

Examined and Certified *Stale*

Clerk of the Legislative Assembly

The Head of State Assents this *23rd* day of

December 19*93.*

CENTRAL BANK OF SAMOA AND DECIMAL CURRENCY
AMENDMENTS

Mahina Tammili
HEAD OF STATE

WESTERN SAMOA

Arrangement of Provisions

title

Short Title and Commencement

PART I
CENTRAL BANK

- Interpretation
- Governors and Chief Executive
- Appointment of Governors
- Disfigurement of currency
- Manufacture of Coins
- Operation with account holders
- Clearing facilities
- Correction of numbering of section.

PART II
COINS

- 0. Issue of coins
- 1. Coins may be called in

1993. No.14.

AN ACT to amend the Central Bank of Samoa Act 1984 and the Decimal Currency Act 1966

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

- 1. Short Title and Commencement - (1) This Act may be cited as the Central Bank of Samoa and Decimal Currency Amendment Act 1993 and shall come into force on the date it is assented to by the

ad of State.

(2) Part I of this Act shall be read together with and deemed part of the Central Bank of Samoa Act 1984 (hereinafter referred to as the Principal Act).

(3) Part II of this Act shall be read together with and deemed part of the Decimal Currency Act 1966.

PART I

CENTRAL BANK

2. Interpretation - Section 2 of the Principal Act is amended by -

(a) omitting the semicolon at the conclusion of the definition of the word "currency" and adding thereto the words "or coin other than commemorative coin".

(b) omitting the definition of "General Manager" and inserting in its proper alphabetical position the following definition:-

"Chief Executive" means the Chief Executive appointed pursuant to section 15 of this Act.

3. Governors and Chief Executive - The Principal Act is amended by :-

(a) omitting the word "Director" wherever that word occurs except where it occurs in paragraph (b) of subsection (7) of section 10 and in paragraph (b) of subsection 6 of section 15 and substituting in each case the word

"Governor";

(b) omitting the word "Directors" wherever that word occurs and substituting in each case the word "Governors"

(c) omitting the words "General Manager" wherever those words occur and substituting in each case the words "Chief Executive".

4. Appointment of Governors - (1) Section 10 of the Principal Act (as amended by section 3 of this Act) is further amended by repealing subsection (1) and substituting the following section:-

"(1) The Board shall consist of:-

(a) a Chairman and two other Governors appointed under this section: and

(b) The Financial Secretary; and

(c) The Chief Executive."

(2) Section 10 of the Principal Act is further amended by repealing subsection (4).

5. Disfigurement of currency etc. - Section 19 of the Principal Act is repealed and the following section is substituted:-

"19. Disfigurement of currency - (1) No person shall without the authority of the Bank wilfully cut tear file or otherwise damage disfigure or mutilate, or deface by means of any writing printing stamp mark or erasure, any currency.

(2) Any person contravening the provisions of this section shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding \$1,000."

6. **Manufacture of coins** - Paragraph (a) of subsection (1) section 21 of the Principal Act is amended by inserting immediately after the word "printing" the words "or striking,"

7. **Operations with account holders** - Section 32 of the Principal Act is amended by: -

(1) omitting from paragraph (c) the words "from account holders" and the semicolon, and substituting the words "PROVIDED notwithstanding any other provisions of this Part, such operations need not be limited only to account holders, banks and credit institutions;"

(2) by adding the following new paragraph:

"(e) Under such terms and conditions to be determined by the Board, guarantee pre-shipment and post-shipment loans and advances granted by account holders to exporters of goods and services."

8. **Clearing Facilities** - Section 40 of the Principal Act is amended by inserting immediately after the word "clearing" the words "and settlement".

9. **Correction of numbering of section** - That the Principal Act is hereby amended by omitting the number "34" following section 3 of section 42 and substituting the number "43".

PART II

COINS

10. Issue of Coins - Section 8 of the Decimal Currency Act
6 is amended by -

(a) repealing the heading and substituting the
following heading:

"Issue of Coins"

(b) inserting in subsection (1) after the word "issued"
the word "commemorative".

(c) inserting immediately after subsection (1) the
following new subsection:-

"1A. The Minister may authorise the issue of coins
by the Central Bank of Samoa in the denominations
specified in the First Schedule to this Act and in
such quantity as may be recommended from time to
time by the Board of Governors of the Central Bank
of Samoa."

(d) Amending subsection (4) by omitting the words "all
coins" and substituting the words "all
commemorative coins".

11. Coins may be called in - Section 10 of the Decimal
Currency Act 1966 is amended by adding the following subsection :-

"(3) This section shall not apply to coins
issued by the Central Bank of Samoa".

**TULAFONO O LE FALETUPE TUTOTONU
O SAMOA MA TUPE TESIMALE**

SAMOA I SISIFO

Faatulagaina o Aiaiga

Igoa

- | | |
|---------------------------------------|---|
| 1. Igoa puupuu ma le amataga | 7. Galuega Faatino ma e umia ni teuga-tupe |
| VAEGA I | 8. Fale e totogi ai aitalafu |
| FALETUPE TUTOTONU | 9. Faasaoga o le faa-numeraina o fuaiupu |
| 2. Faamatalaina o uiga o upu | VAEGA II |
| 3. Kovana ma le Ofisa Sili tau Pulega | TINOITUPE |
| 4. Tofia o Kovana | 10. Tuuina atu o tinoitupe |
| 5. Faaleagaina o Foliga o Tupe | 11. E mafai ona toe tapaina tinoitupe ina ia toe faafoi mai |
| 6. Gaosia o Tinoitupe | |

1993, Nu. 14

O SE TULAFONO e teuteu ai le Tulafono o le Faletupe Tutotonu o Samoa 1984 ma le Tulafono o Tupe Tesimale 1966.

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

1. Igoa puupuu ma le amataga - (1) E mafai ona taua leni Tulafono o Teuteuga o le Tulafono o le Faletupe Tutotonu o Samoa ma Tupe Tesimale 1993 ma e tatau ona amata faamamaluina i le aso o le a tutuina i ai le maliega a le Ao o le Malo.

(2) Vaega I o leni Tulafono e tatau ona faitauina faatasi ma avea o se vaega o le Tulafono o le Faletupe Tutotonu o Samoa 1984 (e pei ona faasinomia mulimuli ane

iinei o le Tulafono autu).

(3) Vaega II o lenei Tulafono e tatau ona faitauina faatasi ma avea o se vaega o le Tulafono o Tupe Tesimale 1966.

VAEGA I

FALETUPE TUTOTONU O SAMOA

2. Faamatalaina o ulga o upu - Fuaiupu 2 o le Tulafono autu ua teuteuina i le -

(a) aveeseina o le semikolona i le faaiuga o le faamatalaga o le upu "tupe" ma faaopoopo i ai ia upu "po o tinoitupe e ese mai ai na i lo tinoitupe faamanatu;

(b) aveeseina o le faamatalaga o le "Pule Sili" ma faaofiina i ai i lona tulaga talafeagai i le faasologa o mataitusi le faamatalaga e faapea:-

"Ofisa Sili tau Pulega" o lona uiga o le Ofisa Sili tau Pulega ua tofia e tusa ai ma le fuaiupu 15 o lenei Tulafono.

3. Kovana ma Ofisa Sili tau Pulega - O le Tulafono autu ua teuteuina i le:-

(a) Aveeseina o le upu "Faatonu" i so o se mea o lo o faaoga i ai lena upu vagana ai le faaogaina i totonu o le parakalafa (b) o le faafuaiupu 7 o le fuaiupu 10 ma i totonu o le parakalafa (b) o le faafuaiupu 6 o le Fuaiupu 15 ma ia suia i tulaga faatasi i le upu "Kovana";

(b) Aveeseina o le upu ni "Faatonu" i so o se mea o lo o faaaoga i ai lena upu ma ia suia i tulaga taitasi i le upu ni "Kovana".

(c) Aveeseina o upu "Pule Sili" i so o se mea o lo o faa-aoga i ai ia upu ma ia suia i tulaga taitasi i upu "Ofisa Sili tau Pulega".

4. Tofia o Kovana-(1) Fuaiupu 10 o le Tulafono Autu (e pei ona teuteuina e le fuaiupu 3 o lenei Tulafono) ua toe teuteuina i le soloia o le faafuaiupu (1) ma suia i le faafuaiupu e faapea:-

"(1) O le a tatau ona aofia ai i le Komiti Faatino ia -

(a) se Taitaifono ma ni Kovana se toalua e tofia i lalo o lenei fuaiupu; ma

(b) le Failautusi o Tupe; ma

(c) le Ofisa Sili tau Pulega."

(2) Fuaiupu 10 o le Tulafono Autu ua toe teuteuina i le soloia o le faafuaiupu (4).

5. Faaleagaina o Foliga o Tupe - Fuaiupu 19 o le Tulafono Autu ua soloia ma ia suia i le faafuaiupu e faapea:-

"19. Faaleagaina o Foliga o Tupe-(1) E leai se tagata e aunoa ma le faatagana a le Faletupe e faia ma le loto i ai le tipiina sasae iliina po o so o se i si lava faiga e faaleaga ai foliga po o le olopalaina ai, po o le faaleagaina o folia o tupe i le faia o so o se tusitusiga lolomiina faamau faailoga po o le tapeina, o so o se tupe.

(2) So o se tagata e faalavelave i aiaiga o lenei

fuaiupu o le a noatia i se solitulafono ma i luga o se moliaga o le a tatau ona noatia i se faasalaga e le sili atu i le \$1,000."

6. Gaosia o tinoitupe - Parakalafa (a) o le faafuaiupu (1) o le fuaiupu 21 o le Tulafono Autu ua teuteuina i le faaofiina i ai ina ua tuanai le upu "lolomi" ia upu "po o le gaosia,"

7. Galuega Faatino ma e umia ni teuga-tupe-Fuaiupu 32 o le Tulafono Autu ua teuteuina i le:

(1) aveeseina mai le parakalafa (c) ia upu "mai e o umia teuga-tupe" ma le simikolona, ma suia i upu "AE VAGANA AI E FAAPEA e ese mai ai i so o se i si aiaiga o lenei Vaega, o ia galuega faatino e le tatau ona faatapulaaina i na o e umia ni teuga-tupe po o faletupe po o ni faalapopotoga tau faaunega-tupe;"

(2) i le faaopoopoina i ai o le parakalafa fou e faapea:-
 "(e) I lalo o le teuteuga ma aiaiga o le a fuafuaina e le Komiti Faatino, faamaonia faaunega tupe ma tupe faamatuu atu i tagata o lo o umia ni teuga-tupe mo le totogiina o uta ma le felauaiga o ia oloa i tagata o lo o auina atu i fafo oloa ma galuega faatino."

8. Fale e totogi ai Aitalafu- Fuaiupu 40 o le Tulafono Autu ua teuteuina i le faaofiina i ai ina ua tuanai le upu

"mo le totogiina" ia upu "ma le faamamaina".

9. Faasaoga o le faa-numeraina o fuaiupu- E faapea ua teuteuina nei le Tulafono Autu i le aveeseina o le fuainumera "34" o lo o mulimuli mai le faafuaiupu 3 o le fuaiupu 42 ma suia i le fuainumera "43".

VAEGA II

TINOITUPE

10. Tuuina atu o Tinoitupe- Fuaiupu 8 o le Tulafono o Tupe Tesimale 1966 ua teuteuina i le -

(a) soloia o le ulutala ma ia suia i le ulutala e faapea:-

"Tuuina atu o Tinoitupe"

(b) faaopoopoina i totonu o le faafuaiupu (1) ina ua tuanai le upu "tuuina atu" le upu "faamanatu".

(c) faaofiina i totonu o le faafuaiupu (1) le faafuaiupu fou e faapea:-

"1A. E mafai e le Minsita ona faatagaina le tuuina atu o tinoitupe e le Faletupe Tutotonu o Samoa i ni vaega e pei ona faamatalaina i le Faamatalaga Muamua i lenei Tulafono ma i ni aofaiga e pei ona o le a fautuaina e le Komiti Faatino o Kovana o le Faletupe Tutotonu o Samoa."

(d) teuteuina le faafuaiupu (4) i le aveeseina o upu "tinoitupe uma" ma suia i upu "tinoitupe faamanatu uma".

11. E mafai ona toe tapaina tinoitupe ia toe faafai mai -
Fuaiupu 10 o le Tulafono o Tupe Tesimale 1966 ua teuteu-
ina i le faaopoopoina i ai o le faafuaiupu e faapea:-

"(3) O leni fuaiupu o le a le faaogaina i
tinoitupe e tuuina atu e le Faletupe Tutotonu o
Samoa."