



SAMOA

DAYLIGHT SAVING ACT 2009

Arrangement of Provisions

- | | |
|---------------------------------|---------------------------------|
| 1. Short title and commencement | 4. Effect on pay and allowances |
| 2. Interpretation | 5. Exceptions |
| 3. Daylight saving | 6. Non-liability of Government |

DAYLIGHT SAVING ACT 2009

2009

No.14

AN ACT to provide for daylight saving.

[Assent date: 9 September 2009]

[Commencement date: 25 September 2010]

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

1. Short title and commencement – (1) This Act may be cited as the Daylight Saving Act 2009.

(2) This Act commences on a date nominated by the Minister responsible for commerce, industry and labour.

2. Interpretation – In this Act, unless the context otherwise requires:

“daylight saving period” means a period declared by Order under section 3(1)(a);

“daylight saving time” means the time specified in section 3(2);

“standard time” means the mean solar time of the longitude of 165° west of Greenwich which time is 11 hours behind Greenwich mean solar time.

3. Daylight saving – (1) The Head of State, acting on the advice of Cabinet, may by Order:

- (a) declare any period of consecutive days as a daylight saving period; and
- (b) for the purpose of subsection (2), specify a number of hours, or parts of an hour, up to 2 hours; and
- (c) subject to subsection (3), specify the date and time in which the daylight saving period starts and ends.

(2) During the daylight saving period, the time for general purposes throughout Samoa will be in advance of the standard time by the number of hours, or parts of an hour, specified in the Order.

(3) A daylight saving period declared under subsection (1)(c) starts and ends at a specified time that is between midnight on a Saturday and 6 a.m. on a Sunday.

(4) An Order under subsection (1) may by a similar Order be revoked or varied or be substituted by a further Order and whilst an Order remains in force it has effect in respect of the daylight saving period as specified in the Order or as varied.

4. Effect on pay and allowances – (1) Where, by reason of the start of a daylight saving period on a day specified in an Order made under section 3(1), the hours worked by a person on that day are less than the hours the person would otherwise have worked, the pay and allowance of that person for those hours must be an amount equal to the amount of pay and allowances for the hours the person would otherwise have worked.

(2) Where, by reason of the end of a daylight saving period on a day specified in an Order made under section 3(1), the hours worked by a person on that day are in excess of the hours the person would otherwise have worked, the pay and allowances of that person for the excess must be calculated the paid at the appropriate rate for the work performed.

5. Exceptions – This Act does not apply to any matter in relation to astronomy, meteorology or navigation purposes including any document mentioning or referring to a point of time in connection with astronomy, meteorology or navigation.

6. Non-liability of Government – The Government is not liable by reason of this Act for any damage, injury or loss that may be suffered by any person as a result of the imposition of a daylight

saving period or arising from any other matter in relation to a change of time under this Act.

REVISION NOTES 2010 – 2020/3 March 2021

This is the official version of this Act as at 3 March 2021.

This Act has been revised by the Legislative Drafting Division from 2010 to 2020/3 March 2021 respectively under the authority of the Attorney General given under the *Revision and Publication of Laws Act 2008*.

The following general revisions have been made:

- (b) Amendments have been made to up-date references to offices, officers and statutes. (e.g. reference to Minister responsible for commerce, industry and labour)
- (b) Insertion of the commencement date
- (d) Other minor editing has been done in accordance with the lawful powers of the Attorney General.
 - (i) “shall have” changed to “has”
 - (ii) Numbers in words changed to figures.

*This Act is administered by
the Ministry of Commerce, Industry and Labour.*