

NEWSPAPERS AND PRINTERS

WESTERN SAMOA

Arrangement of Provisions

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1992/1993, No. 25.

AN ACT to provide for the registration of newspapers and the marking of printed documents

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

1. **Short Title** - This Act may be cited as the Newspapers and Printers Act 1992/1993.

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

"Document" includes any book, pamphlet, magazine, periodical, letterpress, or printed reproduction:

"Newspaper" means any paper containing public news

or observations thereon which is printed for sale or distribution and is published in Western Samoa periodically at intervals not exceeding 3 months; but does not include any paper containing only matter wholly of a commercial nature:

"Printer", in relation to any document or newspaper, means the owner of the undertaking by which the document or newspaper is printed:

"Printing" includes the production of copies by any duplicating process, whether letterpress, photographic, lithographic, stencilling, or otherwise; but does not include typewriting; and "to print" has a corresponding meaning:

"Public place" has the same meaning as in section 2 of the Police Offences Ordinance 1961:

"Publisher", in relation to any newspaper, means the proprietor thereof.

3. Unregistered newspapers not to be printed or published

- No person shall print or publish any newspaper unless it is for the time being registered under the provisions of this Act.

4. Registration of newspapers - (1) Where any person desires to publish a newspaper he shall lodge with the Registrar of the Supreme Court an affidavit in form 1 in the Schedule to this Act duly sworn and signed by each of the persons intended to be the publishers and printers and editor of the newspaper.

(2) Where the publisher or printer is a company, the affidavit shall be sworn and signed on behalf of the company by the manager or by a director thereof.

(3) Where the publisher or printer of a newspaper is an incorporated society, the affidavit shall be sworn and signed on behalf of the society by an officer thereof.

(4) On receipt of the affidavit, the Registrar shall enter the name of the newspaper in a register, and it shall thereupon be deemed to be registered.

(5) Where at any time any change occurs in any of the particulars stated in the affidavit, a further affidavit sworn and signed as aforesaid and specifying the change shall be lodged by the publisher with the Registrar.

(6) Where a newspaper has been registered under this Act, the publisher shall, during the next succeeding month of January and during the month of January in each year thereafter, lodge with the Registrar a notice in form 2 in the Schedule to this Act signed by the publisher or, where the publisher is a company or an incorporated society, by the manager or a director of the company or an officer of the society, as the case may be.

(7) Where the notice referred to in subsection (6) of this section has not been lodged with the Registrar before the 1st day of February in any year, the registration of the newspaper under this Act shall cease to have effect on that date, but the newspaper may be reregistered under the provision of this

section.

5. **Disclaiming affidavit may be lodged** - Any person who has signed an affidavit under section 4 of this Act may lodge with the Registrar a further affidavit stating that he is no longer connected with the newspaper in the capacity specified in the first-mentioned affidavit, and thereupon he shall not by reason only of the first-mentioned affidavit be deemed to be connected with newspaper in that capacity.

6. **Affidavit conclusive evidence of statements** - Subject to the provisions of section 5 of this Act, every affidavit lodged under section 4 of this Act shall, except in so far as it is superseded by an affidavit lodged under subsection (5) of section 4 of this Act, in all civil or criminal proceedings relating to the newspaper or anything contained therein be conclusive evidence against every person by or on whose behalf it is signed of the statements therein.

7. **Register open to public** - The register and the affidavits and notices lodged relating thereto shall be open without charge to public inspection.

8. **Proof of purchase of paper dispensed with** - If in any civil or criminal proceedings relating to any newspaper or anything therein contained against any person by or on whose behalf an affidavit has been lodged under section 4 of this Act-

- (a) The affidavit or a certified copy thereof is produced in evidence; and

(b) A newspaper is so produced bearing the same name as the newspaper mentioned in the affidavit, - it shall not be necessary to prove that the newspaper to which the proceedings relate was purchased at any house, shop, or office belonging to or occupied by the defendant or his servants, or where he or they severally carry on the business of printing and publishing, or where the newspaper is sold.

9. Names of printer and publisher of newspaper to be printed therein (1) At the end of every newspaper and of every supplement sheet thereof there shall be printed -

(a) The full name and place of business of its printer and publisher, or, where its printer or publisher is a company or an incorporated society, the place of the registered office of the company or society, as the case may be; and

(b) A true description of the place where the newspaper is printed and published respectively; and

(c) The day of the week, month, and year on which the newspaper is published.

(2) The omission of any of those particulars shall, in the absence of proof to the contrary, be evidence of wilful default on the part of any printer or publisher of the newspaper.

10. Discovery in case of defamation in newspaper - Where in any proceedings the plaintiff claims discovery of the name

of the printer or publisher of any newspaper or of any matter relating to the printing or publishing thereof, including any correspondences, written materials or other sources of information whatsoever, in order to enable him more effectually to bring or continue an action for damages on the ground of any defamatory statement therein concerning him, the defendant shall not be permitted to dispute that claim, but shall be compellable to make the discovery thereby required:

Provided that no discovery shall be used for any purpose in any proceeding other than that in and for the purposes of which the discovery is made.

11. Printer's name to be on every published work - (1)

Every person who prints any document for sale or distribution shall print in legible characters on the document, or, if the document has more than one leaf, on the first and last leaf of the document, his name and the name of the place (including the village and the street or road and the number, if any, in the street or road,) in which his usual place of business is situated.

(2) If the document is printed by a company or incorporated society, the place (including the village and the street or road and the number, if any, in the street or road) of the registered office of the company or society shall appear instead of the place of business of the printer.

12. Printer to keep record of employer's name - Every person who prints any document for or on behalf of any other

person (whether for reward or not) shall keep a copy of the document for 6 months after the date of the printing thereof, and shall write or print thereon the date on which the document was printed and the name and address of the person for or on whose behalf he has printed the document.

13. Exemptions from requirements as to marking and as to keeping record of employer's name - Nothing in section 11 or section 12 of this Act shall apply with respect to -

- (a) Any document printed by or on behalf of any Government Department or local authority; or
- (b) Any document containing only matter of a purely judicial, religious, social, professional, scientific, scholastic, commercial, business, advertising, trading, or sporting character; or
- (c) Any document which is wholly a catalogue or programme issued in respect of any exhibition, performance, game, or sport.

14. Arrest of persons distributing unauthenticated documents - Where any person sells or offers for sale, or distributes or offers to distribute, or leaves in any public place or otherwise exposed to public view, any document on which the name and address of the printer is not printed as required by section 11 of this Act or on which a fictitious or false name or address is printed, any constable in whose presence any such act is done, and who has reasonable grounds for suspecting that the distribution or publication of the documents constitutes an

offence against any other enactment, may apprehend him without warrant and take him, as soon as practicable, before a Judge to be dealt with according to law.

15. Offences in relation to registration of newspapers -

Every person commits an offence who -

- (a) Wilfully prints or publishes or sells or distributes any newspaper which is not for the time being registered under this Act or in respect of which the affidavit required by this Act has not been lodged either originally or as often as this Act requires; or
- (b) Signs any notice referred to in subsection (6) of section 4 of this Act which contains any statement which is false; or
- (c) Wilfully prints or publishes or sells or distributes any newspaper or supplement thereto whereon the particulars required by section 9 of this Act are not printed or whereon there are printed any such particulars which are false or which differ from the particulars in the affidavit lodged in respect of that newspaper.
- (d) Wilfully or deliberately destroys conceals or fails to produce any items required under section 10 of this Act.

16. Omission of printer's name - Every person commits an offence who -

- (a) Prints any document and omits to print therein his

name and address as required by section 11 of this Act or prints therein any fictitious or false name or address; or

- (b) Sells or offers for sale, or distributes or offers to distribute, or leaves in any public place or otherwise exposed to the public view, or assists any other person in so doing, any document on which the name and address of the printer are not printed as required by section 11 of this Act or on which a fictitious or false name or address is printed.

17. Printer not recording employer's name - Every person commits an offence who prints any document for or on behalf of any other person (whether for reward or not), being a document to which section 12 of this Act applies, and -

- (a) Neglects to keep a copy of the document for 6 months after the date on which it was printed; or
- (b) Neglects to write or print thereon the date on which the document was printed or the name or address of the person for or on whose behalf the document was printed; or
- (c) Writes or prints on the document any such particulars which are false or fictitious; or
- (d) Refuses or neglects to produce and show the copy to any constable who within 6 months after the date of the printing of the document requires to see it.

18. Penalty for offences - Every person who commits an

offence against this Act is liable on conviction to a fine not exceeding \$5000 or imprisonment for a term not exceeding 3 months.

SCHEDULE

Section 4(1)

Form 1

Affidavit for Registration of Newspaper

In the matter of the (Name) newspaper.

PURSUANT to the Newspapers and Printers Act 1992/1993, we A.B., C.D., E.F., and G.H., of (Place of abode and occupation) severally make oath and say as follows:

1. A.B. and C.D. propose to carry on the business of publishing a newspaper named the (Name), and are the proprietors thereof.

(Or, in the case of a company) (Name) Limited, of which A.B. is manager (or a director), proposes to carry on the business of publishing a newspaper named the (Name), and the said company is the proprietor thereof. The registered office of the company is at

(Or, in the case of an incorporated society) (Name) Incorporated, of which A.B. is an officer, proposes to carry on the business of publishing a newspaper named the (Name), and the said society is the proprietor thereof. The registered office of the society is at

2. The intended printer of the said newspaper is E.F. of

(Or, in the case of a company) The intended printer of the said newspaper is (Name) Limited of which E.F. is manager (or a director). The registered office of the company is at

(Or, in the case of an incorporated society) The intended printer of the said newspaper is (Name) Incorporated, of which E.F. is an officer. The registered office of the society is at

3. The intended editor of the said newspaper is G.H. of

4. The intended place of printing the said newspaper is at

5. The above-mentioned names, addresses, occupations, and descriptions of premises are the true and real names, addresses, and occupations of the several persons (and companies and societies) to whom and of the premises to which they respectively refer.

.....
.....
.....
.....

Severally sworn before me at
day of 199

this

A Solicitor (Registrar or Deputy Registrar) of the Supreme
Court of Western Samoa.

Form 2

Annual Notice as to Particulars in Affidavit for Registration
of Newspaper

To the Registrar of the Supreme Court:

In the matter of (Name) newspaper.

PURSUANT to the Newspapers and Printers Act
1992/1993, notice is hereby given that the particulars relating
to the publishers, printers, and editor and the place of printing
of the above-mentioned newspapers as specified in the
affidavit for registration thereof lodged on the day of
199 (as amended by the affidavit(s) lodged on the
day of 199) are true particulars as at this date.

Dated this day of 199

A.B., Publisher
(or, where the publisher is a company
or incorporated society).

A.B.
Manager (or Director or Officer) of (Name)
of company or society), Publisher

NUSIPEPA MA LE AU-LOLOMI NUSIPEPA

SAMOA I SISIFO

Faatulagaina o Aiaiga

- Igoa
- | | | | |
|-----|--|-----|---|
| 1. | Igoa Puupuu. | 11. | O le igoa o le Tagata o lo o lolomiina le nusipepa ina ia lolomiina i lomiga uma ua faia. |
| 2. | Faamatalaina o uiga o Upu. | 12. | Tagata e lolomiina nusipepa ina ia tausia faamaumauga o igoa o tagata e ona galuega. |
| 3. | Nusipepa e le i faamauina e le tatau ona lolomiina po o faasalalauina. | 13. | Tuusaunoaga mai manaoga e tusa ai ma le faailogaina ma le tausia o faamaumauga o igoa o tagata e ona galuega. |
| 4. | Faamauina o Nusipepa. | 14. | Pue faamalosia o tagata e rufatufaina atu pepa aloaia le faamaonia. |
| 5. | Faamatalaga Tauto o le le toe i ai o se sootaga ma se nusipepa e mafai ona tuuina atu. | 15. | Solitulafono e tusa ai ma le faamauina o nusipepa. |
| 6. | Faamatalaga Tauto e avea ma molimau maumaututu. | 16. | Le le tuuina i ai o le igoa o le Tagata Lolomi nusipepa. |
| 7. | Tusi Resitala ina ia faaavanoa i tagata lautele o le atunuu. | 17. | Tagata Lolomi nusipepa e le o faamaumauina igoa o tagata e ona galuega. |
| 8. | Faamaoniga o le faatauina mai o pepa ma le rufatufaina atu. | 18. | Faasalaga mo soligatulafono |
| 9. | Igoa o le tagata e lolomiina ma le tagata e faasalalauina lomiga o nusipepa ina ia lolomiina i totonu o le nusipepa. | | |
| 10. | Mauaina e tusa ai ma tulauga o faiga tau faalecaga i totonu o nusipepa. | | |

1992/1993, Nu. 25.

O SE TULAFONO e aiaia ai mo le faamauina o nusipepa ma le faailogaina o pepa aloaia ua lolomiina

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

1. **Igoa Puupuu** - e mafai ona taua leni Tulafono o le Tulafono o Nusipepa ma le Au Lolomi Nusipepa 1992/1993.

2. **Faamatalaina o uiga o Upu** - I totonu o leni Tulafono, ae vagana ai ua manaomia e le mataupu se isi uiga e ese mai ai -

"Pepa Aloaia" e aofia ai so o se tusi, tusi laiti, tusiata, lomiga faa-vaitaimi, tusi faitau, po o le toe faia

o mataupu ua uma ona lolomiina;

"Nusipepa" o lona uiga o so o se pepa o lo o i ai ni tala faasino i le atunuu po o vaaaiga aoao i le atunuu ua lolomiina mo le faatau atu po o le tufatufaina atu ma ua lolomiina i totonu o Samoa i Sisifo faavaaitaimi i le va e le sili atu i le 3 masina peitai e le o aofia ai so o se pepa o lo o aofia ai na o mataupu faapitoa i tulaga faa-pisinisi;

"Tagata Lolomi Nusipepa"; e tusa ai ma so o se pepa aloaia po o se nusipepa. o lona uiga o le tagata e ona le pisinisi o lo o lolomiina ai se pepa aloaia po o se nusipepa;

"Lolomiina" e aofia ai le faia o ni kopi o so o se faiga e faia ai ni kopi o se mea, pe lolomiina i se masini lomitusi, pueina o se ata, lomiga e faia i maa ma uamea, taina i pepa fai kopi, po o so o se isi lava mea, peitai e le aofia ai laau lomitusi; ma "ia lolomiina" o lo o i ai lona faauigaina e fesootai i ai.

"Nofoga faitele" o lo o i ai lona uiga tutusa e pei ona tuuina i ai i le fuaiupu 2 o le Tulafono o Soligatulafono Tau Leoleo 1961:

"Tagata e Lomia ma Faasalalauina" e tusa ai i so o se nusipepa, o lona uiga o le tagata e ona lea pisinisi.

3. Nusipepa e le i faamauina e le tatau ona lolomiina po o faasalalauina - E leai se tagata e tatau ona lolomiina ma faasalalauina so o se nusipepa vagana ai ua faamauina i le taimi nei i lalo o aiaiga o lenei Tulafono.

4. Faamauina o nusipepa - (1) A fai o so o se tagata ua manao e lolomiina se nusipepa e tatau ona ia tuuina atu i le Resitara o le Faamasinoga Maualuga se faamatalagfa tauto i le pepa 1 o lo o i lalo o le Faamatalaga i lenei Tulafono ua uma ona faia i ai le tautoga ma sainia e tagata taitoatasi ua faamoemoe o le avea ma tagata e faia lomiga ma faasalalau atu ma tagata lomi nusipepa ma faatonu o lea nusipepa.

(2) a fai o le tagata fai lomiga faasalalau po o le tagata lolomi nusipepa o se kamupani, o le faamatalaga tauto e tatau ona faatautoina ma sainia e avea ai ma sui o le kamupani e le pule po o se faatonu o sea kamupani.

(3) a fai o le tagata fai lomiga faasalalau po o le tagata lolomi nusipepa o se sosaiete tuufaatasia faale-tulafono, ole faamatalaga tauto e tatau ona faatautoina ma sainia e avea ai ma sui o le sosaiete se tagata ofisa o sea sosaiete.

(4) I le mauaina o le faamatalaga tauto, e tatau i le Resitara ona tuuina le igoa o le nusipepa i le tusi resitala, ma e tatau loa ona avea faapea ua uma ona faamauina.

(5) Pe a fai i so o se taimi ua tulai mai ai se suiga i so o se auiliiliga e pei ona faamatalaina i totonu o le faamatalaga tauto, e tatau ona toe faia se isi faamatalaga tauto ma sainia e pei ona taua muamua ma faamatala mai ai suiga e tatau ona tuuina atu e le tagata e faia lomiga faasalalau i le Resitara.

(6) A fai o se nusipepa ua uma ona faamauina i lalo o lenei Tulafono, e tatau i le tagata fai lomiga faasalalau, a o faagasolo le masina e sosoo ai o Ianuari ma a o faagasolo le masina o Ianuari i tausaga taitasi e mulimuli mai ai, ona

tuuina atu i le Resitara se faasilasilaga i le pepa 2 o lo o i totonu o le Faamatalaga i lenei Tulafono ua sainia e le tagata fai lomiga faasalalau po o, pe a fai o le tagata fai lomiga faasalalau o se kamupani po o se sosaiete tuufaatasia faale-tulafono, e le pule po o se faatonu o le kamupani po o se tagata ofisa o le sosaiete, po o se isi o ia mea.

(7) A fai o se faasilasilaga e pei ona faasinomia i ai le faafuaiupu (6) o lenei fuaiupu e le i tuuina atu i le Resitara i luma mai o le aso 1 o Fepuari i so o se tausaga, o le faamauina o le nusipepa i lalo o lenei Tulafono e tatau ona faamutaina lona faamamaluina i lenei aso, peitai e mafai ona toe faamauina le nusipepa i lalo o aiaiga o lenei fuaiupu.

5. Faamatalaga Tauto o le le toe i ai o se sootaga ma se nusipepa e mafai ona tuuina atu - So o se tagata o ia lea ua sainia se faamatalaga tauto i lalo o le fuaiupu 4 o lenei Tulafono e mafai ona tuuina atu i le Resitara se isi faamatalaga tauto e faamatalaina ai e faapea e le o toe i ai ni ona sootaga ma se nusipepa e tusa ai ma tulaga e pei ona faamatalaina i le faamatalaga tauto na uluai taua, ma e le tatau in luga o na o se mafuaaga o le uluai faamatalaga tauto e pei ona uluai taua ona avea e faapea e fesootai ma le nusipepa e tusa ai ma lenei tulaga.

6. Faamatalaga Tauto e avea ma molimau maumaututu - I le noatia ma le fai fuafua i aiaiga o le fuaiupu 5 o lenei Tulafono, o faamatalaga tauto uma ua tuuina atu i lalo o le fuaiupu 4 o lenei Tulafono e tatau, ae vagana ai ua toe suia e se isi faamatalaga tauto na tuuina mai i lalo o le faafuaiupu (5) o le fuaiupu 4 o lenei Tulafono, i tualumaga uma

tau le va o tagata po o soligatulafono faasino i le nusipepa po o so o se mea o lo o aofia i o le a avea ma molimau mau-maututu faasaga i tagata uma o lo o po o ia i latou o lo o avea ma sui e sainia faamatalaga o lo o taua i totonu iinei.

7. Tusi Resitala ina ia faaavanoa i tagata lautele o le atunuu - O le tusi resitala ma faamatalaga tauto ma faasilasila ua tuuina atu faasino i ai e tatau ona tatalaina e aunoa ma se tofogi mo suesuega a tagata lautele o le atunuu.

8. Faamaoniga o le faatauina mai o pepa ma le tufatufaina atu - A fai i so o se taualumaga tau le va o tagata po o soligatulafono faasino i so o se nusipepa po o so o se mea o lo o aofia ai faasaga i so o se tagata o lo o po o o lo o avea ma sui i se faamatalaga tauto ua uma ona tuuina atu e tusa ai ma le fuaiupu 4 o lenei Tulafono -

(a) O le faamatalaga tauto po o se kopi faamaonia o lea faamatalaga ua tuuina mai e avea ma molimau; ma

(b) O se nusipepa ua gaosia o lo o lolomiina ai le igoa lava e tasi e avea ai o se nusipepa e pei ona taua i totonu o le faamatalaga tauto, - e le alagatatau ona faamaonia e faapea o le nusipepa e pei ona faasino i ai ni taualumaga sa faatauina mai i so o se fale, faleoloa, po o se ofisa faasino i po o o lo o nofoia e le o lo o tetee po o sana auauna, po o pe a fai o ia po o ni tagata eseese ua faia se pisinisi o le lolomiina ma le faasalalauina, po o pe a fai ua uma ona faatauina le nusipepa.

9. Igoa o le tagata lolomi nusipepa ma le tagata fai lo-

miga faasalalau ina ia lolomiina i totonu o nusipepa - (1) I le faaiuga o nusipepa uma ma itulau faaopoopo uma o ia nusipepa e tatau ona lolomiina ai e faapea -

(a) Igoa atoa ma le nofoaga o le pisinisi o lana tagata lolomi nusipepa ma le tagata fai lomiga faasalalau, po o pe a fai o lana tagata lolomi nusipepa po o tagata fai lomiga faasalalau o se kamupani po o se sosaiete tuufaatasia faale-tulafono; le nofoaga o le ofisa faamauina a le kamupani po o le sosaiete, po o le a lava le tulaga e ono i ai; ma

(b) Se faamatalaga moni o le nofoaga o lo o lolomiina ai le nusipepa ma faasalalauina atu ai; ma

(c) Le aso o le vaiaso, masina, ma le tausaga na faasalalauina ai le nusipepa;

(2) O le le aofia ai o so o se mea o ia auililiga e tatau, i le leai o se faamaoniga e ese mai ai, ona avea ma molimau o le faia ma le loto i ai i le itu o so o se tagata lolomi nusipepa po o se tagata fai lomiga faasalalau o le nusipepa.

10. Mauaina e tusa ai ma tulaga tau faaleaga i totonu o nusipepa - A fai i so o se taualumaga o le ua tagi ua faia se talosaga e tusa ai ma le mauaina o le igoa o le tagata lolomi nusipepa po o le tagata fai lomiga faasalalau o so o se nusipepa po o so o se mataupu faasino i le lolomiina po o le faasalalauina o sea nusipepa, e aofia ai so o se tusitusiga, mea ua tusia po o nisi lava auala uma e tuuina atu ai pe faailoa ai ni faamatalaga po o o ni faaaliga ina ia mafai ai e ia ona faamalosia le faia po o le faaauau o se gaioiga mo ni mea

ua faaleagaina i luga o le mafuaaga o so o se faiga tau faaleaga o lo o i totonu o sea nusipepa e aafia ai o ia, o le ua tetee e le tatau ona faataga e fesiligia lena tagi, peitai e tatau ona faamalosia e tuuina mai mea ua mauaina e pei ona manaomia.

Ae vagana ai e faapea e leai se mea ua mauaina o le a tatau ona faaaga mo so o se faamoemoega i totonu o so o se taualumaga e ese mai ai na i lo lena ma mc faamoemoega na faia ai lea suesuega.

11. **O le Igoa o le Tagata lolomi nusipepa ina ia lolomiina i lomiga uma ua faia** - (1) O tagata uma o i latou ia e lolomiina so o se pepa aloaia mo le faatauina atu po o le tufatufaina e tatau o na lolomiina i ni faiga e faigofie ai ona faitau i luga ole pepa aloaia, po o, pe a fai o le pepa aloaia e sili atu na i lo le tasi le laupepa, i le itulau muamua ma le itulau mulimuli o le pepa aloaia, lona igoa ma le igoa o le nofoaga (e aafia ai le nuu ma le maga-ala po o le auala ma le fuainumera, pe a fai e i ai, i le maga-ala po o le auala) o lo o i ai le nofoaga masani o le pisinisi.

(2) A fai o le pepa aloaia ua lolomiina e se kamupani po o se sosaiete tuufaatasia faale-tulafono, le nofoaga (e aafia ai le nuu ma le maga-ala po o le auala ma le fuainumera, pe a fai e i ai, i le maga-ala po o le auala) o le ofisa faamauina a le kamupani po o le sosaiete e tatau ona faaalua na i lo le nofoaga o le pisinisi a le tagata lolomi nusipepa.

12. **Tagata lolomi nusipepa ina ia tausia faamaumauga o igoa o tagata e ona galuega** - O tagata uma o i latou ia e lolomiina so o se pepa aloaia mo po o e avea ai ma sui o so

o se iai tagata (pe mo se tau'i po o le leai foi) e tatau ona tausia se kopi o le pepa aloaia mo le 6 masina ina ua tuana'i le aso na lolomiina ai lea pepa, ma e tatau ona tusia ai po o le tusia i totonu o ia faamaumauga le aso na lolomiina ai le pepa aloaia ma le igoa ma le t uatusi o le tagata na avea ai o ia ma sui e lolomiina le pepa aloaia.

13. Tuusaunoaga mai manaoga e tusa ai ma le faailoga-ina ma le tausia o faamaumauga o igoa o tagata e ona galuega - E leai se mea i totonu o le fuaiupu 11 po o le fuaiupu 12 o lenei Tulafono e tatau ona faaoga e tusa ai i -

(a) So o se pepa aloaia ua lolomiina e po o e avea ai ma sui o so o se Matagaluega a le Malo po o pulega i totonu o le atunuu; po o

(b) So o se pepa aloaia o lo o aofia ai na o mataupu faasino i mea tau faamasinoga, tau lotu, va fealoai, poto faapitoa, faa-saienisi, tau aoaoga, fefaatauaiga faa-pisinisi, pisinisi faasalalauga faatosina, fefaatauaiga, po o tagata taaalo; po o

(c) So o se pepa aloaia o se lisi atoa o ni igoa ma isi mea faatulagaina po o polokalame ua tuuina atu e tusa ai i so o se faaaliga, gaoioiga, taaloga faatauva, po o taaloga.

14. Pue faamalosia o tagata e tufatufaina atu pepa aloaia le faamaonia - A fai o so o se tagata e faatauina atu po o le ofoina atu mo le faatauina atu, po o le tufatufaina po o le ofoina atu e tufatufaina, po o tuuina i so o se nofoaga faitele po o i so o se isi tulaga e faailoa atu ai i le vaai a tagata lautele, so o se pepa aloaia e faapea e le o lolomiina

ai le igoa ma le tuatusi o le tagata e lolomiina nusipepa e
 pei ona manaomia e le fuaiupu 11 o lenei Tulafono po o e
 faapea o lo o lolomiina ai se igoa pepelo po o se igoa sese po
 o le tuatusi ua lolomiina, so o se leoleo o lo o auai ai i le
 mea o lo o faia ai e sea tagata so o se gaioiga faapea, ma
 o ia lea ua i ai ni mafuaaga talafeagai e masalomia ai e
 faapea o le tufatufaina atu po o le faasalalauina o ia pepa
 aloaia ua faia ai se solitulafono faasaga i so o se isi
 Tulafono, e mafai ona taofia sea tagata e aunoa ma se tusi
 faamaoni ma aveina o ia, i le taimi lava e mafai ai, i luma
 o se Faamasino e tagofia ai lea tulaga e tusa ai ma le
 tulafono.

15. Solitulafono faasino i le faamauina o nusipepa - O
 tagata uma ua faia se solitulafono o i latou ia ua -

(a) Faia ma le loto i ai le lolomiina po o le faasalalauina
 o so o se nusipepa e le o faamauina i le taimi nei
 i lalo o lenei Tulafono po o e tusa ai ma le faa-
 matalaga tauto e pei ona manaomia e lenei Tula-
 fono e le i tuuina atu pe i le faiga masani po o
 e pei ona o le a manaomia so o e lenei Tulafono;
 po o

(b) Saini i so o se faasilasilaga e pei ona faasinomia i ai
 le faafu'aiupu (6) o le fuaiupu 4 o lenei Tulafono
 o lo o aofia ai so o se faamatalaga sese; po o

(c) Faia ma le loto i ai le lolomiina po o le faasalalauina
 po o le faatau atu po o le tufatufaina atu o so o
 se nusipepa po o ni faaopoopoga i sea nusipepa e
 le o lolomiina ai auiliiliga e pei ona manaomia e

le fuaiupu 9 o leni Tulafono po o o lo o lolomiina ai so o sea auiliiliga i se tulaga sese po o e faapea e escese mai i auiliiliga o lo o i totonu o le faamatalaga tauto na tuuina atu e tusa ai ma lena nusipepa.

- (d) Faia ma le loto i ai po o le faia i luga o se talitonuga mau tu le faatamaia, faaliloina po o le le tuuina atu o so o se mea ua manaomia i lalo o le fuaiupu 10 o leni Tulafono.

16. Le le tuuina i ai o le igoa o le tagata lolomi nusipepa

- O tagata uma ua faia se solitulafono o i latou ia ua -

- (a) Lolomiina so o se pepa aloaia ma ua le lolomiina ai i sea pepa lona igoa ma le tuatusi e pei ona manaomia e le fuaiupu 11 o leni Tulafono po o le lolomiina i lea pepa o so o se igoa pepelo po o tuatusi; po o

- (b) Faatau atu po o le ofoina atu mo le faatauina atu, po o le tufatufaina po o le ofoina atu e tufatufaina, po o le tuuina i so o se nofoaga faitele po o i se faiga e ese mai ai e faailoa atu ai i le vaaiga a tagata lautele, po o fesoasoani i so o se isi tagata i le faia o ia mea, so o se pepa aloaia e le o lolomiina ai le igoa ma le tuatusi a le tagata lolomiina nusipepa e pei ona manaomia e le fuaiupu 11 o leni Tulafono po o o lo o lolomiina ai le igoa sese po o le igoa pepelo po o le tuatusi.

17. Tagata e lolomiina nusipepa e le o faamaumuina igoa o tagata e ona galuega - O tagata uma ua faia se soli-

tulafono o i latou ia ua lolomiina so o se pepa aloaia mo po o e avea ai ma sui o so o se isi tagata (pe mo se tau'i po o le leai foi), e faapea o se pepa aloaia e faa'oga i ai le fuaiupu 12 o lenei Tulafono, ma -

- (a) Faatamala e tausia se kopi o le pepa aloaia mo le 6 masina ina ua tu'ana'i le aso na lolomiina ai; po o
- (b) Faatamala e tusia po o le lolomiina i luga o sea pepa aloaia le aso na lolomiina ai lea pepa aloaia 'po o le igoa po o le tuatusi o le tagata mo po o na avea ai o ia ma sui e lolomiina le pepa aloaia; po o
- (c) Tusia po o le lolomiina i luga o le pepa aloaia so o se au'ililiga pepelo po o e le moni; po o
- (d) Teena po o le faatamala e tuuina atu ma faa'ali atu se kopi i so o se leoleo o ia lea i totonu o le 6 masina ina ua tu'ana'i le aso o le lolomiina o le pepa aloaia e manaomia ina ia va'ai i ai.

18. Faasalaga mo solitulafono - O tagata uma o i latou ia ua faia se solitulafono faasaga i lenei Tulafono o le a noatia i luga o se moliaga i se sala e le sili atu i le \$5000.

FAAMATALAGA

Fuaiupu 4(1)

Pepa 1

Faamatalaga Tauto mo le Faamauina o Nusipepa

I le mataupu e uiga i le (Igoa) o le nusipepa. INA IA TUSA AI ma le Tulafono o Nusipepa ma Le Au Lolomi Nusipepa 1992/1993, o i matou o A,B,C,D,E,F, ma G,H, o (Nofoaga e nofo'omu ai ma le galuega) ua matou faia tai-toatasi tautoga ma tautino atu e faapea:

1. O A.E. ma C.D. ua fuafua e tauaveina le pisinisi o lolomiina o se nusipepa ua faaigoaina o le (igoa), ma o i

matou e ona lea pisinisi.

(Po o, pe a fai o se kamupani) (Igoa) Faatapulaaina, lea ua avea ai A.B ma pule (po o se faatonu), ua fuafuaina e tauaveina le pisinisi o le lolomiina o se nusipepa ua faaigoaina (Igoa), ma o le kamupani ua taua e umia e i matou. O le ofisa faamauina o le kamupani o lo o i (Po o, pe a fai o se sosaiete tuufaatasia)(Igoa) ua tuufaatasia, lea ua avea ai A.B. o se tagata ofisa, ua fuafuaina e tauaveina le pisinisi o le lolomiina o se nusipepa ua faaigoaina (Igoa), ma o le sosaiete ua taua e umia e i matou. O le ofisa faamauina o le sosaiete o lo o i

2. O le tagata ua faamoemoe e lolomiina le nusipepa ua taua o E.F. o

(Po o, pe a fai o se kamupani) O le tagata ua faamoemoe e lolomiina le nusipepa ua taua o (Igoa) Faatapulaaina lea ua avea ai E.F ma pule (po o se faatonu). O le ofisa faamauina o le kamupani o lo o i

(Po o, pe a fai o se sosaiete tuufaatasia faale-tulafono) O le tagata ua faamoemoe e lolomiina le nusipepa ua taua o (Igoa) Tuufaatasia, lea ua avea ai E.F. o se tagata ofisa. O le ofisa faamauina o le sosaiete o lo o i

3. O le tagata ua faamoemoe e avea ma faatonu o le nusipepa ua taua o G.H. o

4. O le nofoaga ua faamoemoe e lolomi ai le nusipepa ua taua e i

5. O igoa ua taua i luga, tuatusi, galuega, ma faamatalaga o nofoaga e moni ma o igoa sao foi ia o ia tagata, tuatusi, ma galuega o tagata taitoatasi (ma kamupani ma sosaiete) o i latou ia ma nofoaga taitasi o lo o faasino i ai.

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Tauto taitoatasi i ou luma i lenei aso o 199

Loia (Resitara po o Sui Resitara) o le Faamasinoga Sili o Samoa i Sisifo.

Pepa 2

**Faasilasilaga Faale-tausaga e tusa ai ma Auiliiliga
i Faamatalaga Tauto mo le Faamauina o Nusipepa**

I le Resitara o le Faamasinoga Maualuga:

I le mataupu e tusa ai ma le (Igoa) nusipepa

INA IA TUSA AI ma le Tulafono o Nusipepa ma le Au Lolomi Nusipepa 1992/1993, ua tuuina atu nei le faasilasilaga e faapea o auiliiliga faasino i tagata fai lomiga mo le faasalalauina atu, tagata e lolomiina nusipepa, ma faatonu ma le nofoaga e lolomiina ai a le nusipepa ua taua i luga e pei ona faamatalaina i le faamatalaga tauto mo le faamauina na tuuina atu i le aso o 199 (e pei ona teuteuina e le faamatalaga tauto na tuuina at u i le aso o 199) o auiliiliga moni e pei ona i ai i lenei aso.

Faia i lenei aso o 199 .

A.B Lomiga Faasalalau

(po o, pe a fai o le tagata e faia lomiga faasalalau o se kamupani, po o se sosaiete tuufaatasia faale-tulafono).

A.B.

Pule (poo Faatonu o le Ofisa) o (Igoa) o le kamupani po o sosaiete), Lomiga faasalalau.