

THE ORDINANCES AMENDMENT ORDINANCE, 1934.

Western Samoa

No. 3, 1934



AN ORDINANCE

made by the Administrator of the Territory of Western Samoa with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Act 1921.

*Short Title.*

1. This Ordinance may be cited as "The Ordinances Amendment Ordinance, 1934."

*General Laws Ordinance 1931.*

2. The General Laws Ordinance 1931, is hereby amended:

(a) by adding the following Subsections after Subsection (3) of Section 3.

General  
Laws Ord.  
inance, 1931.

4. (a) An unlawful assembly is an assembly of three or more persons who, with intent to carry out any common purpose, assemble in such a manner, or so conduct themselves when assembled, as to cause persons in the neighbourhood of such an assembly to fear, on reasonable grounds, that the persons so assembled will disturb the peace tumultuously, or will, by such assembly needlessly and without any reasonable occasion provoke other persons to disturb the peace tumultuously.
- (b) Persons lawfully assembled may become an unlawful assembly if they, with a common purpose conduct themselves in such a manner that their assembling would have been unlawful if they had assembled in that manner for that purpose.
- (c) An assembly of three or more persons for the purpose of protecting the house of any one of their number against persons threatening to break and

- enter such house in order to commit any offence therein is not unlawful.
- (d) Every member of an unlawful assembly is liable to imprisonment for one year.
- (5) Every person who secretes himself and goes to sea in a ship without the consent of the owner master mate or purser of the ship or of any other person entitled to give that consent is liable to imprisonment for six months.
- (6) Every person commits an offence and is liable to a fine of £5 who permits any horse, bull, cow, pig or other animal to be tethered whether the same be tethered on private property or otherwise in such a manner that the animal so tethered is enabled to encroach on any public road or public place.
- (7) Every person commits an offence and is liable to a fine of £5 who permits any horse to be on any public road or public place unless such horse is being driven in a conveyance ridden or led.
- (b) By omitting the word "first" in paragraph (a) of Sub-section 10 of Section 23 and substituting therefor the word "second"
- (c) By adding the words "or part thereof" after the words "sustenance fees per diem" in the the third column of the second schedule.
- (d) By omitting the word "fourteen" in Subsection II. of Section 23 and substituting therefor the word "seven."

*Dog Registration Ordinance, 1923.*

Dog Registration Ordinance, 1923.

3. The Dog Registration Ordinance, 1923, is hereby amended as follows:—

- (1) By deleting Subsection (2) of Section 3 and substituting the following—
- (2) The Registering Officers shall be
- The Inspector of Police,
  - The Resident Commissioner of Savai'i.
  - All District Officers duly appointed under the provisions of "The Native Regulations (Samoa Amendment Order, 1929)."
  - All Pulenu'u for the time being holding office by appointment of the Administrator.
  - Such fit and proper persons as may be lawfully appointed registering officers.
- (2) By deleting Section 5 and substituting the following:—
- (5) The fee to be paid for registration shall be 2/- for every male dog and 4/- for every female dog if paid within one month of the day on which it should be paid. After the expiry of such month the fee shall be 4/- and 8/- respectively.

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Dog Registration Ordinance, 1923.

any of an offence and shall be liable to imprisonment  
 following sections thereto:—  
 ing and Peddling Goods:  
 amean (or any other person duly licensed in  
 mafter provided) may peddle  
 in Samoa;  
 d shell fish caught in or near to any water i  
 the territorial limits of Samoa;  
 rios and artifacts of the Samoan people  
 shall be entitled by virtue of the pro

- (3) By adding the words "or such fit and proper persons as may be lawfully appointed registering officers" after the word "Constabulary" and before the word "may" in the second line of Section 6.
- (4) By deleting Section 17 and substituting therefor:  
"17 Each Pulepu'u and each person appointed a registering officer under the provisions of paragraph (c) of subsection (2) of section 3 hereof shall be entitled to payment from the Treasury of one half of all dog registration fees collected by him and received by the Treasurer."

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*Port Control Ordinance, 1932.*

Port Control Ordinance, 1932.

- 4. "The Port Control Ordinance, 1932," is hereby amended
  - (a) By deleting the words "the sum of 10/- plus 1/- for each passenger authorised to be carried" where they appear in the third column of item No. 2 in the first schedule and substituting the words "the sum of 5/-".
  - (b) By deleting the words "rowing boat and" where they occur in the second column of item No. 18 in the third schedule.
  - (c) By adding the following item to follow item No. 22 in the third schedule:  
"23 Survey and issue of Certificate of Survey for each rowing boat 5/-."

*Shopping Hours Ordinance, 1931.*

Shopping Hours Ordinance, 1931

- 5. "The Shopping Hours Ordinance, 1931", is hereby amended
  - (a) By adding the following paragraph after paragraph (b) of Subsection (2) of Section 3—  
"or  
(c) the occupier or any of his assistants sells or attempts to sell or delivers or attempts to deliver any goods Provided that a shop shall not be deemed to be open merely by reason of the fact that goods sold during regular working hours are delivered to customers away from the shop within half an hour after regular working hours."
  - (b) By adding the words "(iv) a photographer or" to paragraph (b) of Subsection (1) of Section 4.
  - (c) By deleting Subsection (2) of Section 4 and substituting therefor  
"(2) Notwithstanding anything contained in this Ordinance it shall be lawful to open or keep open between the hours of 5 a.m. and 12.30 p.m. and 2 p.m. and 7 p.m. on any day other than Sunday any shop wherein is carried on only the business of

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- (a) a baker when conducted in premises used exclusively for a bakery or for the sale of bread and perishable baked goods or
- (b) a butcher, fishmonger or fruiterer when conducted in premises used exclusively for the sale of fresh meat, fresh fish or fresh fruit or
- (c) a tobacconist in premises wherein is sold only tobacco, cigars and cigarettes."

*Coroners Ordinance, 1921.*

The Coroners  
Ordinance,  
1921.

6. "The Coroners Ordinance, 1921," is hereby amended by adding the following Sections after Section 12 thereof:

## View of Body not Necessary.

"13. The jurisdiction of a Judge or a Commissioner of the High Court to enquire into the manner of the death of any person who is killed or drowned or who dies suddenly or in prison or as a mental defective in any institution and whose body is lying dead may be exercised whether or not on view of the body."

## Retrospective Effect.

"14. The provisions of the last preceding Section hereof shall be deemed to have been in force since the 12th day of October, 1921, the day on which the "Coroners Ordinance, 1921," came into operation.

Labour Ord-  
inance, 1933.

*Labour Ordinance, 1933.*

7. (1) Paragraph 24 of the schedule to "The Labour Ordinance, 1933," is hereby amended by deleting the words "two shillings" and substituting therefor the words "one shilling and ninepence" and by adding after the word 'day' "or such sum as shall be specified and agreed upon at the time the labourer embarks for Western Samoa and as shall be notified in the Western Samoa Gazette."

(2) This amendment shall be deemed to have been made as on 4th July, 1934.

Copra Ord-  
inance, 1929.

*Copra Ordinance, 1929.*

8. ~~"The Copra Ordinance, 1929," is hereby amended:~~
- (a) By deleting the words "Director of Agriculture" in the first line and the words "such Director" in the third line of subsection (2) of Section 4 and substituting therefor the word "Administrator" in the first line and the words "the Administrator" in the third line thereof.
- (b) By deleting the words "Director of Agriculture" in the fourth line and the words "such Director" in the seventh line of Section 5 and substituting therefor the word "Ad-

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administrator" in the fourth line and the words "the Administrator" in the seventh line thereof.

(c) By deleting Subsections (2) and (3) of Section 16 and substituting therefor the following:

(2) buys or weighs with a view to buying or sells or offers for sale or gives or takes delivery of or keeps in baskets sacks or bags or heaped in bulk or puts or receives into any place used for the buying or storing of copra or loads into any vessel or mixes with dried copra any copra not dry or any copra which is sweating or fermenting or rotting or any copra which has been made from immature nuts or any copra mixed with sand stones shell or other foreign substance, is guilty of an offence and liable to a fine not exceeding fifty pounds provided that nothing in this Clause shall operate to impose a penalty on any person who receives in Apia copra not dry from any vessel and who deposits or dumps such copra in his shed while awaiting inspection.

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(d) By deleting the words "Director of Agriculture" in the first line of Section 18 and substituting therefor the word "Administrator".

Assented to this sixth day of December 1934.

H. HART,  
Administrator.

By Authority of  
GEORGE WILLIAM GRIFFITH, at the Herald Office  
Apia, Western Samoa.

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