

1990/16

TRADE, COMMERCE AND INDUSTRY ACT

WESTERN SAMOA

Arrangement of Provisions

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AN ACT to amend consolidate and restructure the law relating to Trade, Commerce and Industry; to repeal the Economic Development Act 1978; and for associated purposes.

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 Trade, Commerce and Industry Act 1990.

(2) This Act shall come into force on such date as shall be specified by the Head of State by Order and different parts of this Act may be brought into force at different times.

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

"Department" means the Department of Trade, Commerce and Industry;

"Minister" means the Minister of Trade, Commerce and Industry;

"Secretary" means the Secretary of Trade, Commerce and Industry.

3. Minister of Trade, Commerce and Industry - There shall be a Minister of Trade, Commerce and Industry for Western Samoa whose functions shall be to control and direct the policy of the Department, and who may exercise such powers as are reasonably necessary for the effective performance of the functions of the

Department.

4. Department of Trade, Commerce and Industry - There is hereby constituted and established a department of the Government of Western Samoa to be known as the Department of Trade, Commerce and Industry which under the control of the Minister shall be charged with the administration of this Act and any regulations to be made thereunder, together with such other functions as may from time to time be lawfully conferred upon it.

5. Principal Functions of Department - The principal functions of the Department shall be to:-

- (a) Advise the Minister on all matters affecting the development of Western Samoa's trading relationships with other countries;
- (b) Represent, when appropriate and deemed necessary by the Minister, Western Samoa at meetings, conferences or similar gatherings where matters of trade affecting or involving the country are discussed or considered;
- (c) Negotiate trade agreements on behalf of the Minister;
- (d) Encourage and assist the promotion of Western Samoan produce and products, either in its own right or in cooperation with any organization involved in exporting, including exhibiting at trade fairs;
- (e) Establish a Commodities Pricing and Marketing Information Unit within the department;
- (f) Facilitate the obtaining of funds for the purpose of trade development and promotion, including discussion and negotiation with aid donors;
- (g) Advise the Minister on all matters affecting the

growth and development of industry, commerce and trade in Western Samoa;

- (h) Advise Cabinet, through the Minister, on the criteria for the development of industry and commerce to be applied in evaluating approvals under any incentives legislation for the time being in force in Western Samoa;
- (i) Administer any incentives legislation for the time being in force in Western Samoa, except where such legislation otherwise specifies;
- (j) Administer the Commerce Act 1978;
- (k) Promote the development of small businesses, including the setting up of a small business agency within the department to disseminate knowledge of sound business and commercial practice to Western Samoans and organize and administer, as necessary, courses and training;
- (l) Undertake research into any aspect of domestic trade, commerce and industry, including the conducting of surveys, gathering statistics and publishing reports from time to time;
- (m) Evaluate investment proposals suitable for funding by the Government and/or aid donors suitable reports or project documents;
- (n) Facilitate the obtaining of funds for the purpose of developing the commercial sector of Western Samoa, including discussions with aid donors;
- (o) Liaise with the Western Samoan Visitor's Bureau for the development of tourism in Western Samoa including development of facilities for the entertainment of visitors to Western Samoa.

6. Secretary of Trade, Commerce and Industry -

(1) There shall be a Secretary of Trade, Commerce and Industry who shall be the Administrative Head of the Department.

(2) The post of Secretary of Trade, Commerce and Industry shall be a special post under the Public Service (Special Posts) Act 1989 and its holder shall be appointed and hold office under the provisions of that Act.

(3) The person holding the office of Director of Economic Development immediately before the coming into force of this Act shall pro tempore and pending an appointment under the Public Service (Special Posts) Act 1989, act as the Secretary of Trade, Commerce and Industry as if he had been appointed before the coming into force of that Act.

7. Delegation of Minister's powers - (1) The Minister may by writing under his hand either generally or particularly, delegate to the Secretary all of the powers which are conferred upon him or delegated to him as Minister of Trade, Commerce and Industry by or pursuant to this or any other Act PROVIDED HOWEVER that this power of delegation shall not include power to delegate to the Secretary the power of the Minister under this section.

(2) Subject to any general or special discretion given or conditions attached by the Minister, the Secretary may exercise any powers delegated to him as aforesaid in the same manner and with the same effect as if they had been conferred on him directly by this section and not by delegation.

(3) Where the Secretary purports to act pursuant to any delegation under this section, he shall be presumed in the absence of proof to the contrary to be acting in accordance with the terms of the delegation.

(4) Every such delegation shall be revocable at will,

and no such delegation shall prevent the exercise of any power by the Minister.

(5) Unless and until such delegation is revoked it shall continue in force according to its tenor. In the event of the Minister by whom any such delegation has been made ceasing to hold office, it shall continue to have effect as if made by the person for the time being holding office as Minister and in the event of the Secretary to whom such delegation has been made ceasing to hold office, it shall continue to have effect as if made to the person for the time being holding office as Secretary or, if there is no Secretary in office, or the Secretary is absent from duty, to the person for the time being lawfully directed to act in the place of the Secretary.

8. Delegation of Secretary's powers - (1) The Secretary may from time to time by writing under his hand, either generally or particularly, delegate to any such officer of the Department or to any committee constituted or administered pursuant to this Act as he thinks fit all or any of the powers exercisable by him pursuant to any enactment including any power delegated to him pursuant to any enactment but not including this present power of delegation PROVIDED THAT the Secretary shall not delegate any power delegated to him by the Minister without the written consent of the Minister.

(2) Subject to any special or general direction given or attached by the Secretary, the officer or committee to whom any powers are delegated under this section may exercise those powers in the same manner and with the same effect as if they had been conferred on him or it directly by this section and not by delegation.

(3) Every person or committee purporting to act pursuant

to any delegation under this section shall be presumed in the absence of proof to the contrary, to be acting in accordance with the terms of the delegation.

(4) Any delegation under this section may be made to a specified officer or to officers of a specified class, or may be made to the holder or holders for the time being of a specified office or class of offices.

(5) Every such delegation under this section shall be revocable at will and no such delegation shall prevent the exercise of any power by the Secretary.

(6) Every such delegation shall, until revoked, continue in force according to its tenor, notwithstanding that the Secretary by whom it was made may have ceased to hold office, and shall continue to have effect as if made by the successor in office of that Secretary.

9. Appointment of officers and staff - (1) The Public Service Commission of Western Samoa may from time to time appoint such other officers and employees as may be desirable for the administration of this Act.

(2) All such officers and other employees of the Department shall act under the direction of the Secretary in the exercise and performance of the powers, duties and functions conferred or imposed upon them by this or any other Act.

(3) All persons who immediately prior to the commencement of this Act were pursuant to the Public Service Act 1977 officers and employees in the Department of Economic Development shall continue to be public servants as officers and employees in the Department of Trade, Commerce and Industry.

10. Commodities Pricing and Marketing Information Unit - There shall be within the Department and responsible to the

Secretary a division to be known as the Commodities Pricing and Marketing Information Unit which shall comprise a supervisor to be known as the Research Supervisor and such other staff as may be necessary for the proper performance of its functions.

11. Functions of Commodities Pricing and Marketing Information Unit - The functions of the Commodities Pricing and Marketing Information Unit shall be to assist the growth of agricultural exports by researching, compiling and disseminating information on international prices and markets, and by providing advice on quality standards and controls, market research, export promotion and other export market development activities; and by reporting to the Minister on those matters and matters of a like nature.

12. Appropriations - Monies appropriated by Parliament to the use of the Department of Economic Development during the year ending on the 31st December 1990 and not used by that department at the date this Act comes into force shall be deemed from the date this Act comes into force to have been appropriated to the use of the Department of Trade, Commerce and Industry.

13. Regulations - The Head of State, acting on the advice of Cabinet may from time to time make such regulations as may be necessary or expedient for giving full effect to the provisions of this Act and for the due administration thereof.

14. Amendment to Commerce Act 1978 - The Commerce Act 1978 is amended as follows:-

(a) Section 2 of that Act is amended by omitting the words "Minister of Customs" where they appear in the definition of the word "Minister" and substituting the words "Minister of Trade, Commerce and Industry".

(b) Subsection (1) of section 3 of that Act is amended by omitting the words "Customs Department"

and substituting the words "Department of Trade, Commerce and Industry".

- (c) Section 6 of that Act is amended by omitting the words "Comptroller of Customs" and substituting the words "Secretary of Trade, Commerce and Industry".

15. Repeal of Economic Development Act 1965 and consequential general amendments - (1) The Economic Development Act 1965 is repealed.

(2) Wherever in any Act there is a reference to the Department of Economic Development, the Minister of Economic Development or the Director of Economic Development such reference shall be read as if it were a reference to the Department of Trade, Commerce and Industry, the Minister of Trade, Commerce and Industry or the Secretary of Trade, Commerce and Industry as the case requires.

16. Repeal of Produce Marketing Act 1977 and revocation of regulations - (1) The Produce Marketing Act 1977 is repealed.

(2) The Produce Marketing Regulations 1978 are revoked.

TULAFONO O FEFAATAUAIGA, MEA TAU PISINISI
MA ATIINA 'AE O ALAMANUIA

SAMOA I SISIFO

Faatulagaina o Aiaiga

- Igoa
- 1 Igoa Puupuu ma le Amataga
 - 2 Faamatalaina o uiga o upu
 - 3 Minisita o Fefaatauaiga, Mea Tau Pisinisi ma
Atiina 'ae o Alamanuia
 - 4 Matagaluega o Fefaatauaiga, Mea Tau Pisinisi ma
Atiina 'ae o Alamanuia
 - 5 Galuega autu a le Matagaluega
 - 6 Failautusi o Fefaatauaiga, Mea Tau Pisinisi ma
Atiina 'ae o Alamanuia
 - 7 Tuuina atu o pule a le Minisita
 - 8 Tuuina atu o pule a le Failautusi
 - 9 Tofia o tagata ofisa ma le aufaigaluega
 - 10 Vaega e faia Tau o Oloa ma Faamatalaga Tau i Maketi
 - 11 Galuega a le vaega e faia Tau o Oloa ma Faamatalaga
Tau i Maketi
 - 12 Tupe Faatatauina
 - 13 Tulafono Faatonutonu
 - 14 Teuteuga i le Tulafono o Fefaatauaiga 1978
 - 15 Soloia o le Tulafono o le Atiina 'ae o le Tamaoaiga
1965 ma Teuteuga Aoao na rulinuli mai ai
 - 16 Soloia o le Tulafono o le Faatauina atu o Fua o Faatoaga
1977 ma le faaleaogaina o tulafono faatonutonu

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O SE TULAFONO e teuteu ai, faamausali ma toe faatulaga-
ina ai le tulafono e faasino i Fefaatauaiga, Mea Tau
Pisinisi ma Atiina 'ae o Alamanuia; e soloia ai le
Tulafono o le Atiina 'ae o le Tamaoaiga 1978; ma mo
nisi faamoemoega e fesootai i ai.

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

1. Igoa Puupuu ma le Amataga - (1) O lenei Tulafono e mafai ona ta'ua o le Tulafono o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia 1990.

(2) O lenei Tulafono o le a amata faamamaluina i se aso e pei ona o le a faatulagaina e le Ao o le Malo i luga o se Poloaiga ma o isi vaega eseese o lenei Tulafono o le a mafai ona tuuina mai ma faamamaluina i ni vaitaimi eseese.

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

"Matagaluega" o lona uiga o le Matagaluega o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia;

"Minisita" o lona uiga o le Minisita o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia;

"Failautusi" o lona uiga o le Failautusi o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia.

3. Minisita o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia - O le a tatau ona i ai se Minisita o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia mo Samoa i Sisifo o ia lea o le a avea ma ana galuega le pulea ma le faatonutonuina o faiga faavae a le Matagaluega, ma o ia lea o le a mafai ona faatinoina ni pule e pei ona o le a talafeagai ai mo le lelei ona tauaveina o galuega a le Matagaluega.

4. Matagaluega o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia - Ua faamauina faale-tulafono iinei ma ua faavaeina se matagaluega a le Malo o Samoa i Sisifo e ta'ua o le Matagaluega o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia lea o le a i lalo o le pulega a le Minisita o le a tuuina atu i ai le pulega o lenei Tulafono ma so o se tulafono faatonutonu o le a faia i lalo o lenei

Tulafono, faatasi ai ma so o se isi galuega o le a faaeeina atu i ai faale-tulafono mai i lea taimi i lea taimi.

5. Galuega autu a le Matagaluega - O galuega autu a le Matagaluega o le -

- (a) Fautuaina le Minisita i mataupu uma e aafia ai le atiina 'ae o le va tau fefaatauaiga o Samoa i Sisifo ma isi atunuu;
- (b) Avea ma sui o Samoa i Sisifo pe a alagatatau ma talafeagai ai, le Minisita, i fonu, tauaofiaga po o faapotopotoga faapea o le a talanoaina ai po o iloiloaina ai mataupu e aafia ai mea tau fefaatauaiga po o le aafia ai o le atunuu;
- (c) Feutagai mo feagaiga tau fefaatauaiga e avea ma sui o le Minisita;
- (d) E uunaiina ma fesoasoani i le faaleleia atili o fua o faatoaga ma oloa gaosia a Samoa i Sisifo, i lona lava aia tatau po o i le galulue faatasi ma so o se faalapotopotoga e aafia i le faatauina atu i fafo o oloa e aafia ai ma faaaliga o oloa i faaaliga tau fefaatauaiga;
- (e) Faavae se vaega mo Tau o Oloa ma Faamatalaga Tau Maketi i totonu o le Matagaluega;
- (f) Sailia tupe mo le faamoemoe o le atiina 'ae ma le faaleleia atili o fefaatauaiga e aafia ai talanoaga ma feutanaiga ma atunuu e aumai ai fesoasoani.
- (g) Fautuaina le Minisita i mataupu uma e aafia ai le tuputupu ae ma le atiina 'ae o alamanuia, pisinisi ma fefaatauaiga i totonu o Samoa i Sisifo;

- (h) Fautuaina le Kapeneta e auala atu i le Minisita, i aiaiga mo le atiina 'ae o alamanuia ma pisinisi e ao ona faaaogaina, i le iloiloina mo se faamaoniga o se talosaga i lalo o so o se Tulafono faatosina mo pisinisi o lo o faamamaluina i totonu o Samoa i Sisifo;
- (i) Pulea so o se Tulafono o faatosina mo pisinisi o lo o faamamaluina i totonu o Samoa i Sisifo; ae vagana ai ua ese ai se aiaiga o lo o i ai i lea tulafono;
- (j) Pulea le Tulafono o Fefaatauaiga 1978;
- (k) Uunaiina le atiina 'ae o pisinisi laiti, e aofia ai le faatuina o se lala o pisinisi laiti i totonu o le matagaluega e tufatufaina atu le malamalama tau pisinisi ma faiga tau fefaatauaiga i tagata o Samoa i Sisifo ma faamaopoopoina ma pulea, pe a ono talafeagai ai, aoga ma faataitaiga;
- (l) Faia suesuega i so o se itu tau fefaatauaiga i totonu lava o le atunuu, pisinisi ma alamanuia e aofia ai ma le faia o ni suesuega, aoina o fuainumera ma le lolomiina o lipoti mai i lea taimi i lea taimi;
- (m) Iloiloina o fuafuaga tau i le teu faafaigaluegaina o tupe e talafeagai ona faatupeina e le Malo ma/po o atunuu e aumai ai, ma saunia lipoti talafeagai po o pepa aloaia mo galuega tau le atiina 'ae;
- (n) Sailia tupe mo le faamoemoe o le atiina 'ae o le itu tau pisinisi o Samoa i Sisifo, e aofia ai ma feutanaiga ma atunuu e aumai ai fesoasoani.

(o) Fesootai ma le Ofisa o tagata tafafao maimoa mai i Samoa i Sisifo mo le atiina ae o tagata tafafao maimoa mai i totonu o Samoa i Sisifo ma e aofia ai ma le atiina ae o nofoaga mo faafiafiaga mo tagata asiiasi mai i Samoa i Sisifo.

6. Failautusi o Fefaatauaiga, Mea Tau Pisinisi ma

Atiina ae o Alamanuia - (1) E tatau ona i ai se Failautusi o Fefaatauaiga, Mea Tau Pisinisi ma Alamanuia o ia lea o le a avea ma Ulu o le Pulega a le Matagaluega.

(2) O le tofi Failautusi o Fefaatauaiga, Mea Tau Pisinisi ma Atiina ae o Alamanuia o le a avea ma tofiga faapitoa e tusa ai ma le Tulafono o Galuega a le Malo (Tofiga Faapitoa) 1989 ma o le e umia lea tofi o le a tatau ona tofia ma umia le tofi e tusa ai ma aiaiga i lena Tulafono.

(3) O le tagata e umia le tofi o le Faatonu Sili o le Matagaluega o le Atiina ae o le Tamaoaiga i le taimi vave lava a o le i amata faamamaluina lena Tulafono o le a tatau ona ia tauaveina le tofi i se taimi le tumau ma a o faatali ai se tofiga e tusa ai ma le Tulafono o Galuega a le Malo (Tofiga Faapitoa) 1989, tauaveina e ia galuega a le Failautusi o Fefaatauaiga, Mea Tau Pisinisi ma Atiina ae o Alamanuia e avea ai o ia e pei sa tofia i lea tulaga a o le i amata faamamaluina lena Tulafono.

7. Tuuina atu o pule a le Minisita - (1) E mafai e le Minisita i luga o se tusitusiga i lalo o lona lima pe faalauaitetele po o faapitoa, ona ia tuuina atu i le Failautusi pule uma ia ua faaeeina atu ia te ia e avea ai o le Minisita o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia e po o e tusa ai ma lenei po o so o se isi Tulafono AE VAGANA AI e faapea o lenei pule e tuuina atu ai o le a le aofia ai le pule e tuuina atu ai i le Failautusi le pule a le Minisita e tusa ai ma lenei fuaiupu.

(2) I le noatia ma le fai fuafua i so o se pule faitalia aoao po o faapitoa ua tuuina atu po o tuutuuga ua tuuina atu e le Minisita, e mafai e le Failautusi ona faatinoina so o se pule ua tuuina atu ia te ia e pei ona muamua ta'ua i le faiga tutusa ma le malosi tutusa e pei ai na tuuina atu ia te ia i se faiga tuusao e lenei fuaiupu ae le i luga o se pule na tuuina atu.

(3) Afai ua faaalua e le Failautusi e faapea ua galue o ia e tusa ai ma so o se pule e tusa ai ma lenei fuaiupu, o le a tatau loa ona ia tauaveina e aunoa ma se faamaoniga e ese mai ai ina ia faia e tusa ai ma tuutuuga o le pule e tuuina atu ai.

(4) O pule uma faapea ua tuuina atu e tatau ona toe soloia i so o se taimi e finagalo ai le na tuuina atu, ma e leai se pule e tuuina atu o le a tatau ona taofia ai le faatinoina o so o se pule a le Minisita.

(5) Ae vagana ai ma pe afai ua soloia sea pule e pei ona tuuina atu o le a tatau ona faaauau pea ona faamamaluina e pei ona tuuina atu. I se tulaga ua faamutaina ai le toe avea ma Minisita o le na faia ma tuuina atu ia pule mai i le tofi, e tatau ona faaauau pea ma faamamaluina e avea ai e pei ona faia e le tagata o lo o ia umia le tofi i lea taimi e avea ma Minisita ma i le tulaga ua faamutaina ai le tofi o le Failautusi o ia lea na tuuina atu i ai ia pule, e tatau ona faaauau pea ma

faamamaluina e avea ai e pei ona faia i le tagata o lo o umia le tofi i lea taimi e avea o se Failautusi po o, pe afai e le o i ai se Failautusi i le ofisa, po o o lo o toesea le Failautusi mai i ona tiute, i le tagata ua faatonuina faale-tulafono i lea taimi e galue e avea ma sui o le Failautusi.

8. Tuuina atu o pule a le Failautusi - (1) E mafai e le Failautusi mai i lea taimi i lea taimi i luga o se tusi-tusiga e faia i lalo o lona lava lima, pe faalauaitetele po o faapitoa, tuuina atu i so o se ofisa o le Matagaluega po o i so o se komiti ua faamauina faale-tulafono po o ua faafoeina e tusa ai ma lenei Tulafono e pei ona ia manatu ua talafeagai ai po o so o se pule e mafai ona faatinoina e ia e tusa ai ma so o se tulafono e aofia ai so o se pule ua tuuina atu e ia e tusa ai ma so o se tulafono e le o aofia ai lenei pule fou e tuuina atu ai AE VAGANA AI E FAAPEA o le a le tataui i le Failautusi ona tuuina atu so o se pule ua tuuina mai ia te ia e le Minisita e aunoa ma se maliega tusia a le Minisita.

(2) I le noatia ma le fai fuafua i so o se faatonuga faapitoa po o faalauaitetele ua tuuina atu po o ua faapipiina atu e le Failautusi, o le tagata ofisa po o le komiti o i latou ia ua tuuina atu i ai so o se pule e tusa ai ma lenei fuaiupu ona mafai ona faatinoina ai pule i le faiga tutusa ma i se malosiaga tutusa e pei ai o nei pule na faaeeina atu ia te ia po o ua faatonuina sao e lenei fuaiupu ae le o se pule na tuuina atu.

(3) O tagata uma po o komiti ua fuafua e galulue e tusa ai ma so o se pule na tuuina atu e tusa ai ma lenei fuaiupu o le a le masalomia pe afai e leai se faamaoniga e ese mai ai, i le faatinoina lea o pule e tusa ai ma tuutuuga o pule ua tuuina atu.

(4) So o se pule ua tuuina atu e tusa ai ma lenei fuaiupu e mafai ona faia i se tagata ofisa faapitoa po o i ni tagata ofisa o se vasega faapitoa, po o e mafai ona faia i le o lo o umia po o ni tagata o lo o umia i lea taimi ni tofi o se tagata faapitoa po o se vasega o ni tagata ofisa faapitoa.

(5) O pule uma ua tuuina atu e tusa ai ma lenei fuaiupu o le a tatau ona soloia i le manaoga o le na tuuina atu ma o se pule na tuuina atu o le a le taofia ai le faatinoina o so o se pule e le Failautusi.

(6) O pule uma ua tuuina atu e tatau, seia vagana ai ua soloia, ona faaauau le faamamaluina e tusa ai ma fuafuaga na tuuina atu ai, e ese ai na i lo le faapea o le Failautusi o ia lea na ia faia ua faamutaina lona umia o le tofi, ma o le a tatau ona faaauau le i ai o le malosi e faapei ai na faia e le tagata ua sui tulaga i le tofi o lena Failautusi.

9. Tofia o tagata ofisa ma le afaigaluega - (1) E mafai e le Komisi o Galuega a le Malo mai i lea taimi i lea taimi ona tofia nisi tagata ofisa ma tagata faigaluega e pei ona o le a ono manaomia mo le faafoeina o lenei Tulafono.

(2) O ia tagata ofisa uma ma isi tagata faigaluega o le Matagaluega e tatau ona galulue e tusa ai ma faatonuga a le Failautusi i le faia ma le faatinoina o pule, tiute ma galuega ua faaeeina i ai po o tuuina ia i latou e lenei po o so o se isi lava Tulafono.

(3) O tagata uma o i latou ia i le taimi tonu a o le i oo ina amata faamamaluina lenei Tulafono sa avea i latou e tusa ai ma le Tulafono o Galuega a le Malo 1977 o ni tagata ofisa ma tagata faigaluega i totonu o le Matagaluega o le Atiina 'ae o le Tamaoaiga o le a faaauau pea ona avea o tagata faigaluega o le Malo e avea ai o ni tagata ofisa ma tagata faigaluega o le Matagaluega o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia.

10. Vaega e faia Tau o Oloa ma Faamatalaga Tau i

Maketi - O le a i ai i totonu o le Matagaluega ma o le a avea ma ana matafaioi agai i le Failautusi, se vaega o le a ta'ua o le Vaega e Faia Tau o Oloa ma Faamatalaga Tau i Maketi o le a aofia ai se ofisa e faatonutonuina lea vaega o le a ta'ua o le Ofisa Faatonutonu ma nisi lava tagata faigaluega e pei ona o le a talafeagai ai mo le faatinoina lelei o ana galuega.

11. Galuega a le vaega e faia Tau o Oloa ma Faamatalaga

Tau i Maketi - O galuega a le vaega e faia Tau o Oloa ma Faamatalaga Tau i Maketi o le fesoasoani lea i le faatupuina o oloa tau faatoaga e auina atu i fafo i le faia lea o ni suesuega, faaputuina ma tufatufaina atu faamatalaga i tau faava-o-malo ma maketi, ma le tuuina atu o fautuaga i tulaga e aupito i sili ona manaomia ma le pulea, suesuega tau maketi, siiina i luga o tulaga o oloa auina atu i fafo ma isi galuega tau atiina ae o maketi mo oloa auina atu i fafo; ma i le lipotiina i le Minisita e tusa ai ma ia mataupu faapea foi mataupu tali-tutusa.

12. Tupe Faatatauina - O Tupe e faatatauina e le Palemene e faaoga e le Matagaluega o le Atiina 'ae o le Tamaoaiga a o fagasolo le tausaga e faaiuina i le aso 31 o Tesema 1990 ma o le a le fasaogaina e lena matagaluega i le aso o le a amata faamamaluina ai lenei Tulafono o le a avea mai le aso e amata faamamaluina ai lenei Tulafono ua faatatauina e faaoga e le Matagaluega o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia.

13. Tulafono Faatonutonu - E mafai e le Ao o le Malo, i luga o le fautuaga a le Kapeneta mai i lea taimi i lea taimi, ona faia ni tulafono faatonutonu e pei ona o le a talafeagai ai po o ni auala e tuuina atu e faaatoatoa ai le malosi o aiaiga o lenei Tulafono ma mo le pulea lelei o le Tulafono.

14. Teuteuga i le Tulafono o Fefaatauaiga 1978 -

O le Tulafono o Fefaatauaiga 1978 ua teuteuina e faapea:-

- (a) O le Fuaiupu 2 o lena Tulafono ua teuteuina i le aveesea o upu "Minisita o Tiute" i so o se mea o lo o aliali mai ai i le faamatalaina o le upu "Minisita" ma sua i upu "Minisita o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia".
- (b) O le Faauaiupu (1) o le fuaiupu 3 o lena Tulafono ua teuteuina i le aveesea o upu "Matagaluega o Tiute" ma sua i upu "Matagaluega o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia".
- (c) O le Fuaiupu 6 o lena Tulafono ua teuteuina i le aveesea o upu "Le Pule Sili o Tiute" ma sua i upu "Failautusi o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia".

15. Soloia o le Tulafono o le Atiina 'ae o le Tamaoaiga 1965 ma Teuteuga Aoa na mulimuli mai ai - (1) O le Tulafono o le Atiina 'ae o le Tamaoaiga 1965 ua soloia.

(2) So o se mea i so o se Tulafono o lo o i ai se faamatalaga faasino i le Matagaluega o Atiina 'ae o le Tamaoaiga po o le Faatonu Sili o le Atiina 'ae o le Tamaoaiga o sea faamatalaga o le a faitauina e avea ai o se faamatalaga faasino i le Matagaluega o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia, le Minisita o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia po o le Failautusi o Fefaatauaiga, Mea Tau Pisinisi ma Atiina 'ae o Alamanuia e pei ona manaomia ai i sea tulaga.

16. Soloia o le Tulafono o le Faatauina atu o Fua o Faatoaga 1977 ma le faaleaogaina o tulafono faatonutonu -

(1) O le Tulafono o le Faatauina atu o Fua o Faatoaga 1977 ua soloia.

(2) O Tulafono Faatonutonu o le Faatauina atu o Fua o Faatoaga 1977 ua soloia.