance of its functions.

(2) Without limiting the generality of subsection (2) of this section, the Polytechnic shall have the following powers:-

- (a) to prepare and negotiate with the Minister a Charter of the Polytechnic;
- (b) to institute, diplomas, certificates and other distinctions or awards;
- (c) to approve courses of study;
- (d) to admit students;
- (e) to provide for the discipline of the Polytechnic;
- (f) to deprive persons of or revoke any diplomas, certificates or other awards or distinctions awarded or conferred by the Polytechnic for such cause as it thinks fit;
- (g) to authorise the creation of positions in the Polytechnic and to suspend or abolish any position;
- (h) to determine the salary structure applicable to members of staff and other conditions of their service;
- (i) to approve the procedures for the appointment of

- members of the staff and to appoint members of that staff;
- (j) to arrange for the provision of goods and services to members, staff and students;
 - (k) to provide for the welfare of all persons in the employment of the Polytechnic or formerly in the employment of the Polytechnic and the dependants of such persons;
 - (l) to make such provision as the Board thinks fit for schemes of insurance, superannuation, pensions or retirement benefits for all persons in the employment of the Polytechnic and their dependants;
 - (m) to institute or accept awards such as fellowships, scholarships, bursaries, prizes and other aids to study and research;
 - (n) on behalf of the Polytechnic, and subject to the prior approval of Cabinet to acquire, buy, sell and exchange real property, and to lease and accept leases thereof;
 - (o) to provide and maintain the buildings, premises, furniture, apparatus, services and other means needed for carrying on the work of the Polytechnic;
 - (p) to manage and regulate the finances, accounts, investment, property, business and all affairs whatsoever of the Polytechnic, and for that purpose to appoint bankers and other officers and agents whom it considers expedient to appoint;
 - (q) to determine all Polytechnic fees;
 - (r) to raise money and procure contributions to the funds of the Polytechnic in such manner and for such purposes as the Polytechnic may from time to time think fit; and
 - (s) subject to the prior approval of Cabinet to

borrow money on behalf of the Polytechnic and for that purpose to mortgage or charge all or any part of the property of the Polytechnic, whether real or personal, and to give such other security as the Board shall think fit;

- (t) subject to the prior approval of Cabinet, to invest any moneys belonging to the Polytechnic in such stocks, funds, shares or securities as the Board shall from time to time think fit or in the purchase of freehold property; provided that in the case of moneys held by the Polytechnic as trustee, the powers conferred by this paragraph shall be exercised subject to the provisions of any law that may apply relating to the investment by trustees;
- (u) to act as trustee of any property, legacy, endowment, bequest or gift;
- (v) to enter into, vary, carry out, cancel or rescind contracts on behalf of the Polytechnic;
- (w) to provide for such printing and publications as the Polytechnic thinks fit to enable it to perform its functions;
- (x) to arrange for the manufacture of, and distribute, whether by sale or otherwise, any article made by the Polytechnic or bearing its mark;
- (y) to select a seal and insignia for the Polytechnic;
- (z) to determine the terms and conditions under which any institution or body may affiliate to the Polytechnic or the terms and conditions of any association or co-operation between the Polytechnic and any institution or body, or to enter into any agreement for the incorporation in the Polytechnic of any institution or body;
- (aa) to foster close relations and associations with educational, research, professional and commercial organisations;

(bb) generally to exercise all such powers, duties and functions as are or may be conferred on the Board by this Act.

(3) The powers vested in the Polytechnic by this section shall be exercised by the Board.

7. The Board of the Polytechnic - (1) There shall be a Board of the Polytechnic, to be called the Board of the Western Samoa Polytechnic.

(2) Subject to this Act and the Statutes, the Board shall be the executive governing body of the Polytechnic, and shall have the entire management of and control over the affairs, concerns and property of the Polytechnic, and shall act in all matters concerning the Polytechnic in such manner as appears to it best calculated to promote the interests of the Polytechnic.

8. Constitution of the Board - The Board shall consist of the following members:

- (a) A person appointed by the Head of State acting on the advice of Cabinet, who shall be a member and Chairperson of the Board;
- (b) The Chief Executive Officer of the Polytechnic;
- (c) One person appointed by the Minister after he or she has consulted the Western Samoa Manufacturers Association;
- (d) One member appointed by the Minister after he or she has consulted the Western Samoa Chamber of Commerce;
- (e) The Director or his or her nominee;
- (f) The Commissioner or his or her nominee;
- (g) Up to two persons who may be co-opted by the Board at its discretion;
- (h) Such other persons as may be appointed by the Minister, pursuant to section 10 of this Act,

Provided however that in no case shall the Board comprise more than 20 persons.

9. **Terms of office etc. of members of the Board - (1)** Subject to section (5) of this section, every member appointed or co-opted pursuant to paragraph (a), (c), (d), or (g) of section 8 of this Act shall hold office for a term of 3 years and every member appointed pursuant to paragraph (h) of section 8 of this Act, shall hold office for a term to be fixed by the Minister, which in no case shall exceed three years.

(2) Every member appointed or co-opted pursuant to paragraph (a), (c), (d), (g) or (h) of section 8 of this Act may be reappointed or co-opted for a further term,

Provided that no member referred to in this subsection shall serve for more than 9 years in total.

(3) Notwithstanding that his or her term of office may have expired, a member appointed or co-opted pursuant to section 8 of this Act shall, unless he or she sooner vacates his or her office, continue to hold office until his or her successor comes into office.

(4) Cabinet, when advising the Head of State as to the appointment of the member of a Board to act as Chairperson, and the Board when co-opting members, shall strive to ensure that the Board has a sufficient number of members with expertise in management to enable the Board properly to perform its functions, and shall have regard to the need for a reasonable representation of both men and women on the Board.

(5) Where the Director or the Commissioner nominates a person to act in his or her stead as a member, he or she shall do so by written notice to the Chairperson, and the person so nominated shall continue in office until his nomination is revoked by written notice given to the Chairperson by the Director or as the case may be, by the Commissioner.

(6) Notwithstanding the provisions of subsection (1) of this section, on the first occasion after the commencement of this Act on which appointments are made pursuant to paragraphs (a), (c), (d) and (g) of section 8 of this Act, any of

such appointments may be for a lesser term than three years.

10. Additional Members of the Board - (1) Forthwith upon the coming into force of this section, the Board shall, and at any time thereafter may, consider the desirability of enlarging or changing the membership of the Board, and shall make such recommendations to the Minister as it thinks fit.

(2) Without limiting the generality of its powers under subsection (1) of this section the Board shall in particular consider whether there is a need for representation on the Board of members of the staff, students or former students of the Polytechnic, workers' representatives and other representatives of the community served by the Polytechnic and may consider the suitability of specific individuals to fill any such needs.

(3) The Minister, if he or she thinks fit, may, subject to the provisions of this Act, make such additions to, or changes in, the Board as he or she, on the recommendation of the Board, shall determine, and shall advertise such additions and changes in the Savali.

(4) This section shall be read subject to sections 8 and 9 of this Act.

11. Extraordinary vacancies in the Board - (1) This section applies to every member appointed or co-opted to the Board pursuant to paragraphs (a), (c), (d), (g) and (h), of section 8 of this Act.

(2) If any member of the Board to whom this section applies -

- (a) dies;
- (b) resigns his or her office by delivering a notice in writing to that effect to the Chairperson;
- (c) is absent without leave from 3 consecutive meetings of the Board;
- (d) is convicted of an offence punishable by imprisonment; or

(e) is removed from office pursuant to section 18 of this Act -

the membership of that person shall thereupon cease, and the vacancy thereby created shall be deemed to be an extraordinary vacancy.

(3) Every extraordinary vacancy in the office of a member of the Board shall, as soon as practicable, be filled by a person who shall, subject to subsection (2) of this section be appointed or co-opted to the vacant office by the same procedure as that by which the member whose office became vacant became a member.

(4) If the vacancy occurs within 3 months before the end of the member's term of office, the Board may decide that the vacancy need not be filled under this section.

(5) A member appointed or co-opted under this section holds office for the period commencing on the date of the appointment or co-option and ending at the expiration of the term of office of the member whose office became vacant.

12. Remuneration of members of the Board - Members of the Board-

- (a) May be paid out of the funds of the Polytechnic such benefits and allowances as Cabinet may from time to time determine;
- (b) May be reimbursed out of the funds of the Polytechnic for any expenses reasonably incurred by them in respect of their attendances as members of the Board.

13. Meetings of the Board - (1) The Board shall meet at such times and places as it determines:

Provided that it shall meet at least once every two months, and that it shall hold its first meeting not later than 1 month after the date this Act comes into force.

(2) The Chairperson or Chief Executive Officer may at any time call a special meeting of the Board, and the Chairperson or Chief Executive Officer shall call a special

meeting of the Board on the requisition in writing of at least 4 of the Board members.

(3) At any meeting of the Board half of the current members shall form a quorum.

(4) The Chairperson shall preside at every meeting of the Board at which he or she is present.

(5) If at any meeting of the Board the Chairperson is not present, the Board shall appoint some member present other than the Chief Executive Officer to preside at that meeting.

(6) At any meeting of the Board the person presiding at the meeting shall have a deliberative vote, and in the case of an equality of votes shall also have a casting vote.

(7) Every question before the Board shall be decided by a majority of the votes of the members present at the meeting of the Board and voting on that question.

14. Proceedings of the Board not affected by vacancies, etc. - No act or proceedings of the Board, or of any committee thereof, or of any person acting as a member of the Board, shall be invalidated in consequence of there being a vacancy in the number of the Board at the time of that act or proceeding, or if there was some defect in the appointment or qualification of any member of the Board, or a defect in the convening of any meeting of the Board.

15. Board may appoint committees - (1) The Board may from time to time establish such standing or special committees as it thinks fit.

(2) Any committee established under subsection (1) of this section may include persons who are not members of the Board.

(3) The Board may delegate any of its powers, duties and functions, including any powers, duties and functions which it has by delegation from any other body or person, but not including this power of delegation, and not including the power to make Statutes, to any committee established under subsection (1) of this section, and the committee may without

confirmation by the Board, exercise those powers or perform those duties or functions in like manner and with the same effect as the Board could itself have exercised or performed them.

(4) Every delegation made under this section shall be revocable at will, and no such delegation shall prevent the exercise of any power or the performance of any duty or function by the Board.

(5) Unless and until any such delegation is revoked, it shall continue in force according to its tenor.

(6) In appointing a sub-committee, the Board may appoint one of its members as chairperson, but otherwise the committee shall elect its own chairperson.

16. Disclosure of interest - (1) A member of the Board, or of a committee who has an interest in a matter being considered or about to be considered by the Board or committee, shall, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the Board or committee.

(2) A disclosure under subsection (1) of this section shall be recorded in the minutes of the meeting of the Board or committee and the member shall not unless the Board decides otherwise -

(a) Be present during any deliberation of the Board or committee with respect to that matter; or

(b) Take part in any decision of the Board or committee with respect to that matter.

17. Chief Executive Officer - (1) The Chief Executive Officer shall be appointed by the Board on such conditions of employment as it may determine.

(2) Subject to the provisions of subsection (4) of this section and section 18 of this Act, the Chief Executive Officer shall hold office for a term of three years and shall be eligible for reappointment.

(3) The Chief Executive Officer shall have the following functions powers and duties:-

- (a) he or she shall be the academic and administrative head of the Polytechnic;
- (b) he or she shall have such duties as the Board, subject to the provisions of this Act, may prescribe;
- (c) he or she may, during the intervals between meetings of the Board, exercise alone, or as the Board may determine jointly with the Chairperson or any other Member appointed by the Board (but subject always to the control of the Board) such of the powers of the Board as to maintaining the day to day management of the Polytechnic as may be prescribed in that behalf by Statutes made under the authority of this Act;

(4) Notwithstanding the provisions of subsection (1) of this section, the Chief Executive Officer may resign his or her office by giving to the Board three months written notice of his intention so to do.

18. Removal from office -(1) The Head of State, acting on the advice of Cabinet, may remove at any time a member of the Board appointed pursuant to any of paragraphs (a), (c), (d), and (h) of section 8 of this Act -

- (a) For disability, neglect of duty, misconduct, or bankruptcy; or
- (b) If he is satisfied that the member has left Western Samoa permanently.

(2) Subject to the provisions of this section, the Board may from time to time, remove from office -

- (a) the Chief Executive Officer;
- (b) any staff member
- (c) any co-opted member of the Board.

(3) No person shall be removed from office under subsection (2) of this section unless the Board is satisfied that such person -

- (a) is physically or mentally incapable of performing the duties of his or her office;
- (b) has conducted himself or herself in a manner which the Board considers is such as to render the person concerned unfit to continue to hold his or her office; or
- (c) has failed or is unable to perform the duties of his or her office or to comply with the conditions of tenure of his or her office; or
- (d) being the Chief Executive Officer or a co-opted member of the Board is adjudged a bankrupt.

(3) No person shall be removed from office under subsection (2) of this section unless -

- (a) he or she has been given a reasonable opportunity to be heard by the Board, which opportunity shall include the right to be represented at such a hearing by a barrister or a solicitor, and to call and to question witnesses; and
- (b) the resolution for the removal of such person from office is passed by a majority of the members present and voting.

19. Power to make Statutes - (1) Subject to the provisions of this Act, the Board may from time to time make such Statutes of the Polytechnic as may in its opinion be necessary or expedient for the administration of the affairs of the Polytechnic.

(2) Without limiting the generality of subsection (1) of this section, the Board may make Statutes with respect to -

- (a) the management, good government, and discipline of the Polytechnic;

- (b) the imposition, by or on behalf of the Board, of penalties upon staff or students of the institution for contravention of or failure to comply with a statute with respect to a matter referred to in paragraph (a) of this subsection;
- (c) the method of election or appointment of members of the Board or its subcommittees;
- (d) the manner and time of convening, holding and adjourning the meetings of the Board, the manner of voting at such meetings, the powers and duties of the Chairperson thereof; the conduct and record of the business;
- (e) the appointment of committees of the Board, and the quorum, powers and duties of such committees;
- (f) the number, remuneration, manner of appointment and dismissal of staff of the Polytechnic;
- (g) the payment of such fees and charges, including fines, as the Board deems necessary, including fees and charges to be paid in respect of -
 - (i) entrance to the Polytechnic;
 - (ii) tuition;
 - (iii) lectures and classes;
 - (iv) examinations;
 - (v) residence;
 - (vi) the conferring of diplomas and certificates;
 - (vii) to provision of amenities and services, whether or not of an academic nature; and
 - (viii) an organisation of students or of students and other persons;

- (h) the exemption from, or deferment of, payment of fees and charges, including fines;
- (i) the entrance standards for students;
- (j) the examinations for and the granting of diplomas, certificates and honours and the attendance of candidates therefor;
- (k) the examinations for and the granting of fellowships, scholarships, exhibitions, bursaries and prizes;
- (l) the admission of students of other institutions of higher education to any status within the Polytechnic or the granting to graduates of such institutions, or other persons, of a degree or diploma without examination;
- (m) the establishment of residential colleges within or associated with the Polytechnic and their conduct;
- (n) the affiliation with or admission to the Polytechnic of any educational or research establishment.

(3) All Statutes made under this section shall be in writing and shall be sealed with the common seal of the Polytechnic.

(4) No Statute passed by the Board of the Polytechnic shall come into force until it has been approved by Minister.

(5) The production of a copy of any Statute passed by the Board which is under the common seal of the Polytechnic shall be sufficient evidence in all Courts of the Statute.

20. Affixing of the common seal - The common seal shall only be used pursuant to a resolution of the Board and every instrument to which the seal is affixed shall be signed by the Chairperson or some other person authorised by the Board, and shall be countersigned by a second member of the Board.

**PART III
CHARTER**

21. Polytechnic to have charter - (1) The Polytechnic shall have a written charter, prepared and approved under this Act, of its goals and purposes.

(2) It is the duty of the Board, -

(a) As soon as practicable after the first meeting of the Board, to prepare and submit to the Minister for approval a proposed charter for the Polytechnic; and

(b) If at any time it appears to the Board that it is desirable that the charter be amended, to prepare and submit to the Minister for approval by the Minister a proposed amendment to the charter.

22. Consultations - Before submitting to the Minister a proposed charter for the Polytechnic or a proposed amendment to the charter, the Board shall consult, in such manner as it considers appropriate, with staff and students of the Polytechnic and such members of, or groups of persons in, the community served by the Polytechnic the Board considers appropriate and shall consider the views expressed by those persons.

23. Consideration of proposed charter or amendment - (1) The Minister shall consider the proposed charter or proposed amendment to a charter submitted by the Board and shall strive to reach agreement with the Board as to the terms of the charter or of the amendment.

(2) If the Board and the Minister are unable to agree on any matter relating to the proposed charter of the Polytechnic or a proposed amendment to the charter, the Minister shall determine the matter after consulting the Board and such other bodies and persons as the Minister considers appropriate.

24. Power of Minister to initiate amendment of charter - (1) The Minister may, on his or her own initiative, propose an amendment to the charter.

(2) The Minister shall give to the Board a copy of the proposed amendment and a statement of the reasons for proposing the amendment and shall allow the Board a reasonable period in which to make a submission in relation to the proposed amendment.

25. Approval of charter or amendment - (1) The Minister may approve a proposed charter or a proposed amendment to the charter by signing the charter or amendment and specifying on it a date that is not earlier than the date on which it is signed.

(2) The Minister shall approve a proposed charter, or a proposed amendment to a charter (not being an amendment proposed by the Minister), unless satisfied on reasonable grounds that the Minister should not do so.

(3) An amendment proposed by the Minister to a charter shall not be approved until the Minister has considered any submission made by the Board under section 24(2) of this Act.

(4) On the day specified on a proposed charter in accordance with subsection (1) of this section, the proposed charter takes effect as the charter of the institution.

(5) On the day specified on a proposed amendment to a charter in accordance with subsection (1) of this section, the proposed amendment takes effect and the existing charter shall be read accordingly.

26. Where Polytechnic has no charter - If the Polytechnic has not had a charter for a period of at least 6 months and the Board has not submitted to the Minister for approval a proposed charter for the Polytechnic, the Minister may, on his or her own initiative, approve a charter for the institution in such reasonable terms as the Minister determines.

27. Mandatory requirements for charter - (1) The charter shall include -

- (a) Standards of teaching and learning to be achieved at institutions; and

- (b) Codes or principles of conduct or administration to be observed in the management of the affairs of institutions.
- (c) Other matters required by Minister in writing;

PART IV ASSETS AND FUNDS

28. Power to accept gifts, etc. - The Polytechnic shall have power to acquire by gift, bequest or devise any property for the purposes of this Act, and to agree to and carry out the conditions of any such gift bequest or devise.

29. Acquisition of land, etc. - (1) Notwithstanding any provision in any other enactment, the Land Board is authorised and empowered :-

- (a) to convey or transfer to the Polytechnic for the purposes of this Act, a freehold estate in such Government land as may be agreed upon between the Government and the Polytechnic together with any improvements thereon, upon such terms as may be agreed upon between the Government and the Polytechnic; and
- (b) to grant to the Polytechnic for the purposes of this Act a lease over such Government land as may be agreed upon between the Government and the Polytechnic together with any improvements thereon upon such terms as may be agreed upon between the Government and the Polytechnic.

(2) The term of any lease granted under paragraph (b) of subsection (1) of this section shall expire no later than 80 years after the date upon which this section comes into force pursuant to section (1) of this Act.

(3) The Government is empowered, as from the date this section comes into force, to transfer without cost to the Polytechnic any Government assets and equipment used in connection with the Western Samoa Technical Institute before this section came into force.

30. Funds of the Polytechnic - The funds of the Polytechnic shall comprise -

- (a) all money received by the Polytechnic out of money appropriated by the Legislative Assembly for the purposes of the Polytechnic;
- (b) any money from levies imposed by Government for technical training;
- (c) all money that may be donated, given or contributed to the Polytechnic or that may be otherwise lawfully payable to the Polytechnic;
- (d) all money received by the Polytechnic by way of fees or otherwise in respect of the performance and exercise of any of the functions and powers of the Polytechnic;
- (e) all interest and other accumulations of money belonging to the Polytechnic;

31. Money to be paid into bank - (1) All money received by the Polytechnic shall, as soon as practicable after it has come into the hands of the proper officer of the Polytechnic, be paid into such bank account or accounts of the Polytechnic as the Board from time to time determines.

(2) No such money shall be withdrawn from the bank except by authority of the Board and by cheque signed by an officer of the Polytechnic approved by the Board, and countersigned by a member of the Board or by another officer of the Polytechnic approved by the Board.

32. Loan money to be paid into a separate account - All money borrowed by the Board on behalf of or for the purposes of the Polytechnic, other than money borrowed by way of overdraft, shall be paid into a separate bank account in the name of the loan, and shall not be drawn out of the bank or expended except for the special purposes for which it was borrowed.

33. Application of funds - The funds of the Polytechnic shall be applied only -

- (a) In payment or discharge of the expenses, charges, obligations or liabilities incurred or undertaken by or on behalf of the Polytechnic; and
- (b) In payment of any remuneration or allowances payable to members of the Board or of committees of the Board or to the Chief Executive Officer or members of the staff of the institution; and
- (c) In making any other payments that are required or permitted by this Act or any other enactment to be made out of the money of the Polytechnic.

34. Grants by Board to association of staff or students - The Board may from time to time make grants or loans from its funds on such terms and conditions as it thinks fit to any association or organisation of staff or students of the Polytechnic.

35. Proper accounts to be kept - The Board shall-

- (a) Cause to be kept proper accounts and records of the transactions and affairs of the Polytechnic; and
- (b) Do all things necessary to ensure that adequate control is maintained over the assets of, or in the custody of, the Polytechnic and over the incurring of liabilities by the Polytechnic.

36. Accounts and audit -(1) The Polytechnic shall prepare in respect of each financial year a statement of accounts.

(2) The accounts of the Polytechnic shall include separate profit and loss and appropriation accounts and a balance sheet, all of which shall be approved by the Board and signed on behalf of the Board by the person or other member designated by the Board.

(3) The accounts of the Polytechnic shall be audited by the Controller and Chief Auditor of the Government of Western Samoa, or with the consent of the Controller and Chief Auditor, by another approved auditor.

(4) As soon as the accounts of the Polytechnic have

been audited, the Board shall send a copy of the statement of accounts, together with a copy of any report made by the auditor, to Cabinet.

(5) The Minister shall cause copies of the audited statement of accounts and any report made by the auditor to be laid before the Legislative Assembly within 28 days after the receipt of a copy by him or her if the Assembly is then in session or, if not, within 28 days after the commencement of the next ensuing session.

37. Annual Report - (1) The Board shall, as soon as possible after the end of each financial year, make a report to the Minister dealing generally with the operations of the Polytechnic during that year.

(2) The Board shall include in every annual report of the Board the financial statements of the Polytechnic, for the academic year to which the report relates, together with the audit report and any other statement relating to.

(3) The Minister shall cause copies of every such report to be laid before the Legislative Assembly within 28 days after the receipt of a copy by him or her if the Assembly is then in session or, if not, within 28 days after the commencement of the next ensuing session.

38. No liability for income tax - The Polytechnic shall not be liable for income tax.

PART V MISCELLANEOUS

39. Regulations - The Head of State, acting on the advice of Cabinet, may from time to time make all such regulations as may in his opinion be necessary or expedient for giving full effect to the provisions of this Act and for the due administration thereof.

40. Transitional - Until such time as a Chief Executive Officer is appointed pursuant to section 17 of this Act the person holding the position of principal of the Western Samoa

Technical Institute immediately before the coming into force of section 17 of this Act, shall act as Chief Executive Officer and shall have the rights powers and duties vested in that officer pursuant to this Act.



Samoa i Sisifo

Faatulagaina o Aiaiga

Igoa

VAEGA I

Faatomuaga

1. Igoa puapuu.
2. Faamatalaina o Ulu o Tupu
3. Faavaeina o le Aoga Faapitoa o Matata Eseese a Samoa i Sisifo.

VAEGA II

Matafaioi, Pule Ma
Pulcaina

4. Matafaioi a le Aoga Faapitoa o Matata Eseese.
5. Aoga Faapitoa o Matata Eseese ina ia fuafuaina mataupu e aoao atu ma isi tulaga.
6. Pule a le Aoga Faapitoa o Matata Eseese.
7. O le Komiti Faatino o le Aoga Faapitoa o Matata Eseese.
8. Sui auai o le Komiti Faatino.
9. Vaitaimi o Tofiga ma isi tulaga, o sui usufono o le Komiti Faatino.
10. Sui Usufono faapoopo o le Komiti Faatino.
11. Avanoa faapitoa i totonu o le Komiti Faatino.
12. Totogi o sui usufono o le Komiti Faatino.
13. Fonotaga a le Komiti Faatino.

14. Taualumaga a le Komiti Faatino e le aafia ona o avanoa e le i faatumuina ma isi tulaga.
15. E mafai e le Komiti Faatino ona tofia ni komiti.
16. Faaalia o aia ma tulaga o lo o aafia ai.
17. Ofisa Sili tau Pulega.
18. Aveescina mai le tofi.
19. Pule e faia ai Tulafono.
20. Faapipiina i ai o le Faamau Faailoga.

VAEGA III

Pepa Aloaia o Aia ma
Tulaga Taualoa

21. O le Aoga Faapitoa o Matata Eseese ina ia faia se Pepa Aloaia o Aia ma Tulaga Taualoa.
22. Feutagaina.
23. Iloiloina o pepa aloaia o aia ma tulaga taualoa ua fuafuaina po o le teuteuina.
24. Pule a le Minisita e faia ai teuteuga i le pepa aloaia o Aia ma tulaga taualoa.
25. Faamaonia o le pepa aloaia o aia ma tulaga taualoa po o teuteuga.
26. Pe a fai e leai se pepa aloaia o aia ma tulaga taualoa a le Aoga Faapitoa o Matata Eseese.

27. Manaoga faamalosia i luga o se poloaiga mo le pepa aloaia o aia ma tulaga taualoa.

VAEGA IV

Meatotino ma Faaputuga-Tupe

28. Pule e talia ai meaalofa, ma isi tulaga faapea.
29. Mauaina o fanua ma isi tulaga faapea.
30. Faaputuga-tupe a le A o g a Faapitoa o Matata Eseese. *
31. Tupe ina ia teuina i totonu o le faletupe.
32. Faaunegatupe ina ia tototogiina mai ai.

33. Faaogaina o Faaputuga-tupe.
34. Tupe Faameaalofa e tuuina atu e le Komiti Faatino i faalapotopotoga a le aufaigaluega po o tamaiti aooga.
35. Faamatalaga tau Tupe talafeagai ina ia tausia lelei.
36. Faamatalaga tau Tupe ma le sueina o tusi.
37. Lipoti Faale-tausaga.
38. E leai se noataga mo lafoga o tupe maua

VAEGA V Mea Eseese

39. Tulafono Faatonutonu.
40. Vaitaimi a o faatalitali le suiga.

1992/1993, Nu. 32

O SE TULAFONO e faavae ai le Aoga Faapitoa o Matata
Eseese a Samoa i Sisifo. *[16 Fepuari 1993]*

UA FAIA e le Fono Aoao Faitulafono o Samoa i Sisifo i totonu o le Palemene e faapea:-

VAEGA I

FAATOMUAGA

1. Igoa puupuu-(1) E mafai ona taua lenei Tulafono o le Tulafono o le Aoga Faapitoa o Matata Eseese a Samoa i Sisifo 1992/1993.

2. Faamatalaina o uiga o Upu-(1) I totonu o lenei Tulafono, ae vagana ai ua manaomia e le mataupu se isi uiga e ese mai ai:

"Komiti Faatino" o lona uiga o le Komiti Faatino o le Aoga Faapitoa o Matata Eseese, ua aavaeina e tusa ai ma le fuaiupu 7 o lenei Tulafono:

"Kapeneta" o lona uiga o le Kapeneta o Minisita:"

"Taitaifono" o lona uiga o le taitaifono o le Komiti Faatino o le Aoga Faapitoa o Matata Eseese:

"Pepa faale-tulafono o Aia ma Tulaga Aloaia" o lona uiga o le Pepa Aloaia o lo o faatulagaina ai sini ma faamoemoe a le Aoga Faapitoa o Matata Eseese e pei ona faamatalaina i totonu o le fuaiupu 21 o lenei Tulafono:

"Ofisa Sili tau Pulega" o lona uiga o le tagata o ia lea o le ofisa sili tau pulega a le Aoga Faapitoa o Matata Eseese aofia ai se tagata o lo o ia tauaveina tiute a tiute a le Ofisa Sili tau Pulega i le taimi nei:

"Komesina" o lona uiga o le tagata o ia lea o lo o umia le tofi o le Komesina o Leipa i le taimi nei:

"Faatonu Sili" o lona uiga o le tagata o ia lea o lo o umia le tofi o le Faatonu Sili o Aoga i le taimi nei:

"Tausaga Faale-tupe" o lona uiga o se vaitaimi e sefulu lua masina e amata i le aso 1 taitasi o Iulai ma faaiuina i le aso 30 o Iuni i le isi tausaga e sosoo ai:

"Malo" o lona uiga o le Malo Tutoatasi o Samoa i Sisifo:

"Sui Usufono" o lona uiga o se sui usufono o le Komiti Faatino:

"Minisita" o lona uiga o le Minisita o Aoga:

"Tulafono" o lona uiga o so o se tulafono ua faia e tusa ai ma le fuaiupu 19 o lenei Tulafono:

"Aoga Faapitoa o Matata Eseese" o lona uiga o le Aoga Faa-

pitoa o Matata Eseese Samoa i Sisifo ua faavaeina i lalo o lenei Tulafono.

(2) O aiaiga o le Tulafono o Aoga 1959 e le tatau ona faa-aoga i le Aoga Faapitoa o Matata Eseese.

3. Faavaeina o le Aoga Faapitoa o Matata Eseese-(1) O le a faavaeina nei se Aoga Faapitoa o Matata Eseese o le a taua o le Aoga Faapitoa o Matata Eseese a Samoa i Sisifo.

(2) O le Aoga Faapitoa o Matata Eseese o se faalapotopotoga tuufaatasia faale-tulafono ua i ai le faaauauina pea ma se faamau faailoga, ma o le a agavaa e osia ni feagaiga, mauaina mai, umia ma le faataapeina o meatotino mautu ma meatotino taule-tagata, le molia ma le moliaina o ia i le faamasinoga ma le faia o isi gaoiiga ma tulaga uma e pei ona mafai ona faia e isi faalapotopotoga tuufaatasia e tusa ai ma tulafono.

VAEGA II

Matafaioi, Pule ma le Puleaina

4. Matafaioi a le Aoga Faapitoa o Matata Eseese-(1) O matafaioi a le Aoga Faapitoa o Matata Eseese o le a aofia ai

(a) le tuuina atu o se tulaga lautele mo le faaauauina o aoaoga, e aofia ai ma aoaoga i matata o lo o galulue ai tagata faigaluega, e fai saofaga ai i le tausiga, faaleleia, ma le tufatufaina atu o le pota ma tomai faapitoa ma unuaia ai tulaga tau aoaoga i totonu o le atunuu, ma i le faia o suesuega, faapitoa i le faaaogaina ma suesuega tau tomai faapitoa, e faapea o le a fesoasoani i atiina ae i totonu o Samoa i Sisifo;

(b) le usitaia o sini o lana Pepa Faale-tulafono. o aia ma tulaga aloaia.

5. O le Aoga Faapitoa o Matata Eseese ina ia fuafuaina mataupu a aoao atu ma isi tulaga-(1) I le noatia ma le fai fuafua i lenei Tulafono ma lana Pepa Faale-tulafono o Aia ma Tu-

laga Aloaia, e tatau ona umia e le Aoga Faapitoa o Matata Eseese le saolotoga atoatoa ma le le faatapulaaina e fuafua ai mataupu e ao ona aoao atu ma aoaoga ua fuafuaina e ia e aoaoina atu, tulaga masani o ia mataupu, lana aufaigaluega, ma le faiga o le a faatinoina ai ana matafaioi o le aoaoina atu.

(2) I le faatinoina o ana aia i lalo o le faafuaiupu (1) o lenei fuaiupu e tatau i le Aoga Faapitoa o Matata Eseese ona galue i se tulaga e faapea e o gatasi ma -

- (a) Le manaoga mo le tausia e ia o le tulaga aupito sili ona manaomia i tulaga tau le amio pulea ma le manaoina ia faatagaina le malo na te vaavaaia ma le faateete le Aoga ina ia mautinoaina ai le tausia pea o ia tulaga; ma
- (b) Le manaoga mo le faamaumauina lelei e ia ma le faaogaina tatau o oloa ma tupe ua tuuina atu i ai.

6. Pule a le Aoga Faapitoa o Matata Eseese-(1) O le Aoga Faapitoa o Matata Eseese e tatau ona i ai pule uma ma pulega talafeagai mo le lelei ona tauaveina o ana matafaioi.

(2) E aunoa ma le faatapulaaina o le tulaga aoao o le faafuaiupu (2) o lenei fuaiupu, o le Aoga Faapitoa o Matata Eseese e tatau ona i ai pule e pei ona taua:-

- (a) le saunia ma feutagai ma le Minisita i se Pepa faale-tulafono o Aia ma Tulaga Aloaia a le Aoga Faapitoa o Matata Eseese;
- (b) le faatulagaina o, tipoloma, tusi pasi ma isi faailoga iloga po o ni tau;
- (c) le faamaonia o mataupu e aoaoina;
- (d) le faauluina o tagata aooga;
- (e) le tuuina atu o tulaga mo le tausia o amio pulea o le Aoga Faapitoa o Matata Eseese;
- (f) le taofia o ni tagata po o le faaleaogaina o so o se

tipiloma, tusi pasi po o isi faailoga po o faailoga iloga ua faaeēina po o tuuina atu e le Aoga Faapitoa o Matata Eseese ona o ni mafuaaga ua ia manatu ua ia manatu ua talafeagai ai;

- (g) le faatagaina o le faatuina o avanoa faigaluega i totonu o le Aoga ma le tofia po o le faamutaina o so o se avanoa.
- (h) le fuafuaina o le faatulagaina o totogi talafeagai ma tagata o le aufaigaluega ma isi tuutuuga e tusa ai ma a latou galuega fai;
- (i) le faamaonia o tualumaga mo le tofia o tagata faigaluega ma le tofia o sui o lena aufaigaluega;
- (j) le saunia mo le tuuina atu o oloa ma galuega faatino i sui, aufaigaluega ma tagata aooga;
- (k) le mauaina o tulaga mo le lelei o tagata uma i totonu o le aufaigaluega a le Aoga Faapitoa o Matata Eseese po o tagata sa faigaluega muamua ai i le Aoga ma tagata o lo o faalagolago o latou tausiga i ia tagata;
- (l) le faia o ni aiaiga e pei ona o le a manatu le Komiti Faatino ua talafeagai ai mo faiga tau inisiua, supaaneueta, penisione po o faamanuiaga mo faamalologa litaea mo tagata uma o lo o faigaluega i le Aoga Faapitoa o Matata Eseese ma faapea foi ma tagata o lo o faalagolago o latou tausiga i nei tagata faigaluega.
- (m) le faatuina po o le taliaina o felosipi, sikolasipi, fesoasoani tau tupe, faailoga ma isi avanoa maua fua e fesoasoani ai i aooga ma suesuega;
- (n) le avea ma sui o le Aoga o Matata Eseese, ma i le noatia ma le fai fuafua i le faamaoniga e muamua ona tuu mai e le Kapeneta e maua mai ai, faatau mai, faatau atu ma le fesuaiga o meatotino mautu, ma le lisiina atu ma taliaina o lisi o ia meatotino;

- (o) le mauairi ma le tausia o fale, nofoaga, meafale, mea-faigaluega, galuega faatino ma isi tulaga manaomia mo le tauaveina o galuega a le Aoga Faapitoa o Matata Eseese;
- (p) le pulea ma le faatonutonuina o tulaga tau tupe, faamatalaga tau tupe, tupe teu faafaigaluega, meatotino, pisinisi ma mataupu uma a le Aoga, ma mo lena faamoemoe le tofia o faletupe ma isi tagata ofisa ma sui sooupu ua ia manatu ua talafeagai mo le faatele-
vaveina o le faiga e tofia ai;
- (q) le fuafuaina o totoi fuapauina uma a le Aoga Faapitoa o Matata Eseese;
- (r) le sueina o ni tupe ma le mauaina mai o ni saofaga i faaputuga-tupe a le Aoga i se faiga ma mo ni faamoemoega e pei ona ua manatu le Aoga ua talafeagai ai mai lea taimi i lea taimi;
ma
- (s) i le noatia ma le fai fuafua i le faamaoniga e muamua ona tuuina mai e le Kapeneta e nono ai tupe e avea ai ma sui o le Aoga ma mo le faamoemoe e mokesi atu po o le totoiina uma po o so o se vaega o meatotino a le Aoga, pe tumau po o taule-tagata, ma tuuina atu ni faamaoniga e pei ona ua manatu le Komiti Faatino ua talafeagai ai;
- (t) i le noatia ma le fai fuafua i le faamaoniga e muamua ona tuuina mai e le Kapeneta, i le teu faafaigaluegaina o so o se tupe e fitoitonu i le Aoga i ni sea o tupe faavae, faaputuga-tupe, sea po o mea e faamaonia ai ni aitalafu e pei ona o le a manatu le Komiti Faatino ua talafeagai ai mai lea taimi i lea taimi po o i le faatauina mai o ni fanua umia saoloto; ae vagona ai e faapea i le tulaga o tupe o lo o umia e le Aoga e avea ai o se tausī mavaega, o pule e pei ona faaecina e lenei parakalafa o le a tatau ona faatinoina i le noatia ma le fai fuafua i aiaiga o so o se tulafono e faapea e ono faaoga faasino i so o se tupe teu faafaigaluegaina e ni tausī mavaega;

- (u) e galue ai e avea o se tausī mavaega o so o se meatotino, tofi e maua mai se mavaega, vaega-tupe faaagaaga a le Aoga, mea e maua mai i mavaega po o meaalofoa;
- (v) le ulufale atu i, fetuutuunai, tauaveina, faaleaogaina po o le soloia o konekarate e avea ai ma sui o le Aoga Faapitoa o Matata Eseese;
- (w) le mauaina o ni meafaigaluega mo le lolomiina o pepa ma mea tau lomiga e pei ona ua manatu le Aoga Faapitoa o Matata Eseese ua talafeagai ai ina ia mafai ai ona faatinoina ana matafaioi;
- (x) le sauniuni mo le gaosia o, ma tufaina atu, pe i le faatauina atu po o i se isi faiga, o so o se oloa ua faia e le Aoga Faapitoa o Matata Eseese po o o lo o tauaveina lana faailoga;
- (y) le filifilia o se faamau faailoga ma se tagavai mo le Aoga Faapitoa o Matata Eseese;
- (z) le fuafuaina o tuutuuga ma aiaiga e mafai ai e so o se faalapopotoga tau-atamai po o vaega faatasia ona avea ma lala o le Aoga Faapitoa o Matata Eseese po o tuutuuga ma aiaiga i fesootaiga po o tulaga felagolagomai i le va o le Aoga Faapitoa o Matata Eseese ma so o se faalapopotoga tau-atamai po o se vaega faatasia, po o e ulufale ai i totonu o so o se maliega mo le faaofiina i totonu o le Aoga Faapitoa o Matata Eseese o so o se faalapopotoga tau-atamai po o se vaega faatasia;
- (aa) le tausia o sootaga vavalalata ma le fai mea faatasi ma faalapopotoga tau aoga, sue-suega, tau tomā faapitoa ma faalapopotoga tau pisinisi;
- (bb) i se tulaga aao, o le faatinoina lea o pule uma, tiute ma matafaioi e pei ona i ai po o e ono faaecina i ai e le Komiti Faatino i lalo o lenei Tulafono.

- (3) O nule nei ona faaeeina atu i le Aoga Faapitoa o Matata lenei fuaiupu e tataua ona faatinoina e le Komiti

7. O le Komiti Faatino a le Aoga Faapitoa o Matata Eseese-

(1) O le a i ai se Komiti Faatino o le Aoga Faapitoa o Matata Eseese o le a taua o le Komiti Faatino a le Aoga Faapitoa mo Matata Eseese a Samoa i Sisifo.

(2) I le noatia ma le fai fuafua i lenei Tulafono ma isi Tulafono, o le Komiti Faatino o le a avea ma tino latou te pulea le Aoga Faapitoa o Matata Eseese, ma o le a i ai le puleaina atoa ma le faatonutonuina o mataupu, faafitauli ma meatotino a le Aoga Faapitoa o Matata Eseese, ma o le a galue i mataupu uma e aafia ai le Aoga i ni auala ua iloa e ia e aupito sili ona lelei mo le uunaia o manaoga o le Aoga Faapitoa o Matata Eseese.

8. Sui Auai o le Komiti Faatino- O le Komiti Faatino o le a aafia ai sui usufono e faapea:

- (a) O se tagata e tofia e le Ao o le Malo e faia i luga o le fautuaga a le Kapeneta, o ia lea o le a avea o se sui usufono ma Taitaifono o le Komiti Faatino;
- (b) O le Ofisa Sili tau Pulega a le Aoga Faapitoa o Matata Eseese;
- (c) O se tagata se toatasi e tofia e le Minisita ina ua maca ona faia e ia se feutagaina ma le Faalapotopotoga a le Au Gaosi Oloa a Samoa i Sisifo;
- (d) Toatasi le sui e tofia e le Minisita ina ua maca ona faia e ia se feutagaina ma le Faalapotopotoga a le Aufaipisinisi a Samoa i Sisifo;
- (e) Le Faatonu Sili po o sona sui filifilia;
- (f) Le Komesina po o sona sui filifilia;
- (g) E oo atu i le toalua ni tagata o i laua ia e ono filifili faatasi e le Komiti Faatino i luga o lana lava faitalia;

(h) Nisi tagata e pei ona o le a tofia e le Minisita, e tusa ai ma le fuaiupu 10 o lenei Tulafono,

Ae vagana ai e faapea e leai se tulaga e sili atu ai na i lo le 20 ni tagata o le a i ai i totonu o le Komiti Faatino.

9. Vaitaimi o Tofiga ma isi tulaga, o sui usufono o le Komiti Faatino-(1) I le noatia ma le fai fuafua i le fuaiupu (5) o lenei fuaiupu, o sui usufono uma ua tofia po o ua tofia i luga o le maliega faatasi a le Komiti Faatino e tusa ai ma parakalafa (a), (c), (d), po o (g) o le fuaiupu 8 o lenei Tulafono e tatau ona umia le tofi mo se vaitaimi e 3 tausaga ma o sui usufono uma ua tofia e tusa ai ma le parakalafa (h) o le fuaiupu 8 o lenei Tulafono, e tatau ona umia le tofi mo se vaitaimi o le a faatulagaina e le Minisita, ma i lea tulaga e le tatau ona sili atu i le tolu tausaga.

(2) O sui usufono uma ua tofia po o tofia i luga o le maliega faatasi a le Komiti Faatino e tusa ai ma parakalafa (a), (c), (d), (g) po o le (h) o le fuaiupu 8 o lenei Tulafono e mafai ona toe tofia po o toe tofia i luga o le maliega faatasi a le Komiti Faatino mo se isi vaitaimi,

Ae vagana ai e faapea e leai se sui usufono e pei ona faasinomia i ai lenei faafuiauupu o le a tatau ona galue mo le sili atu na i lo le aofaiga e 9 tausaga.

(3) E ese ai na i lo le faapea ole vaitaimi o lona tofi o le a ono faamutaina, o se sui usufono ua tofia po o ua tofia i luga o le maliega faatasi a le Komiti Faatino e tusa ai ma le fuaiupu 8 o lenei Tulafono e tatau, ae vagana ai o le a vave tuua e ia lona tofi, ona faauau ona umia e ia le tofi seia amata ona galue le ua sui ia te ia i le tofi.

(4) O le Kapeneta, pe a fautuaina le Ao o le Malo e tusa ai ma le tofiga o le sui usufono o le Komiti Faatonu e tatau ona galue e avea ai o ia o se Taitaifono, ma o le Komiti Faatino pe a fai ua malilie faatasi sui usufono, e tatau ona tinou ina ia mautinoaina ai e faapea o le Komiti Faatino o lo o lava le fuainumera o sui usufono o lo o i ai tomai faapitoo i tulaga tau pulega ina mafai ai e le Komiti Faatino ona faagaioia lelei ana matafaioi, ma e tatau ona manatunatu i le manao ina ia talafeagai le tofia o sui usufono mai i tane ma tamaitai i

totonu o le Komiti Faatino.

(5) A fai o le Faatonu Sili po o le Komesina ua filifilia se tagata e galue mo ia e avea ai o se sui usufono, e tatau ia te ia ona tuuina atu se faasilasilaga tusia i le Taitaifono, ma o le tagata e pei ona filifilia e tatau ona faaauau i le tofi seia oo ina faamutaina lona filifilia i luga o se faasilasilaga tusia ua tuuina atu i le Taitaifono e le Faatonu Sili po o fea lava o ia mea, e le Komesina.

(6) E ese ai na i lo aiaiga o le faafuaiupu (1) o lenei fuaiupu, i le uluai taimi ina ua maea ona amata faamamaluina lenei Tulafono lea ua faia ai tofiga e tusa ai ma parakalafa (a), (c), (d) ma le (g) o le fuaiupu 8 o lenei Tulafono, o so o sea tofiga o le a mo se vaitaimi e itiiti mai ai na i lo le tolu tausaga.

10. Sui Usufono Faaopoopo o le Komiti Faatino-(1) I le taimi o le a amata faamamaluina ai lenei fuaiupu, e tatau i le Komiti Faatino, ma e mafai i so o se taimi e mulimuli mai ai, ona iloiloina le manaoga mo le toe faateleina po o le suia o sui usufono o le Komiti Faatino, ma e tatau ona faia ni fautuaga i le Minisita e pei ona ua ia manatu ua talafeagai ai.

(2) E aunoa ma le faatapulaaina o tulaga aoao o ana pule i lalo o le faafuaiupu (1) o lenei fuaiupu e tatau i le Komiti Faatino ona manatunatu faapitoa pe faamata e manaomia le avea ma sui auai o le Komiti Faatino ni tagata o le aufaigaluega, tagata aooga po o ni tagata na aooga muamua i le Aoga Faapitoa o Matata Eseese, sui filifilia o tagata faigaluega ma nisi sui e filifilia mai i le atunuu e galulue i le Aoga Faapitoa o Matata. Eseese ma e mafai foi ona iloiloina le agavaa o nisi o vaega o tagata taitoatasi e faatumuina so o sea manaoga.

(3) E mafai e le Minisita, pe a fai ua ia manatu ua talafeagai ai, i le noatia ma le fai fuafua i aiaiga o lenei Tulafono, ona faia ni faaopoopoga i, po o le faia o ni suiga i, i le Komiti Faatino e pei ona o le a ia fuafuaina, i luga o le fautuaga a le Komiti Faatino, ma e tatau ona faasalalauina ia faaopoopoga ma ni suiga i le Savali.

(4) O lenei fuaiupu e tatau ona faitauina i le noatia ma le fai fuafua i fuaiupu 8 ma le 9 o lenei Tulafono.

11. Avanoa Faapitoa i totonu o le Komiti Faatino-(1) O lenei fuaiupu e faasino i sui usufono uma po o sui usufono na tofia i luga o le maliega faatasi a le Komiti Faatino e tusa ai ma parakalafa (a), (c), (d), (g) ma le (h), o le fuaiupu 8 o lenei Tulafono.

(2) A fai o so o se sui usufono o le Komiti Faatino o ia lea o lo o faasino i ai lenei fuaiupu -

(a) ua maliu;

(b) faamavae mai lona tofi i le tuuina mai o se faasilasila-ga tusia e tusa ai ma lena tulaga i le Taitaifono;

(c) ua toesea e aunoa ma se faatagana mo ni fonotaga sosoo se 3 a le Komiti Faatino;

(d) ua molia i se solitulafono e faasalaina i le nofosala i le falepuipui; po o

(e) ua aveesea mai le tofi e tusa ai ma le fuaiupu 18 o lenei Tulafono -

O le a tatau ona faamutaina loa le auai ai o lena tagata e avea ma sui o le Komiti Faatino, ma o le avanoa ua faatupu-laia o le a tatau ona avea ma avanoa faapitoa.

(3) O avanoa faapitoa uma i le tofi o se sui usufono o le Komiti Faatino o le a tatau, i se taimi vave lava e mafai ai, ona faatumauiina e se tagata o ia lea o le a, i le noatia ma le fai fuafua i le faafuuiupu (2) o lenei fuaiupu ona tofia po o i luga o le maliega faatasi a le Komiti Faatino i le tofi ua avanoa i luga o taualumaga tutusa e pei o lea na tofia ai le ua tuua le tofi e avea ai ma sui usufono.

(4) A fai o le avanoa ua tulai mai i totonu o le 3 masina a o le i faatuina le vaitaimi o le tofi o le sui, e mafai e le Komiti Faatino ona fuafua pe faamata e manaomia le faatumauiina o lea avanoa e tusa ai ma lenei fuaiupu.

(5) O se sui usufono ua tofia po o ua tofia i luga o le maliega faatasi a le Komiti Faatino e tusa ai ma lenei fuaiupu o le a ia umia le tofi mo le vaitaimi e amata mai le aso o lona

tofiga no o na tofia ai o ia i luga o le maliega faatasi a le
K... ino ma faaiuina i le vaitaimi e faamuta ai le tofi
no sa umia le tofi lea ua avanoa.

**12. Totogi o Sui Usufono o le Komiti Faatino- Sui Usufono
o le Komiti Faatino -**

(a) E mafai ona totogiina mai faaputuga-tupe a le Aoga
Faapitoa o Matata Eseese ni faamanuiaga ma alauni
e pei ona o le a fuafuaina e le Kapeneta mai lea
taimi i lea taimi;

(b) E mafai ona toe totogiina atu mai faaputuga-tupe a le
Aoga Faapitoa o Matata Eseese mo so o se tupe alu
talafeagai na faatupulaia e i latou e tusa ai ma le
auai ai e avea o sui usufono o le Komiti Faatino.

**13. Fonotaga a le Komiti Faatino-(1) E tatau i le Komiti
Faatino ona usuia ana fonotaga i taimi ma nofoaga e pei ona
o le a fuafuaina:**

Ae vagana ai e faapea e tatau ona fono ia le itiiti mai i le
faa-tasi i masina tai-lua uma.

(2) O le Taitaifono po o le Ofisa sili tau Pulega e mafai
i so o se taimi ona valaau se fonotaga faapitoa a le Komiti
Faatino, ma o le Taitaifono po o le Ofisa Sili tau Pulega e ta-
tau ona valaauina se fonotaga faapitoa a le Komiti Faatino i
luga o se manaoga tusia a ni sui usufono e le itiiti ifo i le toa
4 o le Komiti Faatino.

(3) I so o se fonotaga a le Komiti Faatino o le afa o le aofai
o sui usufono o lo o i ai i lea taimi e tatau ona avea ma fuainu-
mera e mafai ai ona usuia sea fonotaga.

(4) O le Taitaifono o le a tatau ona taitaia fonotaga uma
a le Komiti Faatino pe a fai o lo o auai ai o ia.

(5) A fai o le a le auai ai le Taitaifono i so o se fonotaga
a le Komiti Faatino, e tatau i le Komiti Faatino ona tofia se
sui usufono mai i sui usufono o lo o auai ai e ese mai ai na i lo
le Ofisa Sili tau Pulega e taitai i lena fonotaga.

(6) I so o se fonotaga a le Komiti Faatino o le tagata o lo o taitaia le fonotaga o le a i ai se palota o faiga filifiliga ma i le tulai mai o se tutusa o le palota o le a ia te ia foi se palota e faia ai le tonu.

(7) O fesili taitasi uma ua tuuina atu i luma o le Komiti Faatino e tatau ona faia i ai se faaiuga i se itu e mafuli i ai palota a sui usufono o lo o auai i le fonotaga a le Komiti Faatino ma palota i lena fesili.

14. Tausalumaga a le Komiti Faatino e le aafia ona o ni avanoa e le i faatumuina, ma isi tulaga- E leai se gaoioiga po o ni tausalumaga a le Komiti Faatino, po o so o se komiti a le Komiti Faatino, po o so o se tagata ua galue e avea o se sui usufono o le Komiti Faatino, o le a le aloaia ona o se avanoa e le i faatumuina, i le fuainumera o le Komiti Faatino i le taimi o lena gaoioiga po o tausalumaga, po o pe a fai sa i ai ni faaletonu i le tofiga e tusa ai ma agavaa o so o se sui usufono o le Komiti Faatino, po o se faaletonu i le tauaofiaga o so o se fonotaga a le Komiti Faatino.

15. E mafai e le Komiti Faatino ona tofia ni komiti-(1) E mafai e le Komiti Faatino mai lea taimi i lea taimi ona faavaeina ni komiti tumau po o ni komiti faapitoa pe a fai ua ia manatu ua talafeagai ai.

(2) So o se komiti ua faavaeina i lalo o le faafuaiupu (1) o leni fuaiupu e mafai ona aafia ai ni tagata e le o sui usufono o le Komiti Faatino.

(3) E mafai e le Komiti Faatino ona tuuina atu so o sana pule, tiute ma matafaioi, e aafia ai so o se pule, tiute ma matafaioi na tuuina mai e so o se isi faalapopotoga po o se tagata, peitai e le o aafia ai leni pule tuuina atu, ma e le aafia ai le pule e faia ai Tulafono, i so o se komiti ua faavaeina i lalo o le faafuaiupu (1) o leni fuaiupu, ma e mafai e le komiti e au-noa ma se faamaoniga a le Komiti Faatino, ona faatinoina ia pule po o le faia o ia tiute po o matafaioi i le faiga masani ma malosiaga tutusa e pei ona mafai e le Komiti Faatino lava ia ona faatinoina poo le faia foi.

(4) O pule uma ua tuuina atu ma faia i lalo o leni fuaiupu o le a tatau ona toe soloia i luga o le faitalia, ma e leai se pule

e tuuina atu e tatau ona taofia ai le faatinoina o so o se pule po o le faatinoina o so o se tiute po o matafaioi a le Komiti Faatino.

(5) Ae vagana ai ma seia oo ina toe soloia le pule na tuuina atu, e tatau ona faaauau pea ona faamamaluina e tusa ai ma tuutuuga o lona tuuina atu.

(6) I le tofiaina o se komiti laitiiti, e mafai e le Komiti Faatino ona tofiasi se toatasi o ona sui usufono e avea ma taitaifono, peitai e tatau i le komiti ona filifilia sana lava taitaifono.

16. Faaalia o Aia ma Tulaga o lo o Aafia ai-(1) O se sui usufono o le Komiti Faatino, po o se komiti o ia lea e i ai se aia i se mataupu o lo o iloiloina po o le a iloiloina e le Komiti Faatino po o le komiti, e tatau, i se taimi vave lava e mafai ai ina ua uma ona silafia e sui usufono tulaga moni o ia aia, ona faaali atu tulaga o ana aia i se fonotaga a le Komiti Faatino po o le komiti.

(2) I le noatia ma le fai fuafua i aiaiga o le faafuaiupu (4) o lenei fuaiupu ma le fuaiupu 18 o lenei Tulafono, o le Ofisa Sili tau Pulega e tatau ona umia le tofi mo se vaitaimi e tolu tausaga ma e tatau ona agavaa mo le toe tofia i lea lava tulaga.

(2) O se faaaliga ua faia i lalo o le faafuaiupu (1) o lenei fuaiupu o le a tatau ona faamauiina i faamaumauga o le fonotaga a le Komiti Faatino po o le komiti ma o le sui usufono e le tatau ae vagana ai ua fuafuaina e le Komiti Faatino se isi tulaga e ese mai ai -

(a) Ona auai a o faagasolo so o se talanoaga a le Komiti Faatino po o le komiti e tusa ai ma lena mataupu; po o

(b) auai ai i so o se faaiuga a le Komiti Faatino po o le komiti e tusa ai ma lena mataupu.

17. Ofisa Sili tau Pulega-(1) O le Ofisa Sili tau Pulega o le a tatau ona tofia e le Komiti Faatino i luga o ni aiaiga o le faa-faigaluegaina e pei ona o le a ono fuafuaina.

(3) O le Ofisa Sili tau Pulega o le a i ai matafaioi, pule ma tiute e faapea:-

- (a) o le a avea o ia ma ulu o mea tau aoaoga ma pulea a le Aoga Faapitoa o Matata Eseese;
- (b) o le a tauaveina e ia tiute e pei ona o le a faatonuina e le Komiti Faatino, i le noatia ma le fai fuafua i aiaiga o lenei Tulafono.
- (c) e mafai e ia, i vaitaimi o malologa o fonotaga a le Komiti Faatino, ona faatinoina toatasi, po o e pei ona o le a fuafuaina e le Komiti Faatino, ona galulue faatasi ma le Taitaifono po o so o se isi Sui Usufono ua tofia e le Komiti Faatino (peitai i le noatia pea i le pule a le Komiti Faatino) nisi o pule a le Komiti Faatino i le tausia lea o tulaga tau pulega mai lea aso i lea aso o le Aoga Faapitoa o Matata Eseese e pei ona o e a faatonuina e tusa ai ma ia tulaga e Tulafono ua faia i lalo o le pule a lenei Tulafono;

(4) E ese ai na i lo aiaiga o le faafuaiupu (1) o lenei fuaiupu, e mafai e le Ofisa Sili tau Pulega ona faamavae mai i lona tofi i le tuuina atu lea i le Komiti Faatino o se faasilasilaga tusingusia o lona faamoemoe o le a faamavae.

18. Aveeseina mai le tofi-(1) O le Ao o le Malo, i le faia i luga o le fautuaga a le Kapeneta, e mafai ona aveeseina i so o se taimi se sui usufono o le Komiti Faatino na tofia e tusa ai ma so o se parakalafa (a), (c), (d) ma le (h) o le fuaiupu 8 o lenei Tulafono -

- (a) Mo le le atoatoa lelei o le malosi, faatalale i le faatinoina o tiute, amio le taupulea, po o le gau mativa; po o
- (b) Pe a fai ua faamalieina o ia e faapea o le sui usufono ua tuua Samoa i Sisifo i se tulaga tumau.

(2) I le noatia ma le fai fuafua i aiaiga o lenei fuaiupu, e mafai e le Komiti Faatino mai lea taimi i lea taimi, ona aveeseina mai le tofi -

- (a) le Ofisa Sili tau Pulega;
- (b) so o se tagata faigaluega;
- (c) so o se sui usufono na tofia i luga o le maliega faatasi a le Komiti Faatino;

(3) E leai se tagata e tatau ona aveeseina mai lona tofi i lalo o le faafuaiupu (2) o lenei fuaiupu vagana ai ua faamalieina le Komiti Faatino e faapea o sea tagata -

- (a) ua le atoatoa lelei le malosi o lona tino po o le mafaufau ma ua le mafai ai e ia ona faatinoina tiute o lona tofi;
- (b) ua faia e ia ni amioga e pei ona manatu ai le Komiti Faatino ua le talafeagai ai ona toe faaaauu e umia e ia lona tofi; po o
- (c) ua le faia po o ua le mafai ona faatinoina tiute o lona tofi po o le tausisia o tuutuuga o le tofiaina o ia i lona tofi; po o
- (d) e faapea o le Ofisa Sili tau Pulega po o se sui usufono na tofia i luga o le maliega faatasi a le Komiti Faatino ua faamaonia e le faamasinoga lona gau mativa.

(3) E leai se tagata e tatau ona aveeseina mai lona tofi i lalo o le faafuaiupu (2) o lenei fuaiupu vagana ai

- (a) ua tuuina i ai se avanoa talafeagai e fofogaina ai o ia e le Komiti Faatino, o lea avanoa o le a aofia ai le aia e avea ai se loia tau faamasinoga po o se loia mo tagata lautele ma ona sui i le fofogaina o lea mataupu, ma valaau ma fesiligia ni molimau e tusa ai ma lea tulaga; ma
- (b) o le iugafono mo le aveeseina o sea tagata mai lona tofi e pasia i le mafuli atu o le toatele o sui usufono o lo o auai ma palota i lea tauaofiaga.

19. Pule e faia ai Tulafono-(1) I le noatia ma le fai fuafua i aiaiga o lenei Tulafono, e mafai e le Komiti Faatino mai lea taimi i lea taimi ona faia ni Tulafono a le Aoga Faapitoa o Matata Eseese e pei ona ua ia manatu ua talafeagai po o le faatelevaveina mo le pulea lelei o mataupu o le Aoga Faapitoa o Matata Eseese.

(2) E aunoa ma le faatapulaaina o tulaga aoao o le faafuiau-pupu (1) o lenei fuaiupu, e mafai e le Komiti Faatino ona faia ni Tulafono e faasino i -

- (a) le pulega, pulea lelei, ma le tausia o amio le taupulea a le Aoga Faapitoa o Matata Eseese;
- (b) le faaceina atu, e po o e avea ai ma sui o le Komiti Faatino, o faasalaga i luga o le afaigaluega po o tagata aoga o le faalapopotoga mo le faalavelaveina o po o le le tausisia e usitaia i se tulafono e tusa ai ma se mataupu e pei ona faasinomia i ai le parakalafa (a) o lenei faafuiauupu;
- (c) le faiga, o lo o filifilia po o tofia ai sui usufono o le Komiti Faatino po o ana komiti laiti;
- (d) le faiga ma taimi e tauaofia ai fonotaga, le usua ma le tolopoina o fonotaga a le Komiti Faatino, le faiga e faatino ai faiga palota i sea fonotaga, pule ma tiute o le Taitaifono o lea fonotaga, le faatinoina ma faa-
maumauga o pisiniši o fonotaga;
- (e) tofia o komiti o le Komiti Faatino, ma le fuainumera o sui usufono e tatau ona auai ai ona faatoa mafai lea ona faaauau se fonotaga, pule ma tiute a ia komiti;
- (f) le fuainumera, totogi, tulaga o tofiga ma le faatetea-
ina o tagata faigaluega a le Aoga Faapitoa o Matata Eseese.
- (g) le totogiina o totogi fuapauina ma isi tupe totogi, e aofia ai faasalaga, e pei ona manatu ai le Komiti Faatino ua talafeagai, e aofia ai totogi fuapauina

ma tupe totogi e ao ona totogiina e tusa ai ma

(i) le ulufale e aoga i le Aoga Faapitoa o Matata Eseese.

(ii) totogi o le aoga;

(iii) totogi o mataupu ma vasega;

(iv) Suega;

(v) fale e nofo ai;

(vi) le faaeeina atu o tipoloma ma tusi pasi;

(vii) i aiaiga o nofoaga ma galuega faatino, pe i se tulaga tau mataupu aoao atu po o le leai foi; ma

(viii) se faalapotopotoga a ni tagata aooga po o tagata aooga ma isi tagata;

(h) le tuusaunoaina mai, po o le tolopo o le totogiina o pili o aoga ma tupe totogi, e aofia ai faasalaga;

(i) le maualuga o aoaoga e mafai ai ona ulufale atu tagata e aoga i totonu o le Aoga Faapitoa o Matata Eseese;

(j) suega mo ma le tuuina atu o tipoloma, tusi pasi ma tula-ga maoae ma le auai ai i le sueina o ia faailoga;

(k) suega mo ma le tuuina atu o felosipi, sikolasipi, faaaliga, fesoasoani tau tupe ma faailoga;

(l) le faauluina o tagata aooga o isi faalapotopotoga e mau-aluluga aoaoga i so o se tulaga i totonu o le Aoga Faapitoa o Matata Eseese po o le tuuina atu i tagata aooga iu o ia faalapotopotoga, po o isi tagata, o se faailoga tikeri po o se tipoloma e aunoa ma se suega;

(m) le faavaeina o nisi kolisi i totonu o le atunuu po o e fesootei ma le Aoga Faapitoa o Matata Eseese ma a latou galuega fai;

(n) le avea ma lala o po o le faaulufaleina i le Aoga Faapitoa o Matata Eseese o so o se faalapopotoga tau aoaoga po o tulaga tau susesuga ua faavaeina.

(3) O Tulafono uma ua faia i lalo o lenei fuaiupu e tatau ona tusitusia ma e tatau ona faamauina i le faamau faailoga a le Aoga Faapitoa o Matata Eseese.

(4) E leai se Tulafono ua pasia e le Komiti Faatino o le Aoga Faapitoa o Matata Eseese ma Tomai Faapitoa e tatau ona amata faamamaluina seia vagana ua faamaonia e le Minisita.

(5) O le faia o se ata o so o se Tulafono ua pasia e le Komiti Faatino o lo o i lalo o le faamau faailoga a le Aoga Faapitoa o Matata Eseese o le a avea lea ma molimau ua lava ma totoe i Faamasinoga uma o lea Tulafono.

20. Faapipiina i ai o le Faamau Faailoga- O le Faamau Faailoga e tatau ona faaoga i na o iugafono a le Komiti Faatino ma pepa faale-tulafono uma o lo o faapipiina i ai le fa-

mau faailoga e tatau ona sainia e le Taitaifono po o nisi tagata ua faatagaina e le Komiti Faatino, ma e tatau ona toe sainia faalua e se isi sui usufono o le Komiti Faatino.

VAEGA III

Pepa Aloaia o Aia ma Tulaga Taualoa

21. O le Aoga Faapitoa o Matata Eseese e tatau ona i ai se Pepa Aloaia o Aia ma Tulaga Taualoa-(1) O le Aoga Faapitoa o Matata Eseese e tatau ona i ai se pepa aloaia tusitusia o ana aia ma tulaga taualoa, ua uma ona saunia ma faamaonia o ona sini autu ma faamoemoega, e tusa ai ma lenei Tulafono.

(2) O le tiute a le Komiti Faatino, -

(a) I se taimi vave lava e talafeagai ai ina ua maea le fonotaga muamua a le Komiti Faatino, ona saunia ma tuuina atu i le Minisita mo le faamaonia se Pepa Aloaia o Aia ma Tulaga Taualoa ua fuafuaina mo le Aoga Faapitoa o Matata Eseese; ma

(b) A fai o se taimi ua aliali mai i le Komiti Faatino faapea ua manaomia le toe teuteuina o le Pepa Aloaia o Aia ma Tulaga Taualoa, ia saunia loa ma tuuina atu i le Minisita mo lana faamaoniga se teuteuga ua fuafuaina i le Pepa Aloaia o Aia ma Tulaga Taualoa.

22. Feutagaina- A o le i tuuina atu i le Minisita se fuafuaga mo le Pepa Aloaia o Aia ma Tulaga Taualoa mo le Aoga Faapitoa o Matata Eseese po o se teuteuga ua fuafuaina i le Pepa Aloaia o Aia ma Tulaga Taualoa, e tatau i le Komiti Faatino ona feutagai, i se faiga ua ia manatu ua talafeagai ai, ma le afaigaluega ma tagata aoga o le Aoga Faapitoa o Matata Eseese ma nisi sui, po o ni vaega o ni tagaga i, nuu ma alalafaga o lo o tuuina atu i ai le tautua a le Aoga Faapitoa o Matata Eseese ua manatu le Komiti Faatino ua talafeagai ai ma e tatau ona iloiloina manatu ua faaalua e ia tagata.

23. Iloiloina o le Pepa Aloaia o Aia ma Tulaga Taualoa ua fuafuaina po o teuteuga-(1) E tatau i le Minisita ona iloiloina le Pepa Aloaia o Aia ma Tulaga Taualoa ua fuafuaina po o teuteuga ua fuafuaina i le Pepa Aloaia o Aia ma Tulaga Taualoa ua tuuina atu e le Komiti Faatino ma e tatau ona tinouina ia maua se maliega ma le Komiti Faatino e tusa ai ma tuutuuga o le pepa po o teuteuga.

(2) A fai o le a le maua se maliega autasi a le Komiti Faatino ma le Minisita i so o se mataupu faasino i le Pepa Aloaia o Aia ma Tulaga Taualoa ua fuafuaina o le Aoga Faapitoa o Matata Eseese po o se teuteuga ua fuafuaina i le pepa, e tatau i le Minisita ona fuafuaina le mataupu ina ua maea ona feutagai ma le Komiti Faatino ma nisi faalapotopotoga ma ni tagata e pei ona o le a manatu le Minisita ua talafeagai ai.

24. Pule a le Minisita e faia ai teuteuga i le Pepa Aloaia o Aia ma Tulaga Taualoa-(1) E mafai e le Minisita, i lona lava sogasoga, ona fuafuaina se teuteuga i le Pepa Aloaia o Aia ma Tulaga Taualoa.

(2) E tatau i le Minisita ona tuuina atu i le Komiti Faatino se ata o le teuteuga ua fuafuaina ma se faamatalaga o mafuaaga mo le fuafuaina o le teuteuga ma e tatau ona faatagaina se

vaitaimi talafeagai i le Komiti Faatino e faia ai se faamatalaga e tusa ai ma le teuteuga ua fuafuaina.

25. Faamaonia o le Pepa Aloaia o Aia ma Tulaga Taualoga po o teuteuga-(1) E mafai e le Minisita ona faamaonia se Pepa Aloaia o Aia ma Tulaga Taualoga ua fuafuaina po o se teuteuga ua fuafuaina i le Pepa Aloaia o Aia ma Tulaga Taualoga i le saina o le Pepa Aloaia o Aia ma Tulaga Taualoga po o teuteuga ma tuuina i ai se aso e faapea e le i luma mai o le aso lea na saina ai lea pepa.

(2) E tatau i le Minisita ona faamaonia se Pepa Aloaia o Aia ma Tulaga Taualoga ua fuafuaina, po o se teuteuga ua fuafuaina i se Pepa Aloaia o Aia ma Tulaga Taualoga (e le o se teuteuga na fuafuaina e le Minisita), vagana ai ua faamalieina i luga o ni mafuaaga talafeagai e faapea e le tatau i le Minisita ona ia faia sea teuteuga.

(3) O se teuteuga ua fuafuaina e le Minisita i se Pepa Aloaia o Aia ma Tulaga Taualoga e le tatau ona faamaonia seia maea ona iloiloaina e le Minisita so o se faamatalaga ua faia e le Komiti Faatino e tusa ai ma le fuaiupu 24 (2) o lenei Tulafono.

(4) I le aso e pei ona faatulagaina i se Pepa Aloaia o Aia ma Tulaga Taualoga ua fuafuaina e tusa ai ma le faafuaiupu (1) o lenei fuaiupu, o le Pepa Aloaia o Aia ma Tulaga Taualoga ua fuafuaina e tatau ona amata faamamaluina e aveia o le Pepa Aloaia mo Aia ma Tulaga Taualoga a le faalapotopotoga.

(5) I le aso faatulagaina i se teuteuga ua fuafuaina i se Pepa Aloaia o Aia ma Tulaga Taualoga e tusa ai ma le faafuaiupu (1) o lenei fuaiupu, o le teuteuga ua fuafuaina e tatau loa ona amata faamamaluina ma o le Pepa Aloaia o Aia ma Tulaga Taualoga o lo o i ai i le taimi nei e tatau ona faitauina e tusa ai ma ia teuteuga.

26. Pe a fai e leai se Pepa Aloaia o Aia ma Tulaga Taualoga Taualoga a le Aoga Faapitōa o Matata Eseese- A fai o le Aoga Faapitōa o Matata Eseese e le i i ai lava se Pepa Aloaia o Aia ma Tulaga Taualoga mo se vaitaimi e le itiiti ifo i le 6 masina ma e le i tuuina atu lava e le Komiti Faatino i le Minisita mo

se faamaoniga se pepa Aloaia o Aia ma Tulaga Taualoa mo le Aoga Faapitoa o Matata Eseese, e mafai e le Minisita, i luga o lona lava sogasoga, ona faamaonia se Pepa Aloaia o Aia ma Tulaga Taualoa mo le faalapotopotoga i ni tuutuuga talafeagai e pei ona o le a fuafuaina e le Minisita.

27. Manaoga faamalosiā i luga o se poloaiga mo le Pepa Aloaia o Aia ma Tulaga Taualoa-(1) O le pepa Aloaia o Aia ma Tulaga Taualoa e tatau ona aofia ai -

- (a) Le maualuga o tulaga tau le aoaoina ma aoaoga o le a maua ai i faalapotopotoga; ma
- (b) Tulafono po o autu o amio taupulea po o pulega e ao ona mataituina i le faafoeina o mataupu o faalapotopotoga.
- (c) Isi mataupu e manaomia e le Minisita i luga o ni tusitusiga.

VAEGA IV

Meatotino ma Faaputuga-Tupe

28. Pule e talia ai meaalofa, ma isi tulaga- O le Aoga Faapitoa o Matata Eseese o le a i ai le pule e maua mai ai i luga o se meaalofa, mea e maua mai i luga o se mavaega po o le mauaina o so o se meatotino i luga o se mavaega mo faamoemoga o lenei Tulafono; ma ua malie i ai ma tauaveina tuutuuga o so o sea meaalofa ua maua mai i luga o se mavaega po o meatotino ua maua mai i se mavaega.

29. Mauaina o fanua, ma isi tulaga faapea-(1) E ese ai na i lo so o se aiaiga i totonu o so o se isi tulafono, ua faatagaina ma tuuina atu le pule i le Komiti Faatino o Eleele:-

- (a) e faaliliu atu po o le liliuina atu i le Aoga Faapitoa o Matata Eseese ma Tomai Faapitoa mo faamoemoga o lenei Tulafono, se esetete umia saoloto i se fanua o le Malo e pei ona o le a malilie i ai i le va o le Malo ma le Aoga Faapitoa o Matata Eseese faatasi ai ma so o se faaleleiga ua faia i luga o sea

fanua, i luga o ni tuutuuga e pei ona o le a malilie i ai i le va o le Malo ma le Aoga Faapitoa o Matata Eseese; ma

- (b) le faamatuu atu i le Aoga Faapitoa o Matata Eseese mo faamoemoega o lenei Tulafono se lisi i luga o se fanua faale-Malo e pei ona o le a malilie i ai i le va o le Malo ma le Aoga Faapitoa o Matata Eseese faatasi ai ma so o se faaleleiga ua faia i luga o sea fanua i luga o ni tuutuuga e pei ona o le a malilie i ai i le va o le Malo ma le Aoga Faapitoa o Matata Eseese.

(2) O le vaitaimi o so o se lisi ua faamatuuina mai e tusa ai ma le parakalafa (b) o le faafuaiupu (1) o lenei fuaiupu e tatau ona faamutaina ia le ititi ifo na i lo 80 tausaga ina ua tuana'i le aso na amata faamamaluina ai lenei fuaiupu e tusa ai ma le fuaiupu (1) o lenei Tulafono.

(3) Ua tuuina nei le pule i le Malo, e amata mai le aso o le a amata faamamaluina ai lenei fuaiupu, e faaliliuina atu e aunoa ma se totagi i le Aoga Faapitoa o Matata Eseese so o se meatotino a le Malo ma meafaigaluega na faaogaina e le Kolisi o Matata Eseese a Samoa i Sisifo a o le i amata faamamaluina lenei fuaiupu.

30. Faaputuga-tupe a le Aoga Faapitoa o Matata Eseese-
O faaputuga-tupe a le Aoga Faapitoa o Matata Eseese o le a aofia ai -

- (a) tupe ua e mauaina e le Aoga Faapitoa o Matata Eseese mai i tupe faatatauina e le Fono Aoaofaitulafono mo faamoemoega o le Aoga Faapitoa o Matata Eseese;
- (b) so o se tupe mai lafoga e faaceina e le Malo mo aoaogatau tomai faapitoa;
- (c) tupe uma e faapea o le a mafai ona foai mai, tuuina mai po o saofaga i le Aoga Faapitoa o Matata Eseese po o faapea e ono totogiina atu faale-tulafono i le Aoga Faapitoa o Matata Eseese;

- (d) tupe na e mauaina e le Aoga Faapitoa o Matata Eseese e auala mai i totogi fuapauina o aoga po o e tusa ai ua le faagaioia ma le faatinoina o so o se matafai-i ma pule a le Aoga Faapitoa o Matata Eseese;
- (e) tupe tului uma ma isi faaputuga-tupe faasino i le Aoga Faapitoa o Matata Eseese.

31. Tupe ina ia totogiina i le faletupe-(1) O tupe uma e mauaina e le Aoga Faapitoa o Matata Eseese e tatau, i se taimi vave lava e mafai ai ina ua uma ona tauaaoina e le ofisa tonu e gafa ma lea matafaioi o le Aoga Faapitoa o Matata Eseese; ona totogiina i totonu o teuga-tupe i se faletupe po o i teuga-tupe a le Aoga Faapitoa o Matata Eseese e pei ona o le a fuafuaina e le Komiti Faatino mai lea taimi i lea taimi.

(2) e leai se tupe o le a talaina mai i tua mai le faletupe vagana ai ua faatagaina e le Komiti Faatino ma i se siaki tupe ua sainia e se ofisa o le Aoga Faapitoa o Matata Eseese ua faamaonia e le Komiti faatino, ma toe sainia e se sui usufono o le Komiti Faatino po o e se isi ofisa o le Aoga Faapitoa o Matata Eseese ua faamaonia e le Komiti Faatino.

32. Faaunega-tupe ina ia totogiina i totonu o se isi faaputuga-tupe e ese mai ai- O tupe nono uma e le Komiti Faatino e avea ai ma sui o po o mo faamoemoega o le Aoga Faapitoa o Matata Eseese, e ese ai na i lo tupe nono i luga o se aitalafu i le faletupe, e tatau ona totogiina i totonu o se teugatupe i le faletupe e ese mai i le igoa o le faaunegatupe, ma e le tatau ona talaina i tua mai le faletupe po o le faaaogaina vagana ai mo faamoemoega faapitoa na mafua ai ona nono mai lea vaega-tupe.

33. Faaogaina o faaputuga-tupe- O faaputuga-tupe a le Aoga Faapitoa o Matata Eseese o le a faaaogaina i na o -

- (a) I le totogiina po o le faamamaina o totogi o mea na faaalu i galuega fai, tupe totogi, noataga po o aitalafu e faatupulaia po o na faia e po o e avea ai ma sui o le Aoga Faapitoa o Matata Eseese;
- (b) I le totogiina o so o se totogi po o alauni e totogiina

atu i sui usufono o le Komiti Faatino po o i komiti o le Komiti Faatino po o i le Ofisa Sili tau Pulega po o i tagata faigaluega o le faalapotopotoga; ma

- (c) I le faia o so o se isi totogi e faapea e manaomia po o faatagaina e lenei Tulafono po o se isi lava tula-fono ina ia faia mai i tupe a le Aoga Faapitoo o Matata Eseese.

34. Tupe Faameaalofa e le Komiti Faatino i faalapotopotoga a le aufaigaluega po o tagata aoga- E mafai e le Komiti Faatino mai lea taimi i lea taimi ona faia ni tupe faameaalofa po o ni faaunegatupe mai i ana faaputuga-tupe i luga o ni tuutuuga ma aiaiga ua ia manatu ua talafeagai ai i so o se faalapotopotoga po o faalapotopotoga a le aufaigaluega po o tagata aoga o le Aoga Faapitoo o Matata Eseese.

35. Faamatalaga tau tupe talafeagai ina ia tausia lelei- E tatau i le Komiti Faatino ona -

- (a) Faatonuina le tausia lelei o faamatalaga tau tupe ma faamaumauga o galuega faatino ma mataupu a le Aoga Faapitoo o Matata Eseese; ma
- (b) Faia mea uma talafeagai ina ia ma'utinoaina ai e faapea o lo o lava le puipuiga o lo o tausia ai meatotino a, po o i le puipuiga malu a le Aoga Faapitoo o Matata Eseese ma i luga o le faatupulaia o ni noataga e le Aoga Faapitoo o Matata Eseese.

36. Faamatalaga tau tupe ma le sueina o tusi-(1) O le Aoga Faapitoo o Matata Eseese e tatau ona saunia i tausaga faale-tupe taitasi se faamatalaga tau tupe.

(2) O faamatalaga tau tupe a le Aoga Faapitoo o Matata Eseese e tatau ona aofia ai se faamatalaga e ese mai ai o ana tupe mama ma tupe gau faapea foi ma faamatalaga tau tupe o tupe faatatauina ma se faamatalaga o ana tupe paleni, o nei faamatalaga uma e tatau ona faamaonia e le Komiti Faatino ma sainia e ave'a ai ma sui o le Komiti Faatino e le tagata po o isi sui usufono ua filifilia e le Komiti Faatino.

(3) O faamatalaga tau tupe a le Faalapotopotoga mo Matata Eseese e tatau ona sueina e le Pule ma Suetusi Sili a le Malo o Samoa i Sisifo, po o e se isi suetusi faamaonia, ua tuuina i ai le faatagana a le Pule ma Suetusi Sili.

(4) I se taimi vave lava e maea ai ona sueina faamatalaga tau tupe a le Aoga Faapitoa o Matata Eseese, e tatau i le Komiti Faatino ona auina atu se ata o le faamatalaga tau tupe, faafasi ai ma se ata o so o se lipoti ua faia e le suetusi, i le Kapeneta.

(5) E tatau i le Minisita ona faia ni ata o le faamatalaga tau tupe ua uma ona sueina e le suetusi ma so o se lipoti ua faia e le suetusi ina ia faataatia i luma o le Fono Aoaofaitulafono i totonu o le 28 aso ina ua maea ona mauaina e ia se ata pe a fai o lo o tauaofia le Fono Aoaofaitulafono i lea taimi po o, pe a fai e leai, i totonu o le 28 aso ina ua maea ona amataina le isi tauaofiaga e sosoo ai.

37. Lipoti Faale-tausaga-(1) E tatau i le Komiti Faatino, i se taimi vave lava e mafai ai ina ua tuanai le faaiuga o tausaga faale-tupe taitasi, ona faia se lipoti agai i le Minisita e faamatala ai tulaga aoao o gaoioiga a le Aoga Faapitoa o Matata Eseese a o faagasolo lena tausaga.

(2) E tatau i le Komiti Faatino ona tuuina i ai i totonu o lipoti faale-tausaga uma a le Komiti Faatino faamatalaga tau tupe a le Aoga Faapitoa o Matata Eseese, mo le tausaga faale-aoaoga e pei ona faasinomia i ai le lipoti, faafasi ai ma lipoti ua uma ona sueina e le suetusi ma so o se isi lava faamatalaga faasino i ai.

(3) E tatau i le Minisita ona faia ni ata o ia lipoti uma ina ia faataatia i luma o le Fono Aoaofaitulafono i totonu o le 28 aso ina ua uma ona mauaina e ia se ata o ia lipoti pe a fai o lo o tauaofia le fono Aoaofaitulafono i lea taimi po o, a fai e leai, i totonu o le 28 aso ina ua tuanai le amataga o le isi tauaofiaga e sosoo ai.

38. E leai se noataga mo lafoga o tupe maua- O le a le noatia le Aoga Faapitoa o Matata Eseese i lafoga o tupe maua.

VAEGA V

Mea Eseese

39. Tulafono Faatonutonu- O le Ao o le Malo, i le faia i luga o le fautuaga a le Kapeneta, e mafai mai lea taimi i lea taimi ona faia ni tulafono faatonutonu uma e pei ua ia manatu o le a talafeagai ai po o e mafai ai ona tuuina atu atoatoa le malosiaga i aiaiga o lenei Tulafono ma mo le pulcaina o lenei Tulafono.

40. Vaitaimi a o faatalitali le suiga- Seia o o i se taimi o le a tofia ai le Ofisa Sili tau Pulega e tusa ai ma le fuaiupu 17 o lenei Tulafono o le tagata o lo o umia le tulaga o le pule o le Kolisi o Matata Eseese a Samoa i Sisifo i se taimi vave lava a o le i amata faamamaluina le fuaiupu 17 o lenei Tulafono, e tatau ona galue e avea ai o se Ofisa Sili tau Pulega ma e tatau ona aia, pule ma tiute e pei ona faaecina i lena ofisa e tusa ai ma lenei Tulafono.