

Examined and Certified *Malama*  
Clerk of the Legislative Assembly

The Head of State Assents this...*17th* day of  
*December* 19*91*.

*Malietoa Tanumafili II*  
HEAD OF STATE

# ROBERT LOUIS STEVENSON FOUNDATION

## WESTERN SAMOA

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1991 No. 19

AN ACT to promote the honouring of the memory of Robert Louis Stevenson known to the people of Western Samoa as "Tusitala" and to give recognition to and assist by the granting of a lease and other privileges the work of a body corporate known as the Robert Louis Stevenson Museum/Preservation Foundation Incorporated and for matters incidental thereto

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

1. **Short Title** - (1) This Act may be cited as the Robert Louis Stevenson Foundation Act 1991.

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

"Act" includes Ordinance;

"Approved object" means an object or purpose described in section 5 of this Act:

"Cabinet" means the Cabinet of the Independent State of Western Samoa:

"Director" means a person who performs the duties of a director or a member of the Board of the Foundation by whatever name known;

"Expatriate employee" means a person who is not a Western Samoan citizen and who has entered into and remains in Western Samoa solely for the purposes of employment by the Foundation:

"Fiscal year" means the period of time commencing on the first day of July in any year and ending on the last day of June next following; or any alternative period of time previously approved in writing by the Minister of Education;

"Foundation" means the Robert Louis Stevenson Museum/Preservation Foundation Inc, a body incorporated in and under the laws of the State of Arizona in the United States of America; and includes any successor to that body which the Head of State acting on the advice of Cabinet by Order recognises as such successor:

"Pecuniary Gain" in relation to a member of the Foundation includes any benefit which that member is or may be entitled to obtain by way of division of the property of the Foundation or any part thereof amongst the members of the Foundation or any of them upon the dissolution of the Foundation but does not include the refund to that member of any payment made by that member to the Foundation:

3. Conditions attaching to benefits rights and privileges afforded to Foundation :- (1)

The provisions of sections 5, 6, 7, 8, 12 and 13 of this Act shall apply to the Foundation only so long as the Foundation satisfies and continues to satisfy the following conditions:-

- (a) That it is a body corporate (whether incorporated in the United States of America or elsewhere) and its members are not associated for pecuniary gain.
- (b) That it provides in its Articles or other document under which it is constituted for at least two fifths of its directors to be appointed by the Head of State of Western Samoa with provision for alternates of those Directors to be appointed by the Head of State.
- (c) That it is carrying out and performing any of the objects set out in paragraph (a) or paragraph (b) of section 4 of this Act;

Provided that the Head of State on the advice of Cabinet may for the purposes of this section by Order substitute some other approved object or objects in lieu of the objects referred to in either or both of the aforesaid paragraphs (a) and (b) of section 4.

- (2) The members of the Foundation shall not be deemed to be associated for pecuniary gain merely by reason of the following circumstances, namely:
  - (a) That the Foundation itself makes a pecuniary gain unless that gain or some part thereof is divided among or received by the members or some of them, or unless the members of the foundation or some of them are entitled to divide between them or receive the property of the Foundation or part thereof on its dissolution.
  - (b) That any member of the Foundation derives pecuniary gain from the society by way of salary as a servant or officer of the Foundation.
  - (c) That any member of the Foundation derives from the Foundation any pecuniary gain to which he would be equally entitled if he were not a

member of the Foundation.

4. **Approved objects of Foundation** - For the purposes of this Act the approved objects of the Foundation are :-

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- (a) The restoration, maintenance, and preservation as part of the heritage of Western Samoa, of the residence at Vailima once occupied as a home by Robert Louis Stevenson together with the grounds appurtenant thereto which residence and grounds are more particularly described in the schedule to this Act;
  - (b) The raising of funds for the purposes set out in paragraph (a) of this section;
  - (c) The preservation of the tomb of Robert Louis Stevenson as a national monument of Western Samoa;
  - (d) The renovation of any building of historical significance in Western Samoa;
  - (e) The establishment, maintenance and management of a museum in Western Samoa;
  - (f) The establishment maintenance and management or the assistance in the establishment maintenance and management of any, track, walkway, green way or park in Western Samoa;
  - (g) The raising of funds for any approved object;
  - (h) The making of any gift or loan to the government, or to any person for any charitable purpose approved by Cabinet.
  - (i) The carrying on of any other activity which the Head of State acting on the advice of Cabinet may by Order declare to be an approved object.

5. **Power to lease** - (1) Notwithstanding the provisions of the Land and Environment Act 1989 or the National Parks and Reserves Act 1974 but subject to subsection (3) of this

section the Minister of Lands and Environment is hereby empowered to lease to the Foundation all or any part or parts of the land described in the schedule to this Act for the purposes of those approved objects of the Foundation which are set out in paragraph (a) of section 4 of this Act (together with such other purposes as may be ancillary thereto) for a term of 20 years at such annual rental (whether nominal or otherwise) as may be agreed upon by the Minister and the Foundation and otherwise subject to such covenants, conditions and stipulations as may from time to time be agreed upon between the Minister of Lands and Environment (after he has consulted with the Minister of Education) and the Foundation, with two rights of renewal each for terms of 20 years at annual rentals (whether nominal or otherwise) to be determined in accordance with the provisions in that regard contained in the lease and otherwise subject to the same covenants conditions and stipulations as are contained in the lease.

(2) Nothing in the section shall give the Minister of Lands and Environment power to lease any land referred to in the Stevenson Memorial Reserve and Mount Vaea Reserve Ordinance 1958.

6. **Relief from Customs duty and Excise Tax** - (1) Subject to section 3 of this Act and to the conditions referred to in subsection (2) of this section, the Foundation shall be entitled to import into Western Samoa, free of customs duty and excise tax, or to purchase in Western Samoa with benefit of refund of customs duty and excise tax any or all of the following items which it satisfies the Comptroller of Customs are necessary or desirable for the furtherance of any of the approved objects of the Foundation:-

- (a) Building materials plant vehicles machinery tools and other apparatus and equipment;
- (b) Furniture furnishings antiquities, books and artifacts;
- (c) Memorabilia relating to or associated with Robert Louis Stevenson;
- (d) Office equipment, books and stationery.

(2) The following conditions shall apply to all items to which either of the benefits referred to in subsection (1) of this section attach:-

(a) Each item is to be used for a period of not less than 5 years from the relevant date solely or principally in the furtherance of the approved object or approved objects for which it was imported. If any item is not so used customs duty and excise tax shall be assessed in accordance with paragraph (c) of this subsection at the date upon which it ceases to be so used, and such duty shall be paid by the Foundation forthwith upon assessment.

(b) No item shall be sold or disposed of within a period of 5 years from the relevant date, unless there is paid at the time of sale or disposal, customs duty and excise tax assessed in accordance with paragraph (c) of this subsection

(c) Where customs duty or excise tax is assessed for the purposes of paragraph (a) or paragraph (b) of this subsection, such duty or tax shall be assessed at the normal rate applicable to such item at the relevant date, but rebated in the proportion that the period of time from the relevant date to the date of assessment bears to the period of five years.

(3) For the purposes of subsection (2) of this section the relevant date, in the case of any item imported by the Foundation, is the date of that importation, and in the case of any item acquired by the Foundation with benefit of refund of customs duty, or excise tax is the date of that acquisition.

7. **Exemption from Income Tax** - Subject to the provisions of section 3 of this Act the income of the Foundation shall be wholly exempt from income tax.

8. **Other taxes etc.** Subject to the provisions of section 3 of this Act the Foundation shall be exempt from the following taxes fees and duties :-

(a) Any fee for any licence which it may be obliged to obtain pursuant to the Business License Ordinance 1960;

(b) Stamp duty on any lease or renewal thereof granted pursuant to section 5 of this Act;

9. **Taxation of expatriate employees** - Whenever the provisions of section 7 of this Act apply to the Foundation the overseas income of an expatriate employee together with income derived by him as an employee of the Foundation shall be exempt from income tax.

10. **Customs concessions for expatriate employees** - The Minister of Finance may in his discretion extend to any expatriate employee of the Foundation all or any of the benefits and privileges relating to customs duty and excise tax which may then be applicable to expatriate Government contract employees.

11. **Annual Report** - So long as section 12 of this Act applies to the Foundation, the Foundation shall submit to the Minister of Education once in each calendar year a report in writing of the conduct and progress of the activities of the Foundation during the fiscal year immediately preceding the submission of the report together with the annual accounts for that year and a copy of this Report shall be laid by the Minister before the Legislative Assembly if the Assembly is then in session, but if not, within 7 days after the commencement of the next ensuing session.

12. **Foundation a Charitable Trust** - Subject to section 3 of this Act the Foundation shall for all purposes be deemed to be Charitable Trust as fully and effectually as if it were a Trust Board registered under the Charitable Trusts Act 1965.

13. **Setting up period** - For a period of twelve months from the date of the

commencement of this Act the Foundation shall be deemed to be carrying out and performing the approved objects set out in paragraphs (a) and (b) of section 4 of this Act notwithstanding that it may not in fact have commenced to carry out and perform those objects.

14. **Savings** - Nothing in this Act shall be held to relieve the Foundation or any expatriate employee for any period from liability to pay -

(a) Any levy payable under the Accident Compensation Act 1989;

(b) Any motor vehicle licence or registration fees which may be payable under the Road Traffic Ordinance 1960;

(c) Any hospital, medical, pharmaceutical, nursing, first aid, or other fees or charges which may be payable pursuant to the Health Ordinance 1959;

(d) Any radio communication, postage, telephone, private box, parcels clearance, registration of code address or other fees or charges which may be payable pursuant to the Post Office Act 1972;

(e) Any other fee or charge which may be payable pursuant to any other law for the time being of Western Samoa as a payment for a service rendered; or

(f) Any tax, duty, assessment or impost levied or imposed by the Government

other than those specified in sections 7, 8 and 9 of this Act or to the extent permitted pursuant to sections 10 or 11 of this Act.

15. **Administration of Act** - This Act shall be administered in the Department of Education.

16. **Appointment of Samoan Directors** - Every appointment of a Director or his alternate which is made by the Head of State of Western Samoa shall be made by the Head of State acting on the advice of Cabinet, by Order, and any appointment so made may at any time



be revoked in like manner.

#### SCHEDULE

All that piece of parcel of land containing an area of seventeen acres three roods and twenty four point five perches (17a - 3r - 24.5p) more or less situated at Vailima near Apia in the District of Tuamasaga described as Parcel 118/84 Flur VIII Upolu being part of the land registered in Volume 1 Folio 121 of the Land Register of Western Samoa as the same is shown on Grundburch Band IV Blatt 415 & Plan 1193L and Cadastral sheet 28 kept in the office of the Director of Lands, Apia.

FAAVAE O LE FAALAPOTOPOTOGA A ROBERT  
LOUIS STEVENSON

SAMOA I SISIFO

Faatulagaina o Aiaiga

- Igoa
1. Igoa Puupuu
  2. Faanatalaina o Uiga o Upu
  3. Tuutuuga aiaia i faamanuiaga  
aia tatau ma tulaga aloaia
  4. Sini Autu ua faamaonia a le Faalapotopotoga
  5. Pule e lisiina ai
  6. Tuusaunoaga mai tiute na Lafoga o Oloa Gaosia  
i Totonu o le Atunuu
  7. Tuusaunoaga mai Lafoga o Tupe Maua
  8. Isi Lafoga ma isi mea
  9. Lafoga a Tagata Faigaluega mai Fafu
  10. Faanagaloga o Tiute Mo Tagata Faigaluega mai  
Fafu
  11. Lipoti Faale-Tausaga
  12. Faalapotopotoga ia avea o se Mea Tausi Faa-Mealofa
  13. Vaitaimi e Faatulagaina ai
  14. Mea e Faasaoina
  15. Tauaveina o le Tulafono
  16. Tofiga o Faatonu Samoa

Faanatalaga

1991 Nu. 19

O SE TULAFONO e siitia ai tulaga mamalu e manatua ai  
Robert Louis Stevenson po o "Tusitala" e pei ona lau silafia  
ai o ia e Tagata o Samoa i Sisifo ma tuuina i ai tulaga aloaia

ma fesoasoani i le faamatuuina atu i ai o se lisi ma nisi lava tulaga aloaia i galuega a se faalapotopotoga e faamauina faaletulafono ua taua o le Faalapotopotoga Tuufaatasia Faale-Tulafono o le Fale Mataaga/Faasaoina o tusitusiga ma isi mea totino ma mo nisi mataupu e ono aliai mai e faasino i ai.

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

1. Igoa Puupuu - E mafai ona taua lenei Tulafono o le Tulafono o le Faavae o le Faalapotopotoga a Robert Louis Stevenson 1991.

2. Faamatalaina o uiga o upu - I totonu o lenei Tulafono ae vagana ai ua manaomia e le faaupuga nisi uiga e ese mai ai, -

"Tulafono" e aofia ai ma tulafono na pasia ae lei Tutoatasi le Malo o Samoa i Sisifo;

"Sini Faamaonia" o lona uiga o se sini po o se faamoemoega e pei ona faamatalaina i totonu o le fuaiupu 5 o lenei Tulafono;

"Kapeneta" o lona uiga o le kapeneta a le Malo Tutoatasi o Samoa i Sisifo;

"Faatonu" o lona uiga o se tagata o ia lea ua faatinoina tiute a se Faatonu po o se sui o le Komiti Faatino a le Faalapotopotoga i so o se igoa ua lausilafia ai o ia;

"Tagata Faigaluega mai Fafu" o lona uiga o se tagata o ia lea e le o se tagatanuu o Samoa i Sisifo ma o ia lea ua ulufale i totonu ma tumau ai i totonu o Samoa i Sisifo mo na o ni faamoemoega e faafaigaluegaina e le Faalapotopotoga;

"Tausaga Faale-Tupe" o lona uiga o le vaitaimi e amata i le aso muamua o Iulai i so o se tausaga ma faaiuina i le aso faaiu o Iuni o le tausaga e sosoo ai; po o so o se isi vaitaimi fuafuaina na uluai faamaonia e le Minisita i luga o se tusitusiga;

"Faavae o le Faalapotopotoga" o lona uiga o le Faavae le Faalapotopotoga ua Tuufaatasia Faale-Tulafono o le Fale Mataaga/Faasaoina o faamaumauga, tusitusiga ma meatotino a Robert Louis Stevenson, o se faalapotopotoga ua tuufaatasia Faale-Tulafono i totonu ma e tusa ai ma tulafono a le Setete o Arizona i totonu o le Iunaite Setete o Amerika; ma e aofia ai so o se tagata e aia i lena faalapotopotoga ua poloia e le Ao o le Malo lona aloaia i le faia i luga o le fautuaga a le Kapeneta;

"Tupe Maua Mama" e faasino i se sui o le Faalapotopotoga e aofia ai so o se faamanuiaga e aia po o e mafai ona aia i ai lea sui e mauaina i luga o se vaeveaga o se meatotino a le Faalapotopotoga po o so o se vaega o lea meatotino e vaevaeina i sui o le Faalapotopotoga po o so o se isi o i latou ia i luga o le faamaapeina o le Faalapotopotoga ae le aofia ai le

toe totogiina atu i lena sui o so o se totogi na faia e lena sui i le Faalapotopotoga.

3. Tuutuuga aiaia i faamanuiaga, aia tatau

ma tulaga aloaia - (1) O aiaiga o fuaiupu 5, 6, 7, 8, 12, ma le 13 o lenei Tulafono o le a faaaogaina i le na o le Faalapotopotoga pe afai ua faamalieina ma o lo o faaauau pea ona faamalieina le Faalapotopotoga i tuutuuga nei:

- (a) E faapea o se faalapotopotoga ua faamauina faale-tulafono (e tusa lava pe na faamauina faale-tulafono i totonu o le Iunaite Setete o Amerika po o so o se isi nofoaga) ma o ona sui e le fesootai mo le mauaina o ni tupe mama.
- (b) E faapea o lo o aiaia i totonu o Mataupu o lona faavaeina po o isi pepa aloaia ia o lo o i lalo o lona faavae mo ia le itiiti ifo i le lua-vaelima o ona faatonu o le a tofia e le Ao o le Malo o Samoa i Sisifo.
- (c) E faapea o lo o ia tauaveina ma faatinoina so o se sini e pei ona faatulagaina i le parakalafa (a) po o le parakalafa (b) o le fuaiupu 4 o lenei Tulafono;

Ae vagana ai e faapea e mafai e le Ao o le Malo i luga o le fautuaga a le Kapeneta mo faamoemoega o lenei fuaiupu i luga o se Poloaga ona sua nisi sini faamaonia po o

ni sini e tusa ai ma sini e pei ona faasinomia i totonu o parakalafa (a) ma le (b) po o ia parakalafa e lua o le fuaiupu 4.

(2) O sui o le Faalapotopotoga e le tatau ona faapea ua auai atu mo le mauaina ai o ni tupe mama i luga o se mafuaaga o tulaga ua taua i lalo:

(a) E faapea o le Faalapotopotoga lava ia e maua lava e ia ana tupe mama ae vagana ai e faapea o lena tupe mama po o se vaega o lea tupe ua vaevaeina po o mauaina e sui po o nisi o i latou, po o vagana ai o sui o le Faalapotopotoga po o nisi o i latou e i ai le latou aia e vaevae ai e i latou po o mauaina le meatotino a le Faalapotopotoga po o se vaega o lea meatotino i luga o lona faamaapeina.

(b) E faapea so o se sui o le Faalapotopotoga ua mauaina se tupe mama mai le Sosaiete e auala mai i se totogi e avea ai o se tagata faigaluega po o se tagata ofisa o le Faalapotopotoga.

(c) E faapea so o se sui o le Faalapotopotoga ua mauaina mai le Faalapotopotoga so o se tupe mama e faapea e aia tutusa i ai pe afai e le o

ia o se sui o le Faalapotopotoga.

4. Sini Autu ua Faamaonia a le Faalapotopotoga - Mo faamoemoega o lenei Tulafono o Sini Autu o le Faalapotopotoga e faapea:

- (a) Toe faafouina, tausiga, ma le puipuia e avea ai o se vaega o measina a Samoa i Sisifo, le nofoaga i Vailima lea na nofo ai ma avea o se aiga e Robert Louis Stevenson faatasi ai ma lotoa e faasino i ai, o ia nofoaga ma lotoa o lo o faamatalaina auiliili i totonu o le Faamatalaga faasino i lenei Tulafono;
- (b) Le sailia o ni vaega-tupe mo faamoemoega e pei ona faatulagaina i le parakalafa (a) o lenei fuaiupu;
- (c) Le puipuia o le tuugamau o Robert Louis Stevenson e avea ai o se maa faamanatu a le atunuu o Samoa i Sisifo;
- (d) Le toe faafouina o so o se fale e iloga sona tala faasolopito i totonu o Samoa i Sisifo;
- (e) Le faavaeina, tausiga ma le pulea o se fale mataaga i totonu o Samoa i Sisifo;
- (f) Le faavaeina, tausiga ma le pulea po o le fesoasoani i le tausiga ma le pulea o so o se

ala-tanu, ala-savali, ala-mutia po o nofoaga faasaoina i totonu o Samoa i Sisifo;

(g) Le sailia o ni vaega-tupe mo so o se sini faamaonia;

(h) Le faia o so o se meaalofo po o faaunega-tupe i le Malo, po o so o se tagata mo so o se faamoemoega faa-mealofo ua faamaonia e le Kapeneta;

(i) Le tauaveina o so o se isi gaioiga o le faasilasilaina e le Ao o le Malo i luga o se Poloaiga e faia i luga o le fautuaga a le Kapeneta e avea ai o se sini faamaonia.

5. Pule e Lisiina ai - (1) E ese mai ai na i lo aiaiaaga o le Tulafono o Eleele ma Siosiomaga 1989 po o le Tulafono o Eleele Faasaoina ma Paka a le Atunuu 1974 peitai i le noatia ma fai fuafua i le faafuaiupu (3) o lenei fuaiupu ua tuuina atu nei i le Minisita o Eleele ma Siosiomaga le pule e lisiina ai i le Faalapotopotoga a Robert Louis Stevenson fanua uma po o so o se vaega po o ni vaega o le fanua e pei ona faamatalaina i totonu o le Faamatalaga i lenei Tulafono mo faamoemoega o sini e pei ona faamaonia e le Faalapotopotoga e pei ona faatulagaina i totonu o le parakalafa (a) o le fuaiupu 4 o lenei Tulafono (faatasi ai ma



nisi lava faamoemoega e ono mafai ona faaopoopoina i ai) mo se vaiataimi e 20 tausaga i luga o se totogi faa-lisi mo tausaga taitasi (pe itiiti po o se isi lava tulaga) e pei ona o le a malilie i ai le Minisita ma le Faalapotopotoga ma e pei ona o le a noatia i ni feagaiga, tuutuuga ma fuafuaga e pei ona o le a malilie i ai mai i lea taimi i lea taimi i le va o le Minisita o Eleele ma Siosiomaga (ina ua maea ona feutagai ma le Minisita o Aoga) ma le Faalapotopotoga, faatasi ai ma ni aia se lua e toe faafou ai mo ni vaiataimi taitasi e tai 20 tausaga i se totogi faale-tausaga o le lisi (pe itiiti po o se isi lava tulaga) o le a fuafuaina e tusa ai ma aiaiga o na tulaga o lo o aafia i totonu o le lisi ma o lo o noatia i ni feagaiga tutusa, tuutuuga ma aiaiga e pei ona aafia i totonu o le lisi.

(2) E leai se mea i totonu o lenei fuaiupu o le a tuuina atu ai i le Minisita o Eleele ma Siosiomaga le pule e lisiina ai so o se eleele e pei ona faasinomia i ai i totonu o Fanua Faasaoina o Robert Louis Stevenson ma le Tulafono o Eleele Faasaoina i le Mauga o Vaea 1958.

6. Tuusaunoaga mai Tiute ma Lafoga o Oloa Gaosia i totonu o le Atunuu - (1) I le noatia ma fai fuafua i le fuaiupu 3 o lenei Tulafono ma i tuutuuga e pei ona faasinomia i ai le faafuaiupu (2) o lenei fuaiupu, o le a i ai le aia i

le Faalapotopotoga e faaulufale mai ai i totonu o Samoa i Sisifo, e aunoa ma se tiute ma se lafoga o oloa gaosia i totonu o le atunuu, po o le faatauina mai i totonu o Samoa i Sisifo faatasi ai ma ni faamanuiaga e toe faaolaina mai ai tupe na totogi ai tiute ma lafoga o oloa gaosia i totonu o le atunuu i so o se mea po o mea-taitasi uma ua faamalieina ai le Pule o le Tiute ua talafeagai po o manaomia mo le faaleleia atili o so o se sini faamaonia a le Faalapotopotoga:-

(a) Oloa fau fale, masini tetele, taavale, meafaigaluega tau masini ma isi mea faigaluega ma mea e faatino ai galuega;

(b) Mea-a-fale, mea teu fale, tusi ma mea taulima;

(c) Tusitusiga po o faamaumauga ma isi mea e faamanatu ai po o i sootaga ma Robert Louis Stevenson;

(d) Meafaigaluega tau ofisa, tusi ma oloa faa-ofisa.

(2) O tuutuuga e pei ona taua o le a tatau ona faaaoga i meataitasi uma i so o se faamanuiaga e pei ona faasinomia i ai le faafuaiupu (1) o lenei fuaiupu ua faapipiina i ai:-

(a) Meataitasi o le a faaaoga mo se vaitaimi e le itiiti ifo nai lo le 5 tausaga mai le aso talafeagai e faapitoa po o e faaautu i le toe faaleleia o sini faamaonia po o ni sini faamaonia e pei ona faaulufale mai ai ia mea. Afai o so o se meataitasi

o ia mea o le a le faaaogaina o le a fuafua loa ni tiute ma lafoga o oloa e gaosia i totonu o le atunuu e tusa ai ma le parakalafa (c) o lenei faafuaiupu i le aso o le a faamuta ai ona toe faaaogaina, ma o sea tiute o le a totogiina loa e le Faalapotopotoga ina ua uma ona fuafuaina;

(b) E leai se mea e tatau ona faatau atu po o faamatuu atu i totonu o se vaitaimi e 5 tausaga mai le aso talafeagai, ae vagana ai ua uma ona totogi i le taimi na faatau atu ai po o ua faamatuu atu ai, o tiute ma lafoga o oloa gaosia i totonu o le atunuu o le a fuafuaina e tusa ma le parakalafa (c) o lenei faafuaiupu;

(c) Afai ua fuafuaina tiute ma lafoga o oloa e gaosia i totonu o le atunuu mo faamoemoega o le parakalafa (a) po o le parakalafa (b) o lenei faafuaiupu, o ia tiute po o lafoga o oloa gaosia i totonu o le atunuu e tatau ona fuafuaina i le tau fuapauina masani e faasino tonu i sea meataitasi i le aso e talafeagai ai, peitai e tatau ona faaitiitia le tau e fuafua i le vaega o le taimi o le aso talafeagai i le aso e fuafua ai i totonu o le vaitaimi e lima tausaga.

(3) Mo faamoemoega o le faafuaiupu (2) o lenei fuaiupu o le aso talafeagai, e tusa ai ma so o se mea e faaulufale mai e le Faalapotopotoga, o le aso na faaulufale mai ai lena mea, ma i le tulaga o so o se mea e mauaina mai e le Faalapotopotoga faatasi ai ma faamanuiaga e toe faaola mai ai tupe na totogiina o tiute, po o lafoga o oloa e gaosia i totonu o le atunuu o le aso lea na maua mai ai lena mea.

7. Tuusaunoaga mai Lafoga o Tupe Maua - I le noatia ma fai fuafua i aiaiga o le fuaiupu 3 o lenei Tulafono o tupe maua a le Faalapotopotoga e tatau ona tuusaunoaina atoa mai lafoga o Tupe maua.

8. Isi Lafoga ma isi Mea - I le noatia ma fai fuafua i le fuaiupu 3 o lenei Tulafono o le a tatau ona tuusaunoa le Faalapotopotoga mai i lafoga, totogi fuapauina ma tiute e faapea:-

(a) So o se totogi fuapauina mo so o se laisene e ono tatau ona mauaina e tusa ai ma le Tulafono o Laisene o Pisinisi 1960;

(b) Tiute o Faailoga-Tusi i luga o so o se lisi po o le toe faafouina o sea lisi e pei ona tuuina atu e tusa ai ma le fuaiupu 5 o lenei Tulafono;

9. Lafoga a Tagata Faigaluega mai Fafu - So o se mea e faaaoga i ai aiaiga o le fuaiupu 7 o lenei Tulafono faasino i le Faalapotopotoga o tupe maua i atunuu i fafu a se tagata

faigaluega mai fafo faatasi ai ma tupe maua e ia e avea ai o se tagata faigaluega a le Faalapotopotoga o le a tatau ona tuusaunoaina mai lafoga o tupe maua.

10. Faamagaloga o Tiute mo Tagata Faigaluega mai Fafo -

E mafai e le Minisita o Tupe i luga o lona faitalia ona faalautele atu i so o se tagata faigaluega mai fafo o le Faalapotopotoga faamanuiaga uma po o so o se faamanuiaga ma tulaga aloaia faasino i tiute ma lafoga o oloa gaosia i totonu o le atunuu ia e ono mafai ona faaoga e tagata faigaluega faa-konekarate mai fafo o lo o faigaluega i totonu o le Malo.

11. Lipoti Faale-tausaga - Afai e faaogaina pea le

fuaiupu 12 o lenei tulafono i le Faalapotopotoga, e tatau i le Faalapotopotoga ona tuuina atu i le Minisita faatasi i tausaga faa-kalena taitasi se lipoti tusitusia o le faagaioia ma tulaga alualu i luma o galuega a le Faalapotopotoga a o faagasolo le tausaga faale-tupe i se taimi vave lava a o lumanai le tuuina atu o le lipoti faatasi ai ma faamatalaga tau tupe mo lenei tausaga ma ia faataatia e le Minisita i luma o le Fono Aoaofa i le taimi se kopi o lea Lipoti pe afai o lo o tauaofia le Fono Aoaofa i lea taimi, ae peitai afai e leai, ia tuuina atu i totonu o aso e 7 talu ona amata le tauaofiaga e sosoo ai o lo o lumanai.

12. Faalapotopotoga ia avea o se Mea Tausi Faa-

Meaalofa - I le noatia ma fai fuafua i le fuaiupu 3 o lenei

Tulafono e tatau i le Faalapotopotoga mo faamoemoega ma ina ia avea o se Mea Tausi Faa-Meaalofa atoatoa faatasi ai ma malosiaga e faapei ai o se Komiti Faatino Tausi-Mavaega e tusa ai ma le Tulafono o Mea Tausi Faa-Meaalofa 1965.

13. Vaitaimi e Faatulagaina ai - Mo se vaitaimi e sefulu ma le lua masina mai le aso e amata ai lenei Tulafono e tatau i le Faalapotopotoga ona ia tauaveina ma faatinoina sini faamaonia e pei ona faatulagaina i totonu o parakalafa (a) ma le (b) o le fuaiupu 4 o lenei Tulafono e ese mai ai nai lo le ono le mafai ona amata ona tauaveina ma faatinoina ia sini.

14. Mea e Faasaoina - E leai se mea i totonu o lenei Tulafono o le a tatau ona faamagaloina ai le Faalapotopotoga po o so o se tagata faigaluega mai fafo mo so o se vaitaimi mai i noataga e totogiina ai:-

(a) So o se lafoga e ao ona totogiina e tusa ai ma le Tulafono o Tau'i mo Faalavelave Faafuasei 1989;

(b) So o se laisene taavale po o totogi fuapauina o le resitalaina o se taavale e ono totogiina e tusa ai ma le Tulafono o Taavale Feoai i Auala Tetele 1960;

(c) So o se falemai, togafitiga faa-fomai, vailaau mo togafitiga, togafitiga tau fesoasoani muamua ma isi totogi fuapauina po o ni totogi e ono

tatau ona totogiina atu e tusa ai ma le Tulafono o le Soifua Maloloina 1959;

(d) So o se fesootaiga i leitia, lafoina o meli, telefoni, pusa-meli, kiliaina o afifi, resitalaina o faailoga o tuatusi po o isi totogi fuapauina po o ni totogi e ono tatau ona totogiina atu e tusa ai ma le Tulafono o Faie Meli 1972;

(e) So o se isi totogi fuapauina e ono tatau ona totogiina atu e tusa ai ma so o se isi lava tulafono o lo o faamamaluina i totonu o Samoa i Sisifo i le taimi nei e avea ai o se totogi mo se galuega na faia: po o

(f) So o se lafoga, lafoga fuafuaina po o lafoga ua faaeeina i ai po o faaeeina i ai e le Malo e ese mai ai na i lo tiute e pei ona faatulagaina i totonu o fuaiupu 7, 8 ma le 9 o lenei Tulafono po o i le tulaga e ono faatagaina ai e tusa ai ma fuaiupu 10 po o le 11 o lenei Tulafono.

15. Tauaveina o le Tulafono - O lenei Tulafono e tatau ona tauaveina i totonu o le Matagaluega o Aoga.

16. Tofiga o Faatonu Samoa - O tofiga uma o se Faatonu

Sili po o sona sui e pei ona o le a faia e le Ao o le Malo o Samoa i Sisifo e tatau ona faia e le Ao o le Malo i luga o le fautuaga a le Kapeneta, i se Poloaiga, ma so o se tofiga e pei ona faia e mafai i so o se taimi ona soloia i se faiga tutusa faapea.

#### FAAMATALAGA

O vaega uma o le fanua o lo o aofia ai se aofaiga e sefulu ma le fitu eka tolu rota ma le luasefulu ma le fa tesimale lima pesa (17a-3r-24.5p) o lo o tu tonu pe ese laitiiti i Vailima e latalata ane i Apia i le Itumalo o Tuamasaga e pei ona faamatalaina o le Vaega Eleele 118/84 Flur VIII Upolu e faapea o se vaega o le fanua ua resitalaina i totonu o le Volume 1 Folio 121 o le Tusi Resitala o Fanua o Samoa i Sisifo e avea ai o le fanua lava lea e tasi e pei ona faaalua i le Grundburch Band IV Blatt 415 & Plan 1193L ma le Cadastral 28 o lo o tausia i totonu o le ofisa o le Faatonu Sili o Eleele, Apia.