



WESTERN SAMOA

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1975 No 21

AN ACT to establish the Agriculture Store Corporation and to define its functions, powers, and duties.

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

[23 December 1975]

P A R T I

PRELIMINARY

1. Short title—This Act may be cited as the Agriculture Store Corporation Act 1975.

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

“Appointed member” means any member of the Corporation, other than a member specified in paragraphs (a) to (c) of subsection (2) of section 3:

“Corporation” means the Agriculture Store Corporation established by section 3:

“Director of Agriculture” means the Director of Agriculture, Forests, and Fisheries:

“Minister” means the Minister of Agriculture, ~~Forest, and Fisheries~~]

“Reserve Fund” means the Agriculture Store Reserve Fund to be established under section 19.

P A R T II

CONSTITUTION OF THE AGRICULTURE STORE CORPORATION

3. Establishment of Corporation—(1) There is hereby established the Agriculture Store Corporation.

(2) The Corporation consists of the following members:

(a) The Minister of Agriculture, Forests, and Fisheries, who shall be the chairman:

(b) The Director of Agriculture, Forests, and Fisheries, who shall be the deputy chairman:

(c) The Financial Secretary:

(d) Three persons, each of whom shall be appointed by the Head of State, acting on the advice of Cabinet, to represent the interests of all or any of the agriculture, forestry, and fishing industries in Western Samoa:

(e) One person who shall be appointed by the Head of State, acting on the advice of Cabinet, on the nomination of the Board of Directors of the Western Samoa Trust Estates Corporation.

(3) The Corporation is a body corporate with perpetual succession and a common seal and may acquire, hold, and dispose of real and personal property, and sue and be sued, and do and suffer all other acts and things that bodies corporate may do and suffer.

(4) The powers of the Corporation shall not be affected by any vacancy in its membership.

4. Terms of office of appointed members—(1) On the expiration of the 31st day of December 1976, and on the expiration of the same day in every succeeding year, one of the appointed members shall retire from office. The member who is to retire in any year shall be the one who at the date for retirement has held office for the longest period since his appointment or (if he has been reappointed) since his last reappointment. If 2 or more members have held office for the longest period, the one of those members who is to retire shall be determined by ballot held in such manner as the Corporation shall determine.

(2) Every appointed member may from time to time be reappointed.

(3) Subject to section 5, every appointed member shall continue to hold office (notwithstanding subsection (1)) until his successor comes into office.

5. Extraordinary vacancies—(1) An appointed member may at any time resign his office by notice in writing to the Corporation.

(2) The Head of State, acting on the advice of Cabinet, may remove at any time an appointed member -

(a) For disability, neglect of duty, misconduct, or bankruptcy; or

(b) If he is satisfied that the appointed member has left Western Samoa permanently; or

(c) If the appointed member is absent from 3 consecutive meetings of the Corporation without the permission of the Corporation.

(3) If an appointed member dies, or resigns, or is removed from office, the vacancy occurring may be filled by an appointment made in the same manner as that of the member vacating office.

6. Remuneration of appointed members—Every appointed member who is not a full-time salaried employee of the Government of Western Samoa shall be paid, out of the funds of the Corporation and in respect of his services to the Corporation, such remuneration and allowances as may from time to time be fixed by Cabinet.

7. Meetings of members—(1) Meetings of the Corporation shall be held at such times and places as the chairman or the Corporation appoints.

(2) The chairman shall call a meeting whenever required to do so in writing by any 2 members.

(3) At any meetings 4 members shall be a quorum.

(4) The chairman shall preside at every meeting at which he is present.

(5) If the chairman is for any reason absent from a meeting -

(a) The deputy chairman shall preside at that meeting if he is present; and

(b) If the deputy chairman is not present, the members present shall appoint one of their number to preside at that meeting.

(6) In the absence from a meeting of any member specified in paragraph (b) or (c) of subsection (2) of section 3, that member may appoint any other senior officer of his Department to be his deputy at that meeting and a deputy so appointed shall while he attends the meeting be deemed for all purposes to be a member of the Corporation, except that he shall not preside at the meeting.

At every meeting, the chairman or other person presiding shall have a deliberative vote, and in the case of an equality of votes, he shall also have a casting vote.

(8) Every question arising at a meeting shall be decided by a majority of the votes recorded on the question.

(9) Subject to the other provisions of this Act, the Corporation may regulate its procedure in such manner as it thinks fit.

8. Disclosure of conflicting interest—(1) Any member, who otherwise than as a member, is directly or indirectly interested in any business of the Corporation shall, as soon as possible after the relevant facts have come to his notice, disclose the nature of his interest at a meeting of the Corporation.

(2) A disclosure under this section shall be recorded in the minutes of the Corporation and, except as otherwise provided by a resolution of the Corporation, the member shall not take part after the disclosure in any deliberation or decisions relating to the business, but shall be counted as present for the purpose of forming a quorum of the Corporation for any such deliberation or decision.

P A R T III

FUNCTIONS AND POWERS
OF CORPORATION

9. Functions of Corporation—(1) The principal functions of the Corporation shall be to promote and encourage the economic development of the agriculture, forestry, and fishing industries of Western Samoa by selling or hiring in accordance with section 10 to persons engaged in such industries .

- (a) Tools, machinery vehicles, vessels, plant and other equipment used in such industries; and
- (b) Feed, seeds, fertilisers, chemicals, insecticides, pesticides, and other supplies used in such industries; and
- (c) Any other goods, articles, and supplies of every description used in such industries.

(2) Subject to any other enactment, the Corporation may also from time to time in its discretion undertake any of the following functions:

- (a) To purchase and resell, in Western Samoa and overseas, any produce and products of persons engaged in the agriculture, forestry, and fishing industries:
- (b) Act as agent on behalf of persons engaged in the agriculture, forestry, and fishing industries in selling any such products and produce in Western Samoa and overseas.

10. Operating principle of Corporation—In carrying out its functions, the Corporation shall seek to recover the costs of its own operation, and to provide for adequate reserves to enable the continuance of its functions, and to duly provide for its expansion and development and the replacement of its assets, but shall not otherwise seek to make for itself a profit in respect of the carrying out of its functions.

11. Powers of Corporation—(1) The Corporation shall have all the powers that are reasonably necessary or expedient to enable it to carry out its functions.

(2) Without limiting the generality of subsection (1), the Corporation shall have all of the following powers:

- (a) To purchase, obtain by way of exchange, take or lease, hire, or otherwise acquire land, buildings, and any items referred to in section 9:
- (b) With the written consent of the Minister of Finance, to subscribe for and otherwise acquire shares and stock in any incorporated company:
- (c) To establish and maintain stores, warehouses, cool stores, and other marketing facilities:
- (d) To prepare for market, advertise, sell, dispose of by hire-purchase, and hire out, any items referred to in section 9:
- (e) To sell, exchange, let, hire out, and otherwise dispose of any of its other real and personal property:
- (f) To carry on the businesses of importer, exporter, wholesaler, retailer and trader dealing in items of any kind referred to in section 9:
- (g) To undertake or commission market research for for itself or any other person:
- (h) To negotiate freight agreements for the carriage of items referred to in section 9 to, from, or within Western Samoa:
- (i) To act on behalf of or represent in any capacity any person:
- (j) To make such charges for its services as it thinks fit:
- (k) To exercise any other powers conferred on it by any enactment.

12. Corporation to comply with Cabinet policy—In carrying out its functions under this Act, the Corporation shall have due regard to the policy of Cabinet relating to the agriculture, forestry, and fishing industries, and shall give effect to that policy as communicated to the Corporation from time to time in writing by the Minister.

13. Contracts of Corporation—(1) Subject to section 14, any contract which, if made between private persons, must be by deed shall, if made by the Corporation, be in writing under the seal of the Corporation.

(2) Any contract which, if made between private persons, must be in writing signed by the parties to be charged with the contract shall, if made by the Corporation, be in writing either under the seal of the Corporation or signed by any person acting on behalf of and under the express or implied authority of the Corporation.

(3) Any contract which, if made between private persons, may be made orally may be made in the manner specified in subsection (1) as in the case of a deed, or in the manner specified in subsection (2) as in the case of a contract required to be in writing, or may be made orally by or on behalf of the Corporation by any person acting under the express or implied authority of the Corporation.

(4) Notwithstanding any preceding provision of this section, no contract made by or on behalf of the Corporation shall be invalid by reason only that it was not made in manner provided by this section, if it was made pursuant to a resolution of the Corporation or to give effect to a resolution of the Corporation in relation to contracts generally or in relation to that particular contract.

14. Delegation of powers of Corporation—(1) The Corporation may, in respect of any particular matter or class of matters by writing under its seal delegate to any member or officer, or committee of members or officers, of the Corporation, or to the holder for the time being of any specified office under the Corporation, any of its powers under this Act (including a power to execute deeds on behalf of the Corporation, but not including this power of delegation), so that the delegated powers may be executed by him or them in respect of the matter or class of matters or area specified in the instrument of delegation.

(2) Subject to any general or special directions given or conditions imposed by the Corporation, the person or committee to whom any powers are so delegated may exercise those powers in the same manner and with the same effect as if they had been conferred on him or them directly by this Act and not by delegation.

(3) Every person or committee purporting to act pursuant to any delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting in accordance with the terms of the delegation.

(4) Every delegation under this section shall be revocable at will, and no delegation shall prevent the exercise of any power by the Corporation.

15. Corporations staff—(1) The Head of State, acting on the advice of Cabinet, shall from time to time appoint a Manager of the Corporation.

(2) The Manager shall be the chief executive officer of the Corporation and shall be responsible to the Corporation for the efficient administration of the operations of the Corporation.

(3) The Manager shall be in attendance at every meeting of the Corporation unless in any particular case he is excused by the Corporation from attendance.

(4) The Corporation may from time to time appoint such other officers and employees (full-time and part-time) as may be necessary for the efficient carrying out of its functions.

(5) Subject to subsection (1), and to any regulations made under this Act, the Manager and other officers and employees of the Corporation shall hold office or employment or such terms and conditions as the Corporation shall from time to time determine.

(6) In fixing the salary or remuneration of any of its officers or employees, the Corporation shall have regard to the salaries payable to officers or employees of the Western Samoa Public Service holding positions of comparable responsibility.

(7) The salaries and remuneration of the officers and employees of the Corporation shall be paid out of its funds.

P A R T IV

FINANCIAL PROVISIONS

16. Funds and assets of Corporation—(1) The funds of the Corporation shall consist of -

(a) The money vested in the Corporation by subsection (2); and

(b) Such money as may from time to time be appropriated by the Legislative Assembly for that purpose; and

(c) Such other money as the Corporation may lawfully acquire in the carrying out of its functions; and

(b) All accumulations of money belonging to the Corporation.

(2) On the commencement of this Act, the existing separate fund known as the Agricultural Store Fund established the Minister of Finance under section 17 of the Public

Moneys Act 1964 from money appropriated by the Appropriation Act 1974 to Development Vote Treasury shall, by operation of this section and without further conveyance, transfer, or assignment, vest in and become the property of of the Corporation.

(3) On the commencement of this Act, all the existing assets, contracts, debts, and liabilities of the Government of Western Samoa (excluding real property) that are administered in the Treasury Department by the administrative unit within that Department known as the Agricultural Store shall, by operation of this section and without further conveyance, transfer or assignment, vest in and become the assets, contracts, debts, and liabilities of the Corporation.

(4) If any question arises or may arise as to whether any asset, contract, debt, or liability has under subsection (3) become an asset, contract, debt, or liability of the Corporation shall refer the question in writing to the Minister of Finance before the 1st day of January 1976 and the Minister of Finance shall within 14 days determine in writing the question, and the determination of the Minister of Finance shall be final and binding on the question with retrospective effect from the date of commencement of this Act. Within 14 days after determining any question under this subsection, if the Legislative Assembly is then sitting, or the Legislative Assembly is not sitting, then within 14 days after the commencement of the next session of the Legislative Assembly, the Minister of Finance shall lay a copy of his determination on the table of the Legislative Assembly and shall also forward a copy to the Controller and Chief Auditor.

17. Borrowing powers---(1) The Corporation may from time to time borrow money for the purposes of its operations and issue debentures or mortgage or charge any of its real or personal property by way of security for any such loans.

(2) The Western Samoa Treasury Department may from time make advances to the Corporation pursuant to this section.

18. Agriculture Store Account---(1) The Corporation shall at the commencement of this Act establish and thereafter maintain with the Bank of Western Samoa an account to be known as the Agriculture Store Account.

(2) The funds of the Corporation, subject to section 19, shall be paid into the Agriculture Store Account.

(3) There shall be paid out of the Agriculture Store Account all cost, charges, and expenditure lawfully incurred by the Corporation in its operations and all other moneys lawfully payable by the Corporation.

(4) There may be established with the Bank of Western Samoa, within the Agriculture Store Account, such special accounts or subsidiary accounts as the Corporation may consider necessary or expedient for the proper operation of the Corporation.

(5) Every account under this section shall be operated on only by cheque or other instrument signed by any person who is authorised in that behalf by the Corporation and countersigned by any other person who is so authorised.

19. Agriculture Store Reserve Fund—(1) The Corporation shall establish and maintain a fund to be known as the Agriculture Store Reserve Fund.

(2) The Reserve Fund shall consist of such money as, after making adequate provision for the operating expenses of the Corporation, the Corporation considers proper to provide adequate reserves for the continuance of its functions.

(3) The Corporation shall invest the Reserve Fund in such public securities in Western Samoa and elsewhere as the Corporation may think fit.

(4) Notwithstanding subsection (3), the Corporation may invest any part of the Reserve Fund in real property.

(5) The Reserve Fund shall be available to meet any deficit in the Agriculture Store Account to offset past losses, and to provide for expansion and development and the replacement of its assets, but not otherwise.

20. Investment of other funds—Any funds of the Corporation that are not for the time being required to be dealt with in any other manner under this Act may from time to time be invested in public securities or, with the prior written consent of the Minister of Finance, in any other securities until such time as they are so required.

21. Exemptions from taxes—The Corporation shall not be liable to pay income tax or other taxes.

22. Financial year—The financial year of the Corporation shall end with the 31st day of December in every year, or with such other day as the Corporation, with the prior written consent of the Minister of Finance, may from time to time resolve.

23. Application of surplus funds—Without derogating from section 10, the Corporation, having set aside such sums as may be necessary for its operations, for the provision of adequate reserves, to offset past losses, and to provide for expansion and development and the replacement of its assets, shall as soon as practicable after the end of any financial year pay any surplus funds that it may have into the Public Account.

24. Accounts—The Corporation shall at all times keep full and correct records and accounts of all its financial transactions, assets, liabilities, and funds.

25. Audit of accounts—(1) Within 4 months after the end of each financial year, the Corporation shall prepare a balance sheet, profit and loss account, and statement of source and application of funds, and such other statements of account as are necessary to show fully the financial position of the Corporation and the financial results of its operations during that year.

(2) The balance sheet, statement, and other accounts shall be audited by the Audit Office which for that purpose shall have the same powers as it has in respect of public money within the meaning of section 2 of the Public Moneys Act 1964.

26. Annual report—(1) Within 6 months after the end of every financial year the Corporation shall send to the Minister a report of its proceedings and operations for that year together with a copy of its audited accounts for that year and the report of the Audit Office on those accounts.

(2) A copy of the report and of the accounts of the Corporation, together with a copy of the report of the Audit Office on the accounts, shall be laid before the Legislative Assembly within 14 days after their receipt by the Minister, if the Legislative Assembly is then sitting, or if the Legislative Assembly is not sitting, then within 14 days after the commencement of the next session of the Legislative Assembly.

P A R T V

GENERAL PROVISIONS

27. Protection of members and officers—No member or officer of the Corporation shall be personally liable for any act or omission made by him in good faith in the exercise or performance of his functions, powers, or duties as a member or officer of the Corporation.

28. Protection of name—(1) No company or other body shall be incorporated or registered under any Act or otherwise under the name “Agriculture Store Corporation” or under any other name that in the opinion of the Registrar of Companies so resembles the name of the Corporation as to be calculated to deceive.

(2) No person other than the Corporation shall, by himself or with any other person, trade or carry on business under the name “Agriculture Store Corporation” or under any other name so resembling the name of the Corporation as to be calculated to deceive.

(3) Any person who contravenes subsection (2) commits an offence and shall be liable on conviction to a fine not exceeding \$100 and to a further fine not exceeding \$10 for each day on which the offence has continued.

(4) Notwithstanding subsections (2) and (3), no company or other body incorporated or registered before the commencement of this Act commits an offence by reason only of the fact that by itself it trades or carries on business after the commencement of this Act under its incorporated or registered name.

29. Regulations—The Head of State, acting on the advice of Cabinet, may from time to time by Order make regulations for all or any of the following purposes:

- (a) Prescribing procedures for meeting of the Corporation or its committees;
- (b) Regulating the keeping of records and accounts by the Corporation:

- (c) Subject to this Act, prescribing terms and conditions of service of officers and employees of the Corporation, including the prescribing of salary scales, and appointment, promotion, and discipline of its officers and employees:
 - (d) Providing for such other matters as may be contemplated by or necessary for giving full effect to this Act and for its due administration.
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BY AUTHORITY

D. SLADE, ACTING GOVERNMENT PRINTER, APIA, WESTERN SAMOA-1978



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| <p>Igoa</p> <p style="text-align: center;">VAEGA I</p> <p style="text-align: center;">FAATOMUAGA</p> <p>1. Igoa puupuu
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17. Pule e nonoina mai ai tupe
18. Teugatupe a le Faleoloa Tau Faatoaga
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21. Tuusaunoaga mai lafoga
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24. Tausiga o Tusi
25. Su'eina faa-su'etusi o Faamatalaga Tau Tupe
26. Lipoti Faale-tausaga</p> <p style="text-align: center;">V A E G A V</p> <p style="text-align: center;">AIAIGA ESESE</p> <p>27. Puipuga o sui auai ma ofisa
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29. Tulafono Faatonutonu</p> |
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1975 Nu. 21

O SE TULAFONO e faavaeina ai le Faalapotopotoga o Oloa Tau Faatoaga ma ina ia faamaninoina ai ana galuega, pule, ma tiute tauave.

UA FAIA e le Fono Aoao Faitulafono a Samoa i Sisifo i tonu o le Palemene ua potopoto e faapea: — [23 Tesema 1975]

VAEGA I

FAATOMUAGA

1. **Igoa puupuu**—E mafai ona ta'ua le Tulafono lenei o le Tulafono o le Faalapotopotoga o Oloa Tau Faatoaga 1975.

2. **Faamatalaina o Upu**—I totonu o lenei Tulafono, a e se'ia vagana ai ona ua manaomia e le faaupuga se tasi lava uiga e ese ai, -

“Sui Usufono Tofia” o lona uiga o so o se sui usufono o le Faalapotopotoga e ese ai na i lo se sui usufono o loo faaalua manino i totonu o parakarafa (a) e oo i le (c) o le faafuaiupu (2) o le fuaiupu 3:

“Faalapotopotoga” o lona uiga o le Faalapotopotoga o Oloa Tau Faatoaga na faavaeina e le fuaiupu 3:

“Faatonu Sili o Faatoaga” o lona uiga o le Faatonu Sili o Faatoaga, Vaomatua ma Faiga-Faiva:

“Minisita” o lona uiga o le Minisita o Faatoaga, Vaomatua ma Faiga-faiva:

“Faaputugatupe Faaagaaga” o lona uiga o le Faaputugatupe Faaagaaga o Faleoloa Tau Faatoaga o le a faavaeina e tusa ai ma le fuaiupu 19.

VAEGA II

FAAVAE O LE FAALAPOTOPOTOGA O OLOA TAU
FAATOAGA

3. **Faavaeina o le Faalapotopotoga**—(1) Ua faavaeina nei le Faalapotopotoga o Oloa Tau Faatoaga.

(2) E aofia i le Faalapotopotoga sui usufono ua ta'ua i lalo:

(a) O le Minisita o Faatoaga, Vaomatua, ma Faigafaiva, o ia lea o le a tatau ona avea ma ta'ita'ifono:

(b) O le Faatonu Sili o Faatoaga, Vaomatua, ma Faiga-faiva o ia lea o le a tatau ona avea ma sui taitaifono:

(c) O le Failautusi o Tupe:

- (d) Tagata se to'atolu, o le ta'itasi o i latou o le a tatau ona tofia e le Ao o le Malo, i le faia i luga o le fautuaga a le Kapeneta, e fai ma sui o aiā tatau uma po o so o se faatoaga, vaomatua, ma alamanuia tau faiga-faiva i totonu o Samoa i Sisifo:
- (e) E to'atasi se tagata o ia lea o le a tatau ona tofia e le Ao o le Malo, i le faia i luga o le fautuaga a le Kapeneta, i luga o le filifiliga a le Komiti o Faatonu o le Faalapotopotoga o Esetete Tausi a Samoa i Sisifo.

(3) O le faalapotopotoga o se sosaiete tu-ma'oti lea ua i ai se soloaiga tumau ma se faamau-faailoga masani ma e mafai e ia ona maua mai, umia, ma faamatuu atu mea totino ma'oti ma mea totino tau tagata, ma e mafai ona na faia se moliaga ma faia se moliaga e faasaga ia te ia, ma faia ma faataunuuina isi lava tulafono uma ma mea ia e mafai e faalapotopotoga tutoatasi ona faia ma faataunuuina.

(4) O pule a le Faalapotopotoga o le a le tatau ona afa-ina i so o se tulaga avanoa i totonu o ona sui usufono.

4. Vaitaimi e umia ai le tofi e sui na tofia—(1) Ina ua faamutaina le aso 31 o Tesema 1976, ma i le faamutaina o lea lava aso i tausaga taitasi uma e sosoo ai, o le toatasi o sui usufono na tofia o le a tatau ona faamalolo litaea mai le tofi. O le sui usufono o ia lea o le a litaca faamalolo i so o se tausaga o le a tatau ona avea o se tasi o ia lea i le aso mo le litaea faamalolo sa na umia le tofi mo se vaitaimi e aupito sili ona umi talu mai ai lona tofia po o (afai na toe tofia o ia) ia talu mai ai lona toe tofia mulimuli. Afai e toalua po o le sili atu sui usufono na umia le tofi mo le vaitaimi e aupito sili ona umi, o le toatasi o ia sui usufono o ia lea o le a faamalolo litaea o le a tatau lava ona faatatauina i se palota e faia i se faiga faapena e pei ona o le a faatatauina e le Faalapotopotoga:

(2) O sui usufono taitoatasi uma na tofia e mafai mai lea taimi i lea taimi ona toe tofia.

(3) I le noatia ma fai fuafua i le fuaiupu e 5, o sui usufono taitoatasi uma na tofia o le a tatau ona faaauauina pea ona umia le tofi (e ui lava i le faafuaiupu (1) se'ia oo i se taimi e umia ai e le tagata la te sosoo i le soloaiga le tofi.

5. Avanoa e lē masani ai i galuega—(1) E mafai e se sui usufono na tofia i so o se taimi ona faamavae mai lona tofi e ala i se faasilasilaga tusia i le Faalapotopotoga.

(2) E mafai e le Ao o le Malo, i le faia i luga o le fautuaga a le Kapeneta, ona aveeseina i so o se taimi se sui usufono na tofia -

(a) Mo le le mafai ona galue, faatamala i tiute, amio le pulca, po o le gau mativa; po o

(b) Afai ua malie o ia e faapea o le sui usufono na tofia ua ua tuua i se uiga tumau Samoa i Sisifo; po o

(c) Afai e toesea le sui usufono na tofia mai ni fonotaga soso'o se 3 a le Faalapotopotoga e aunoa ma le faatagaina a le Faalapotopotoga.

(3) Afai e maliu se sui usufono na tofia, po o ua faamavae, po o ua aveeseina mai le tofi, o le avanoa ua pogai mai ai e mafai ona faatumuina i se tofiga e faia i lea lava faiga e tasi e pei o le faiga na faia i le sui usufono ua ia tuua le tofi.

6. Totogi o sui usufono na tofia—O sui usufono ta'ito'atasi uma na tofia o ia lea e lē o se tagata faigaluega e totogi i taimi uma a le Malo o Samoa i Sisifo, o le a tatau ona totogi atu i ai, mai faaputugatupe a le Faalapotopotoga ma i le itu i ana galuega i le Faalapotopotoga, sea totogi ma alauni e pei ona mafai mai lea taimi i lea taimi ona faatatauina e le Kapeneta.

7. Fonotaga a sui usufono—(1) O fonotaga a le Faalapotopotoga o le a tatau ona usuia i ni taimi faapena ma nofoaga e pei ona atofaina e le ta'ita'ifono po o le Faalapotopotoga.

(2) O le a tatau ona taloina e le Ta'ita'ifono se fonotaga i so o se taimi e manaomia ai ina ia faapea ona faia i se faiga tusia e so o se to'a 2 o sui usufono.

(3) I so o se fonotaga e to'a 4 sui usufono o le a avea ma aofa'i o sui usufono e auai ona mafai lea ona faia se fonotaga.

(4) O le a tatau i le ta'ita'ifono ona ta'ita'i i fonotaga ta'itasi uma ia e auai o ia.

(5) Afai ua toesea mo so o se mafuaga se ta'ita'ifono mai se fonotaga -

(a) O le a tatau i le sui ta'ita'ifono ona ta'ita'i i lea fonotaga pe afai o lo o auai o ia; ma

(b) Afai e le o auai le sui ta'ita'ifona, o le a tatau i sui usufono o lo o auai ona tofia se tasi o lo latou numera e ta'ita'ifono i lea fonotaga.

(6) I le toesea mai se fonotaga o so o se usufono o loo faaalua manino i totonu o le parakarafa (b) po o le (c) o le faafuaiupu (2) o le fuaiupu 3, e mafai e lea sui usufono ona

tofia so o se tasi lava ofisa sinia o lana Matagaluega e avea ma ona sui i lea fonotaga ma o se sui ua faapea ona tofia o le a tatau a o auai o ia i le fonotaga ona faatatauina mo itu uma lava e avea ma sui usufono o le Faalapotopotoga, a e se'ia vagana ai o le a lē tatau ona ta'ita'ifono o ia i lea fonotaga.

(7) I fonotaga ta'itasi uma, o le ta'ita'ifono po o se tasi lava tagata o loo ta'ita'i o le a tatau ona ia te ia se palota e fai ai filifiliga, ma i le itu i le tutusa o palota, o le a tatau fo,i ona ia te ia le palota e fai ai se faai'uga.

(8) O mataupu ta'itasi uma e lāgā i se fonotaga o le a faatatauina lava e se vaega tele o palota na faamauiina e uiga i le mataupu.

(9) I le noatia ma fai fuafua i isi lava aiaiga o lenei Tula-fono, e mafai e le Faalapotopotoga ona faatonutonuina ana tualumaga i se faiga faapena e pei ona manatu o ia e tatau ai.

8. Faaalia o aia tatau feteena'i—(1) O so o se sui usufono, o ia lea e ese ai i lo se sui usufono, e aia i se faiga tuusa'o po o le lē tuusa'o i so o se pisinisi a le Faalapotopotoga o le a tatau, i se taimi aupito vave e mafai ai ina ua uma ona ia silafia mea moni e faasino i ai, ona faailoa atu le uiga o lana aia tatau i se fonotaga a le Faalapotopotoga.

(2) O se faailoa atu e tusa ai ma lenei fuaiupu o le a tatau ona faamauiina i totonu o tala otooto a le Faalapotopotoga ma, a e se'ia vagana ai ona ua aiaia e se i'ugafono a le Faalapotopotoga, o le a lē tatau i le sui usufono ona auai ina ua tuana'i ai le faailoaina atu i totonu o so o se iloiloga po o faai'uga e faasino i le pisinisi, a e peita'i o le a tatau ona faitauina e faapea na auai mo le aano moni tau le faatuina o se vaega o sui usufono e tatau ona auai ona mafai lea ona faia se fonotaga mo so o sea iloiloga po o se faai'uga.

VAEGA III

GALUEGA MA PULE A LE FAALAPOTOPOTOGA

9. Galuega a le Faalapotopotoga—(1) O galuega autu a le Faalapotopotoga o le a tatau ona o le faaalualuina i luma ma le una'iina o le atiina a'e o le tamaoauga o alamanuia tau

faatoaga, vaomatua, ma faiga-faiva a Samoa i Sisifo i le faa-
tauina atu po o le faaaogaina e tusa ai ma le fuaiupu 10 i ta-
gata o loo faafeagai ma ia alamanuia -

- (a) Mea faigaluega laiti, masini, taavale, vaa, afi ma isi
lava mea faigaluega e faaaogaina i ia alamanuia;
ma
- (b) Mea'ai, fatu o laau, fetilaisa, vailaau, vailaau e tineia
a'i manu nini'i, vailaau e tinei a'i manu faalafuā,
ma isi lava oloa e faaaogaina i ia alamanuia; ma
- (c) So o se tasi lava oloa, ma e aoga, ma oloa o so o se
ituaiga e faaaogaina i ia alamanuia.

(2) I le noatia ma fai fuafua i so o se tasi lava tulafono,
e mafai fo'i e le Faalapotopotoga mai lea taimi i lea taimi i
lana pule faitalia ona na faia so o se galuega ua ta'ua i lalo:

- (a) Ona faatau mai ma toe faatau atu, i totonu o Samoa
i Sisifo ma atunuu mamao, so o se fua o faatoaga
ma oloa gaosia a tagata o loo faafeagai ma alama-
nuia tau faatoaga, vaomatua, ma faiga-faiva:
- (b) Ona galue e avea ma sui sooupu e fai ma sui o tagata
o loo faafeagai ma alamanuia tau faatoaga, vaoma-
matua, ma faiga-faiva i le faatauina atu o so o sea
oloa gaosia ma fua tau faatoaga i totonu o Samoa i
Sisifo ma atunuu mamao.

10. Tulaga faavae tau le faagaioia o le Faalapotopotoga
—I le faataunuuina o na avega tauave, o le a tatau ona sailia
e le Faalapotopotoga le toc faaolaina mai o tau o lona lava
faagaioia, ma ina ia faia ni aiaiga mo tupe faaagaaga ia
lava ina ia mafai ai ona faaauuina ana galuega, ma ina ia
matua faia ai ni aiaiga mo lona faalateleina ma le atiina a'e
ma le suiga o ana mea totino, a e peita'i o le a lē tatau ona na
sailia i se tasi lava uiga e ese ai le maua mo ia lava se tupe
mamā faasili i le itu i le faataunuuina o ana lava avega tau-
ave.

11. Pule a le Faalapotopotoga—(1) O le a tatau ona i ai
i le Faalapotopotoga pule uma ia e talafeagai ma tatau ai po
o e fetau lelei ina ia mafai ai e ia ona faataunuuina ana ga-
luega.

(2) E aunoa ma le faatapulaaina ai o le tulaga faasala-
lau o le faafuaiupu (1) o le a tatau ona i ai i le Faalapototo-
potoga pule uma ua faaalua i lalo:

- (a) Na te faatau mai, maua atu e ala i se faafesuiaga, ave po o le lisiina, faaaogaina po o le maua atu o fanua i se tasi lava faiga e ese ai, fale, ma so o se mea ta'itasi ua ta'ua i totonu o le fuaiupu 9:
- (b) Ina ua i ai faatasi ma le maliega o le Minisita o Tupe, na te faia saofaga mo ma maua atu i se tasi faiga e ese ai sea ma tupe faavae i totonu o so o se kamupani ua faamauina faale-tulafono:
- (c) Na te faatuina ma tausia faleoloa, fale teu oloa, fale e teu ai oloa malūlū ma isi lava avanoa tau maketi:
- (d) Na te saunia mo maketi, faasalalau, faatau atu, faamatuuina atu o e ala i le faatauina mai faaune, ma ofo atu mo le faaaogaina i tua, so o se mea ta'itasi o loo ta'ua i totonu o le fuaiupu 9:
- (e) Na te faatau atu, faafesui'ia faataga atu, ofo atu mo le faaaogaina, ma faamatuu atu i se tasi lava faiga e ese ai so o se tasi o ana isi lava mea totino ma'oti ma mea totino tau tagata:
- (f) Na te faataunuina galuega a le tagata e faaulu-faleina mai oloa i le atunuu, auina atu oloa i fafo, tagata e faatauina atu oloa i aofaiga atoatoa tagata e faatauina atu oloa taitasi ma le faatau oloa e faafeagai ma mea taitasi o so o se ituaiga ua taua i totonu o le fuaiupu e 9:
- (g) Na te faia po o le faagaioia o su'esu'ega loloto tau maketi mo ia lava po o so o se tasi lava tagata:
- (h) Na te faia feutana'iga o feagaiga tau uta mo le aveina o mea ta'itasi ua ta'ua i totonu o le fuaiupu 9 i, mai, po o i totonu o Samoa i Sisifo:
- (i) E galue o ia e fai ma sui o po o e ave ma sui i so o se tulaga o so o se tagata:
- (j) Na te faia ni totogi faapena mo ana galuega e pei ona manatu o ia e tatau ai:
- (k) Na te faatanuina so o se tasi lava pule na fa'ae'atu ia te ia e so o se tulafono.

12. Ia tausisia e le Faalapotopotoga faiga faavae a le Kapeneta—I le faataunuina o ana avega tauave e tusa ai ma leni Tulafono, o le a tatau i le Faalapotopotoga ona na matua aloa'ia faiga faavae a le Kapeneta e faasino i alamanuia tau faatoaga, vaomatua ma faiga-faiva, ma o le a tatau ona na

tuuina atu le faamamaluga i lea faiga faavae e pei ona faaoo atu i le Faalapotopotoga mai lea taimi i lea taimi i se tusi a le Minisita.

13. Feagaiga a le Faalapotopotoga—(1) I le noatia ma fai fuafua i le fuaiupu 14, o so o se feagaiga lea, afai na faia i le va o ni tagata ta'ito'atasi, e tatau lava ona faia i se pepa faamaoni, afai na faia e le Faalapotopotoga, o le a tatau ona faia i se faiga tusia i lalo o le faamau-faailoga a le Faalapotopotoga.

(2) O so o se feagaiga lea, afai na faia i le va o ni tagata ta'ito'atasi, o le a tatau ona faia i se faiga tusia e saunia e itu auai o le a noatia i le feagaiga, afai na faia e le Faalapotopotoga, o le a tatau ona faia i se faiga tusia i lalo o le faamau-faailoga a le Faalapotopotoga po o le sainia e so o se tagata o loo galue e fai ma sui o ma i lalo o le pule faataga ua faaalialia manino po o e faasino i ai a le Faalapotopotoga.

(3) O so o se feagaiga lea, afai na faia i le va o tagata ta'ito'atasi, e mafai ona faifofoga, e mafai ona faia i le faiga o loo faaalialia manino i totonu o le faafuaiupu (1) e pei o le itu i se pepa faamaoni, po o i le faiga ua faaalialia manino i totonu o le faafuaiupu (2) e pei o le itu i se feagaiga e mana'omia ina ia faia i se faiga tusia, po o e mafai ona fai fofoga e po o e fai ma sui o le Faalapotopotoga e so o se tagata o loo galue e tusa ai ma le pule faataga ua faaalialia manino po o e faasino i ai a le Faalapotopotoga.

(4) E ui lava i so o se aiaiga ua ta'ua talu ai o lenei fuaiupu, e leai se feagaiga na faia e po o e fai ma sui o le Faalapotopotoga o le a tatau ona lē aloa'ia faale-tulafono ona o se mafuaga lava e faapea sa le'i faia lea feagaiga i le faiga ua aiaia e lenei fuaiupu, afai na faia e tusa ai ma se i'ugafono a le Faalapotopotoga po o ina ia tuuina atu se faamamaluga i se i'ugafono a le Faalapotopotoga i le itu i feagaiga esese po o i le itu i lea feagaiga faapitoa.

14. Tuuina atu o pule a le Faalapotopotoga—(1) E mafai e le Faalapotopotoga, i le itu i so o se mataupu faapitoa po o se ituaiga o mataupu e ala i se faiga tusia i lalo o lana faamau-faailoga ona tuuina atu i so o se sui usufoso po o se ofisa, po o se komiti o sui usufono po o ofisa, o le Faalapotopotoga, po o i lē o loo umia i le taimi nei so o se ofisa faapitoa i lalo o le Faalapotopotoga, so o se tasi o ana pule e tusa ai ma lenei

Tulafono (e aofia ai se pule e faama'apeina ai pepa faamaoni e fai ma sui o le Faalapotopotoga, a e peita'i e lē aofia ai lenei pule e tuuina atu ai), ina ia mafai ai e ia ona faatinoina pule na tuuina atu po o i latou i le itu i mataupu po o se ituaiga o mataupu po o le vaega-eleele na faaalua manino i totonu o le pepa faale-tulafono o le tuuina atu.

(2) I le noatia ma fai fuafua i so o se faatonuga faasalalau po o ni faatonuga faapitoa na tuuina atu po o ni tuutuuga na faae'e atu e le Faalapotopotoga e mafai e le tagata po o le komiti o ia lea ua faapea ona tuuina atu i ai so o se pule ona faataunuaina ia pule i lea lava faiga e tasi ma i le i ai faatasi ma lea lava taunuuga e peiseai ua uma ona faae'e atu ia te ia po o i latou i se faiga tuusa'o e lenei Tulafono a e lē ona o se tuuina atu.

(3) O tagata ta'ito'atasi uma po o se komiti ua fuafua e galue e tusa ai ma so o se tuuina atu o pule i lalo o lenei fuaiupu o le a tatau, i le aunoa ma se faamaoniga i se itu e ese ai, ona faatatauina o loo galue e tusa ai ma tuutuuga o le tuuina atu o pule.

(4) O tuuina atu ta'itasi uma o pule e tusa ai ma lenei fuaiupu o le a ono mafai ona soloia i le faitalia, ma e leai se tuuina atu o pule o le a tatau ona taofia ai le faataunuaina o so o se pule a le Faalapotopotoga.

15. Aufaigaluega a le Faalapotopotoga—(1) O le a tofia e le Ao o le Malo, i le faia i luga o le fautuaga a le Kapeneta mai lea taimi i lea taimi se Pule o le Faalapotopotoga.

(2) O le Pule o le a tatau ona avefa ma ofisa faatonu sili o le Faalapotopotoga ma o le a tatau ona noatia i le Faalapotopotoga mo le le sologa lelei o le pulea o faagaioiga a le Faalapotopotoga.

(3) O le a tatau ona auai le Pule i fonotaga ta'itasi uma a le Faalapotopotoga a e vagana ai i so o se itu faapitoa ua tuusaunoaina o ia e le Faalapotopotoga mai le auai atu i ai.

(4) E mafai e le Faalapotopotoga mai lea taimi i lea taimi ona tofia isi lava ofisa faapena ma tagata faigaluega (e galulue i taimi uma ma ni vaega o taimi) e pei ona tatau ai ona le faataunuaina i se tulaga lelei o ana avega tauave.

(5) I le noatia ma fai fuafua i le faafuaiupu (1), ma i so o se tulafono faatonutonu na faia i lalo o lenei Tulafono, o le a tatau ona umia e le Pule ma isi lava ofisa ma tagata

faigaluega o le Faalapotopotoga le tofi po o le galuega po o ia tuutuuga ma aiaiga e pei ona o le a faatatauina e le Faalapotopotoga mai lea taimi i lea taimi.

(6) I le fuafuaina o le totogi po o le totogi faale-tofi o so o se tasi o ona ofisa po o tagata faigaluega, o le a tatau i le Faalapotopotoga ona na aloa'ia totogi o lo o totogi atu i ofisa po o tagata faigaluega o Galuega a le Malo o Samoa i Sisifo o lo o umia tulaga e tutusa avega tauave.

(7) O totogi ma totogi faale-tofi o ofisa ma tagata faigaluega o le Faalapotopotoga o le a tatau ona totogi atu mai ana faaputugatupe.

VAEGA IV

AIAIGA TAU TUPE

16. Faaputugatupe ma mea totino a le Faalapotopotoga—

(1) O faaputugatupe a le Faalapotopotoga o le a tatau ona aofia ai -

- (a) Tupe na tuuina atu i le Faalapotopotoga e ala i le faafuaiupu (2); ma
- (b) Tupe faapena e pei ona mafai mai lea taimi i lea taimi ona faatatauina e le Fono Aoao Faitulafono mo lea itu; ma
- (c) Isi lava tupe faapena e pei ona mafai e le Faalapotopotoga e tusa ai ma ala o le tulafono ona maua atu i le faataunuaina o ana avega tauave; ma
- (d) Tupe uma faaputupu e faasino i le Faalapotopotoga.

(2) I le amataga o lenei Tulafono, o le faaputugatupe potoga.

(2) I le amataga o lenei Tulafono, o le faaputugatupe ese o lo o i ai i le taimi nei ua ta'ua o le Faaputugatupe o le Faleoloa Tau Faatoaga na faavaeina e le Minisita o Tupe e tusa ai ma le fuaiupu 17 o le Tulafono o Tupe a le Malo 1964 mai tupe na faatatauina e le Tulafono o le Faatatauina o Tupe 1974 i le Vaega-tupe o le Atiina A'e a le Ofisa o Tupe o le a tatau, e ala i le faagaioia o lenei fuaiupu ma e aunoa ma se isi toe tuuina atu, faaliliuina atu, po o le faaliliu atu i se tasi, ona tuuina atu i ma avega ma mea totino a le Faalapotopotoga.

(3) I le amataga o lenei Tulafono, o mea totino uma o lo o i ai i le taimi nei feagaiga, aitalafu, ma noataga tau aitalafu a le Malo o Samoa i Sisifo (e lē aofia ai mea totino ma'oti) ia o loo pulea i totonu o le Matagaluega o le Ofisa o Tupe e le vaega tau le pulea i totonu o lea Matagaluega e ta'ua o le Faleoloa Tau Faatoaga o le a tatau, e ala i le faagaioia o lenei fuaiupu ma e aunoa ma se isi toe tuuina atu, faaliliuina po o le faamatuu atu i se tasi, ona tuuina atu i ma avea ma mea totino, feagaiga, aitalafu, ma noataga tau aitalafu a le Faalapotopotoga.

(4) Afai e lāgā so o se fesili po o e ono lāgā i le itu i so o se mea totino, feagaiga, aitalafu, po o se noataga tau aitalafu ua avea e tusa ai ma 'e faafuaiupu (3) ma mea totino, feagaiga, aitalafu, po o se noataga 'au aitalafu a le Faalapotopotoga, o le a tatau i le Faalapotopotoga ona tuuina atu le fesili i se faiga tusia i le Minisita ao lumana'i ai le aso 1 o Ianuari 1976 ma o le a tatau i le Minisita o Tupe i totonu o aso e 14 ona na faatatauina i se faiga tusia le mataupu, ma o le faaiuga a le Minisita o Tupe o le a mausali ma noatia ai le mataupu faatasi ai ma lona faamamaluina aga'i i tua mai le aso o le amataga o lenei tulafono. I totonu o le 14 aso talu ai le faai'u ina o so o se mataupu e tusa ai ma lenei faafuaiupu, afai o lo o tauaofia le Fono Aoaofa Faitulafono i lea taimi, po o e le o tauaofia le Fono Aoaofa Faitulafono, o lona uiga la, i totonu o aso e 14 ina ua tuana'i ai le amataga o le isi tauaofiaga e soso'o ai a le Fono Aoaofa Faitulafono, o le a tatau i le Minisita o Tupe ona faataatia se ata o lana faaiuga i luga o le Lualua-fono a le Fono Aoaofa Faitulafono ma o le a tatau foi ona na tuuina atu se ata i le Pule ma Su'etusi Sili

17. Pule e Nonōina ai Tupe—(1) E mafai e le Faalapotopotoga mai lea taimi i lea taimi ona nono mai tupe mo itu tau ana faagaioiga ma tuuina atu pepa faamaoni o aitalafu po o mokesi po o le tuuina atu o so o se tasi o ana mea totino ma'oti po o mea totino tau tagata e ui atu i se puipuiga malu mo so o sea faaunegatupe.

(2) E mafai e le Matagaluega o le Ofisa o Tupe a Samoa i Sisifo mai lea taimi ona tuuina atu ni tupe faa-aitalafu i le Faalapotopotoga e tusa ai ma lenei fuaiupu.

18. Teugatupe a le Faleoloa Tau Faatoaga—(1) O le a tatau i le Faalapotopotoga i le amataga o lenei Tulafono ona na faavaeina ma tausia mulimuli ane ai i le Fale Teutupe o

Samoa i Sisifo se teugatupe e ta'ua o le Teugatupe a le Faleoloa Tau Faatoaga.

(2) O tupe a le Faalapotopotoga, i le noatia ma fai fuafua i le fuaiupu 19, o le a tatau ona totogiina atu i totonu o le Teugatupe a le Faleoloa Tau Faatoaga.

(3) O le a tatau ona totogiina atu mai le Teugatupe a le Faleoloa Tau Faatoaga totogi uma, tau, ma tupe alu na faia e tusa ai ma ala o le tulafono e le Faalapotopotoga i ana faagaoioiga ma isi lava tupe uma e tatau ona totogina atu e tusa ai ma ala o le Tulafono e le Faalapotopotoga.

(4) E mafai ona faavaeina faatasi ai ma le Fale Teutupe o Samoa i Sisifo, i totonu o le Teugatupe a le Faleoloa Tau Faatoaga ia teugatupe faapitoa po o ni teugatupe faaopoopo e pei ona iloiloina e le Faalapotopotoga e tatau ma talafeagai ai mo le faagaoioia tonu o le Faalapotopotoga.

(5) O faamatalaga tau tupe uma e tusa ai ma lenei fuaiupu o le a tatau ona faagaoioia ia tau lava o siaki po o isi lava pepa faale-tulafono na sainia e so o se tagata o ia lea ua faatagaina mo lea itu e le Faalapotopotoga ma ia toe saina faamaonia e so o se tasi lava tagata o ia lea ua faapea ona faatagaina.

19. Faaputugatupe Faaagaaga a le Faleoloa Tau Faatoaga
—(1) O le a faavaeina ma tausia e le Faalapotopotoga se faaputugatupe e ta'ua o le Faaputuga Faaagaaga a le Faleoloa Tau Faatoaga.

(2) O le Faaputugatupe Faaagaaga o le a aofia ai ni tupe faapena e pei, ina ua uma ona faia se aiaiga ia lava atoatoa mo tupe alu tau le faagaoioia o le Faalapotopotoga, ona manatu le Faalapotopotoga ua tatau ai ina ia tuuina atu ai ni tupe faaagaaga ia lava mo le faaauauina o ana galuega.

(3) O le a tatau i le Faalapotopotoga ona na teuina faafaigaluega le Faaputugatupe Faaagaaga i totonu o ni puipuiga malu faapena i totonu o Samoa i Sisifo ma so o se nofoaga e pei ona manatau le Faalapotopotoga e tatau ai.

(4) E ui lava i le faafuaiupu (3), e mafai e le Faalapotopotoga ona na teuina faafaigaluega so o se vaega o le Faaputugatupe Faaagaaga i totonu o mea totino maoti.

(5) O le a tatau ona faavanoaina le Faaputugatupe Faaagaaga e faafetaia'i ai so o se tupe pa'u i totonu o le Teugatupe a le Faleoloa Tau Faatoaga e agai a'i tupe leiloa ua mavae, ma ina ia faia ai ni aiaiga mo le faalauteleina ma le atiina a'e ma le toe suia o ana mea totino, a e lē o se tasi lava faiga e ese ai.

20. **Teuina faafaigaluega o isi lava tupe**—O so o se tupe a le Faalapotopotoga ua lē mana'omia i le taimi nei ina ia tagofia i so o se tasi lava faiga e tusa ai ma lelei Tulafono e mafai mai lea taimi i lea taimi ona teuina faafaigaluega i totonu o puipuiga malu a le malo poo, ina ua maua muamua mai i ai se maliega tusia o le Minisita o Tupe, i totonu o so o se tasi lava puipuiga malu se'ia o'o i se taimi o faapena ona mana'omia ai latou.

21. **Tuusaunoaga mai lafoga**—O le a lē noatia le Faalapotopotoga na te totogiina se lafoga o tupe maua po o isi lava lafoga.

22. **Tausaga Faale-tupe**— O le tausaga faale-tupe a le Faalapotopotoga o le a tatau ona faamutaina i le aso 31 o Tesema i tausaga ta'itasi uma, po o se tasi lava aso e pei ona mafai ona faaiugafonoina e le Faalapotopotoga, ina ua mua'i maua mai i ai le maliega tusia o le Minisita o Tupe mai lea taimi i lea taimi.

23. **Faaaoga o tupe mamā faasili**—E aunoa ma le 'alo ese ai mai le fuaiupu 10, o le a tatau i le Faalapotopotoga, i se taimi e aupito sili ona talafeagai ai, ina ua uma ona ia tuueseina ni tupe faapena e pei tatau ai mo ana galuega, mo le tuuina atu o tupe faaagaaga ia lava, e agai a'i tupe leiloa ua mavae, ma ia faia ai ni aiaiga mo le faalauteleinama le atina a'e ma le toe suia o ana mea totino, ina ua tuana'i ai le faaiuga o so o se tausaga faale-tupe ona na totogi atu so o se tupe mamā faasili lea e ono mafai ona ia maua i totonu o le Teuga-Tupe a le Malo.

24. **Faamatalaga Tau Tupe**—O le a tatau i le Faalapotopotoga i taimi uma ona na tausia faamaumauga atoatoa ma le tonu ma faamatalaga tau tupe o ana feuiuiaiga uma tau tupe, mea totino, noataga tau aitalafu, ma teuga-tupe.

25. **Su'eina faa-su'etusi o faamatalaga tau tupe**—(1) O le a tatau i le Faalapotopotoga, i totonu o le 4 masina ina ua tuan'ai ai le faaiuga o tausaga faale-tupe ta'itasi ona na saunia se pepa o le tuufaatasiga o paleni, faamatalaga o tupe mamā ma tupe pa'u, ma se faamatalaga e uiga i ala e maua

mai ai tupe ma le faaaogaina, ma nisi lava faamatalaga tau tupe e pei ona tatau ai e faaalua ai atoatoa le tulaga tau tupe o le Faalapotopotoga ma taunuuga tau tupe o ana galuega i le faagasologa o lea tausaga.

(2) O le pepa o le tuufaatasiga o paleni, faamatalaga, ma isi lava faamatalaga tau tupe o le a tatau ona su'eina faa-su'e-tusi e le Ofisa Su'etusi lea, ona o lea itu o le a tatau ona ia te ia pule e pei ona i ai i le itu i tupe a le malo e tusa ai ma le uiga o le fuaiupu 2 o le Tulafono o Tupe a le Malo 1964.

26. Lipoti Faale-Tausaga—(1) O le a tatau i le Faalapotopotoga i totonu o le 6 masina ina ua tuana'i ai le faaiuga o tausaga faale-tupe ta'itasi ona auina atu i le Minisita se lipoti o ana taualumaga ma galuega mo lea tausaga faatasi ai ma se ata o ana faamatalaga tau tupe ua uma ona su'eina faa-su'e-tusi mo lea tausaga ma le lipoti a le Ofisa Su'etusi e uiga i ia faamatalaga tau tupe.

(2) O se ata o le lipoti ma se ata o faamatalaga tau tupe a le Faalapotopotoga, faatasi ai ma se ata o le lipoti a le Ofisa Suetusi e uiga i faamatalaga tau tupe, o le a tatau ona faataatia i luma o le Fono Aoao Faitulafono i totonu o aso e 14 talu ona maua e le Minisita, pe afai o lo o tauaofia le Fono Aoao Faitulafono i lea taimi, po o, afai e lē o tauaofia le Fono Aoao Faitulafono, o lona uiga ia faataatia i totonu o aso e 14 a ua tuana'i ai le amataga o le isi tauaofiaga e soso'o ai a le Fono Aoao Faitulafono.

VAEGA V

Aiaiga Eeseese

27. Puipuiga o sui usufono ma ofisa—E leai se sui usufono po o se ofisa o le Faalapotopotoga o le a tatau ona noatia ia lava mo so o se gaioiga po o se mea ua lē faia na faia e ia i le agaga faamaoni i le faataunuaina po o le faatinoina o ana galuega, pule, po o tiute i le avefa ma sui usufono po o se ofisa o le Faalapotopotoga.

28. Puipuiga o le Igoa—(1) E leai se kamupani po o se tasi lava faalapotopotoga o le a tatau ona faamauina faale-tulafono po o le resitaraina i lalo o so o se Tulafono po o i se tasi lava faiga e ese ai i lalo o le igoa “Faalapotopotoga o Faleoloa Tau Faatoaga” po o i lalo o so o se tasi lava igoa ua faapea ona tutusa ma le igoa o le Faalapotopotoga i se faamoemoe ina ia ta'ita'i seseina ai.

(2) E leai se tagata e ese ai i lo le Faalapotopotoga o le a tatau, e ala ia te ia lava po o ua faatasi ai ma so o se tasi lava tagata, ona faia se fefaatauaiga po o le faataunuaina o se pisinisi i lalo o le igoa “Faalapotopotoga o Faleoloa Tau Faatoaga” po o i lalo o so o se tasi lava igoa ua faapea ona tutusa ma le igoa o le Faalapotopotoga i se faamoemoe ina ia ta'ita'i seseina ai.

(3) O so o se tagata o ia lea ua na lē tausisia le faafuaiupu (2) ua na faia se solitulafono ma o le a tatau ona noatia ina ua faamaonia e nofosala i se sala tupe e lē silia le \$100 ma i se sala tupe e lē silia le \$10 mo aso ta'itasi na faaauauina ai le solitulafono.

(4) E ui lava i faafuaiupu (2) ma le (3), e leai se kamupani po o se tasi lava faalapotopotoga na faamauina faale-tulafono po o na resitaraina a o lumana'i ai le amataga o lenei Tulafono ua na faia se solitulafono ona o se mafuaga tau le mea moni e faapea ona o ia lava ua na faia ai se fefaatauaiga po o ua tauaveina ai se pisinisi a ua tuana'i ai le amataga o lenei Tulafono i lalo o lona igoa ua faamauina faale-tulafono po o ua resitaraina.

29. Tulafono Faatonutonu— E mafai e le Ao o le Malo, i le faia i luga o le fautuaga a le Kapeneta, mai lea taimi i lea taimi e ala i se Poloaga ona faia ni tulafono faatonutonu mo itu uma po o so o se itu ua faaalua i lalo:

(a) Faaalia manino o tualumaga mo fonotaga a le Faalapotopotoga po o ana komiti;

(b) Faatonutonuina o le tausia o tala faamauina ma faamatatalaga tau tupe a le Faleoloa;

(c) I le noatia ma fai fuafua i lenei Tulafono, faaaliamanino o tuutuuga ma aiaiga o galuega a ofisa ma tagata faigaluega a le Faalapotopotoga, e aofia ai le faaaliamanino o tapulaa o totogi, ma tofiga, siitia o tulaga, ma le amio pulea a ona ofisa ma tagata faigaluega;

(d) Faia o ni aiaiga mo isi lava mataupu faapea e pei ona mafauina e po o e tatau ai mo le tuuina atu o le famamaluga atoatoa i lenei Tulafono ma mo lona pulea atoatoa.
