



SAMOA

**STEVENSON MEMORIAL RESERVE AND MOUNT
VAEA SCENIC RESERVE ORDINANCE 1958**

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**STEVENSON MEMORIAL RESERVE AND MOUNT
VAEA SCENIC RESERVE ORDINANCE 1958**

1958

No.10

AN ORDINANCE to set aside certain lands as a reserve in memory of Robert Louis Stevenson and certain other lands as a scenic reserve.

[Assent and commencement date: 22 September 1958]

WHEREAS certain land on Mount Vaea which is the resting place of Robert Louis Stevenson formerly of Vailima (known to the people of Samoa as Tusitala), and of Fanny Stevenson, his wife, has been given to the Government of Samoa by the heir of the said Fanny Stevenson as a memorial to Robert Louis Stevenson.

AND WHEREAS certain adjoining land which is also owned by the Government of Samoa has an intrinsic scenic value.

AND WHEREAS it is desirable that provision be made for the maintenance and control of such lands.

NOW THEREFORE be it enacted by the Legislative Assembly of Samoa as follows:

*Stevenson Memorial Reserve and
Mount Vaea Scenic Reserve Ordinance 1958*

1. Short title – This Ordinance may be cited as the Stevenson Memorial Reserve and Mount Vaea Scenic Reserve Ordinance 1958.

2. Land set aside as a reserve – (1) The lands described in the First and Second Schedules are set aside as reserves.

(2) The land described in the First Schedule is known as the Stevenson Memorial Reserve and shall be maintained in perpetuity by the Government of Samoa in memory of Robert Louis Stevenson and his love for the people of Samoa.

(3) The land described in the Second Schedule is known as the Mount Vaea Scenic Reserve and must be maintained in perpetuity by the Government of Samoa as a scenic reserve.

3. Adding land to Mount Vaea Reserve – The Head of State, acting on the advice of Cabinet, may by warrant under his or her hand and under the Seal of Samoa add any contiguous area of public land to the Mount Vaea Scenic Reserve and such land is thereupon taken to be part of the Mount Vaea Scenic Reserve for the purposes of this Ordinance.

4. Regulations – (1) The Head of State, acting on the advice of Cabinet, may make regulations as he or she considers necessary or expedient for giving full effect to the provisions of this Ordinance or for the due administration thereof.

(2) Without limiting subsection (1), regulations may be made under that subsection for all or any of the following purposes:

- (a) prescribing the conditions under which public access may be granted to the reserves hereby declared, or either of them;
- (b) prescribing the charge (if any) which may be imposed for admission to the reserves, or either of them;
- (c) prescribing the conditions under which persons may be authorised to act as guides on the reserves, or either of them;
- (d) prescribing the maximum fee that may be charged by an authorised guide for his or her services as a guide;

- (e) making it an offence for an authorised guide to charge a fee for his or her services as a guide in excess of the maximum fee prescribed;
- (f) making it an offence for a person other than an authorised guide to charge a fee for any services as a guide offered or rendered by him or her in respect of the reserves, or either of them;
- (g) making it an offence for a person without prior authority of the Head of State or other person having control of the reserves or either of them to fell a tree on either reserve or to remove a tree therefrom or in any way wilfully cause damage to either reserve;
- (h) delegating control of the reserves or either of them to a person or body of persons;
- (i) prescribing fines not exceeding 1 penalty unit for a breach of the regulations.

(3) A person who commits a breach of a regulation made under this Ordinance commits an offence.

(4) A person who commits an offence under a regulation made under this Ordinance for which no other penalty is prescribed is liable to a fine not exceeding 1 penalty unit.

SCHEDULES

FIRST SCHEDULE

(Section 2)

All that piece or parcel of land containing an area of one acre (1 acre), more or less, situated at Vaea Mountain, near Apia, in the District of Tuamasaga, described as Parcel 113/79, Flur VIII, Upolu, being part of Court Grant 174 and being all of the land registered in Volume 1, Folio 122, of the Land Register of Samoa.

SECOND SCHEDULE

(Section 2)

*Stevenson Memorial Reserve and
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FIRSTLY, all that piece or parcel of land containing an area of sixty-nine acres two roods and thirty perches (69 acres, 2 roods, 30 perches), more or less, situated at Vaea Mountain, near Apia, in the District of Tuamasaga, described as Parcel 280, Flur VIII, Upolu, being part of Court Grant 156 and part of the land registered in Volume 2, Folio 107, of the Land Register of Samoa and more particularly delineated on plan 18 U/VIII deposited at the office of the Chief Surveyor at Apia.

Secondly, all that piece or parcel of land containing an area of forty nine acres and thirteen perches (49 acres 13 perches), more or less, situated at Vaea Mountain, near Apia, in the District of Tuamasaga, described as Parcel 114/79, Flur VIII, Upolu, being part of Court Grant 174 and part of the land registered in Volume I, Folio 121, of the Land Register of Samoa and more particularly delineated on a plan in Grundbuch IV, Number 415, Folio 6, deposited at the office of the Land Registrar of Samoa.

REVISION NOTES 2008 – 2020/3 March 2021

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

This Ordinance has been revised by the Legislative Drafting Division from 2008 – 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:

- (a) Amendments have been made to conform to modern drafting styles and to use modern language as applied in the laws of Samoa.
- (b) Amendments have been made to up-date references to offices, officers and statutes.
- (c) Insertion of the commencement date
- (d) Other minor editing has been done in accordance with the lawful powers of the Attorney General.
 - (i) “Every” and “any” changed to “a”
 - (ii) “shall be” changed to “is” and “shall be deemed” changed to “is taken”
 - (iii) “shall have” changed to “has”
 - (iv) “shall be guilty” changed to “commits”
 - (v) “notwithstanding” changed to “despite”
 - (vi) “pursuant to” changed to “under”
 - (vii) “it shall be lawful” changed to “may”
 - (viii) “it shall be the duty” changed to “shall”
 - (ix) Numbers in words changed to figures

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- (x) “hereby” and “from time to time” (or “at any time” or “at all times”) removed
- (xi) “under the hand of” changed to “signed by”

There were no amendments made to this Ordinance since the publication of the *Consolidated and Revised Statutes of Samoa 2007*.

*This Ordinance is administered by
the Ministry of Natural Resources and Environment.*