



SAMOA

Arrangement of Provisions

PART I PRELIMINARY

1. Short title and commencement
2. Interpretation

PART II PROFESSIONAL ENGINEERS REGISTRATION BOARD

3. Establishment of the Board
4. Composition of the Board
5. Tenure of Office
6. Meetings of the Board
7. Indemnity of Registrar and Members of the Board

PART III POWERS AND FUNCTIONS OF THE BOARD

8. Functions of the Board
9. Powers of the Board
10. Fees

PART IV QUALIFICATIONS, REGISTRATION AND THE REGISTER

11. Register of Professional Engineers
12. Qualifications and Registration of Engineers
13. Applications for Registration

14. Board to make a decision
15. Certificate of Registration
16. Exemption from Registration
17. Fraudulent Registration
18. Change of Address, etc., to be notified
19. De-registration or Suspension of Registration
20. Complaints to the Board
21. Board to Record its findings
22. Appeals

PART V REGULATION OF THE PRACTICE OF ENGINEERING

23. Employment of registered engineers
24. Unregistered persons purporting to be Registered
25. Unregistered persons signing documents
26. Employing an Unregistered person

PART VI MISCELLANEOUS

27. Officers of company to be liable
28. Board to direct prosecutions
29. Certificate or Registrar to be conclusive
30. Act to bind the State
31. Right to sue for fees
32. Regulations.

1998, No. 40

AN ACT to provide for the registration of professional engineers and for the regulation and control of their profession and for related purposes.[24 December 1998]

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

**PART I
PRELIMINARY**

1 Short title and commencement-(1) This Act may be cited as the Professional Engineers (Registrations) Act 1998.

(2) This Act shall come into force upon the publication by the Minister of Works of a notice to that effect in the Gazette.

2. Interpretation - In this Act, unless the contrary intention appears:

“Board” means the Professional Engineers Registration Board established under this Act:

“Institution” means the Institution of Professional Engineers of Samoa (or Western Samoa) incorporated under the Incorporated Societies Ordinance 1952:

“Professional Engineering work” includes work that –

- (a) Requires the understanding of the scientific principles which form the basis of the engineering disciplines, and the expression of these principles through analytical mathematics (where appropriate) and requires education in depth in a branch of engineering or in any other related disciplines; or
- (b) Is essentially mental in nature, and varied, involving competence in a branch of engineering and leadership, judgement, originality and responsibility in the economical solution of engineering

problems and the execution of engineering work; or

- (c) Involves the application of professional engineering knowledge and experience to activities such as design, planning, applied research and development, education and training, including the organization and management of these activities and other activities such as production and construction, installation, operation and maintenance of engineered facilities, systems, equipment and associated services; or
- (d) Relates to engineered facilities, systems, equipment and associated services within Samoa that are planned, designed, studied, organized, managed, developed, supervised, produced, constructed, installed, operated or maintained by persons, within and outside Samoa.

“Register” means the Register of Professional Engineers maintained under section 11:

“Registered Engineer” means a person registered as a professional engineer under this Act:

“Registrar” means the Registrar appointed under section 4(3) of this Act.

PART II

PROFESSIONAL ENGINEERS REGISTRATION BOARD

3. Establishment of the Board-(1) A Professional Engineers Registration Board is hereby established.

(2) The Board shall be comprised of the Council of the Institution of Professional Engineers.

(3) In order to assist and facilitate its functions and work the Board may co-opt additional members for any specified period, but such period shall not exceed the term of office of the Board.

4. Composition of the Board-(1) The President of the Institution shall be the Chairman of the Board.

(2) The Vice-President of the Institution shall be the Deputy Chairman of the Board.

(3) The Secretary of the Institution shall be the Registrar of the Board.

(4) All other members of the Council shall be ordinary members of the Board.

5. Tenure of Office-(1) A member of the Board, unless he sooner vacates his office as a Board member or ceases to hold office as a Council member of the Institution, shall be appointed for a period not exceeding one year, in accordance with the election of the Council of the Institution, and is eligible for reappointment.

(2) A member of the Board may resign from office or may be removed from office by the Institution in special general meeting on the grounds of insolvency, neglect of duty, disability or misconduct proved to the satisfaction of the meeting.

(3) When the position of a member becomes vacant before the expiration of his term of office, the vacancy may be filled by the Institution in special general meeting by the election of a Council member to hold office for the unexpired portion of the term.

6. Meeting of the Board-(1) The Chairman or in his absence the Deputy Chairman shall preside at all meetings of the Board.

(2) The Board shall meet at such times and places as in the opinion of the Chairman are necessary for the efficient conduct of its affairs.

(3) If requested to do so by not less than three members, the Chairman shall call a meeting of the Board as soon as practicable after receiving the request.

(4) At a meeting of the Board –

(a) Four members shall form a quorum; and

(b) All matters before the Board shall be decided in accordance with a majority of votes of the members present at the meeting; and

(c) The person presiding has a deliberative vote, and in the event of an equality of votes on a matter, also a casting vote.

(5) The Registrar shall keep minutes of all meetings of the Board.

(6) Subject only to this Act and any Regulations, the procedures of the Board are as determined by the Board.

7. Indemnity of Registrar and Members of the Board – No action shall lie against the Registrar or any member of the Board in respect of any act or matter done or omitted to be done in good faith pursuant to their respective functions under this Act or under any Regulation.

PART III

POWERS AND FUNCTIONS OF THE BOARD

8. Functions of the Board – The functions of the Board are -

- (a) The registration of persons qualified to be a registered engineer;
- (b) The provisional registration of persons qualified to be provisionally registered as engineers;
- (c) The deregistration in accordance with this Act of persons registered as registered engineers or as provisionally registered engineers;
- (d) To determine the criteria, qualifications and standards necessary for registration and provisional registration in the various fields of professional engineering;
- (e) To conduct inquiries and investigations into the activities and conduct of registered engineers and to make final determinations in that regard;
- (f) To institute and conduct prosecutions for offences committed against this Act; and
- (g) To promote and encourage proper conduct amongst engineers and to preserve and maintain the integrity and status of the engineering profession in Samoa.

9. Powers of the Board-(1) The Board shall have, in addition to any other powers conferred on it by this or any other Act all the powers that are necessary or expedient to enable it to carry out and give full effect to its functions.

(2) Without limiting the generality of subsection (1) hereof, the Board may –

- (a) From time to time appoint committees or sub-committees for such purposes as it thinks necessary and may delegate to such committees or sub-committees any of its powers;
- (b) Institute prosecutions against any person for breach of this Act or any other enactment relating to the practice of engineering;
- (c) Appoint a barrister or solicitor to appear in any Court of law for or on its behalf; and
- (d) In accordance with this Act prescribe, impose, levy and collect fees or other charges.

10. Fees - The Board shall from time to time set the fees payable for applications for registration under this Act and for the issuing and annual renewal of certificates of registration, re-registration, certificates of exemption and for inspection of the Register. -

PART IV **QUALIFICATIONS, REGISTRATION** **AND THE REGISTER**

11. Register of Professional Engineers-(1) The Registrar shall keep a Register of Registered Engineers, in which shall be entered the name of each person registered or provisionally registered under this Act, the qualifications by virtue of which he is so registered, any restrictions or conditions imposed in respect of his registration, the place of his practice, his postal address and such other particulars in relation thereto as may from time to time be determined by the Board.

(2) The register shall be open, at all reasonable times, for public inspection at the office of the Registrar, subject to the payment of an inspection fee determined by the Board or prescribed by Regulation.

(3) The Registrar shall cause a list of all persons registered in accordance with subsection (1), together with their postal address and any restrictions or conditions imposed on their registration, and a list of persons deregistered, to appear in the Gazette or the Savali as follows –

- (a) A list, which shall cancel all previous lists, of person currently registered shall appear annually during the month of March, or at such other times as are determined by the Board; and
- (b) An addendum to the annual list, of person subsequently registered, or deregistered, shall appear quarterly during the months of June, September and December.

12. Qualifications and Registration of Engineers-(1)

No person shall after the expiration of a period of 3 months following the commencement of this Act practice engineering or undertake professional Engineering Work of any form nature or kind in Samoa unless he is registered under the provisions of this Act and he holds a current certificate of registration issued under section 15 hereof.

(2) A person shall be qualified to be fully registered a Registered Engineer if –

- (a) He meets the criteria and standard of qualification established by the Board pursuant to section 8(d) of this Act;
- (b) Since becoming academically qualified he has had five or more years of experience in his respective field of engineering to a level considered satisfactory by the Board;
- (c) He is a current and financial member of the Institution; and
- (d) He satisfies the Board he is of good character and reputation.

(3) Notwithstanding anything contained herein a person shall not be registered as a Registered Engineer unless he is a Corporate Member of the Institution or he holds qualifications that would entitle him to Corporate Membership of the Institution.

(4) A person who is academically qualified but does not meet the requirements of subsections (2) or (3) hereof shall be

provisionally registered until he does meet such requirements and the maximum period of provisional registration shall in no case exceed seven years.

(5) A person provisionally registered under this Act may undertake Professional Engineering work in Samoa subject to the terms and conditions that are imposed by the Board.

13. Applications for Registration-(1) A person may, in the form and in the manner from time to time determined by the Board, apply to the Board for registration.

(2) A person applying for registration under subsection (1) shall furnish to the Registrar –

- (a) His full personal details including residential address and place of business or employment; and
- (b) Evidence of qualifications and work experience; and
- (c) Evidence that he is a current financial member of the Institution; and
- (d) Two references as to his good character given by senior engineers (whether in Samoa or elsewhere); and
- (e) Evidence of such other matters as the Board may require.

(3) Applications for registration shall be accompanied by the application fee determined by the Board or prescribed by Regulation.

14. Board to make a decision-(1) At its first meeting after any application for registration has been submitted to the Registrar, or so soon thereafter as may be practicable, the Board shall consider the application and shall give such direction in respect thereof as it thinks fit.

(2) The Board may require an applicant to attend personally before it to be examined or to verify to it any statement made by him with respect to his application and if he fails to so attend or verify the Board may refuse the application.

(3) If the Board after due consideration of the application is of the opinion that the applicant fulfills the requirements of this Act and is entitled to be registered either fully or provisionally, or to be registered subject to any

restrictions or conditions it shall direct the Registrar accordingly, and the Registrar shall thereupon register the applicant in the manner directed, and notify him of same in writing.

(4) If the Board after due consideration of the applications is of the opinion the applicant does not fulfill the requirements of this Act or is not entitled to be registered in any capacity, it shall direct the Registrar accordingly and the Registrar shall in writing notify the applicant of the Board's decision and the reasons for its decision.

(5) All applications for registration shall be held by the Registrar for a period of three years after the expiry of registration, after which time they may be destroyed.

15. Certificate of Registration-(1) A person registered under this Act shall, on the payment of the registration fee, receive a numbered certificate of registration under the hand of the Registrar and the Chairman.

(2) Unless suspended or cancelled a certificate issued under subsection (1) shall be renewed annually on the 31st December in each year upon payment of the renewal fee determined by the Board or prescribed by Regulation.

16. Exemption from Registration-(1) The Board is empowered to determine that a person, group of persons, or persons employed by certain organizations, or that certain classes or types of work, be exempted from the provisions of this Act.

(2) The Board shall consider each case on its merits and make a decision accordingly.

(3) The decision of the Board is final.

(4) The Registrar shall cause details of an exemption to appear in the Gazette, or the Savali at the same time as the lists appear as provided under section 11.

(5) Exemptions may be applied for, and approved on an annual basis.

(6) A certificate of exemption under the hand of the Registrar and Chairman shall be issued upon payment of the fee determined by the Board or prescribed by Regulation.

17. Fraudulent Registration – A person who, in connection with an application under this Act, makes a false or misleading statement or produces a false certificate, testimonial or other document, is guilty of an offence.

Penalty: A fine not exceeding five penalty units.

18. Change of Address, etc., to be notified-(1) A person registered under this Act who changes his name or the location of his place of business or his postal address must, within 21 days after the change, notify the Registrar in writing.

(2) A person who contravenes or fails to comply with subsection (1), is guilty of an offence.

Penalty: A fine not exceeding one penalty unit.

19. De-registration or Suspension of Registration – The Board may deregister or suspend for such period as it thinks fit, the registration of a person -

- (a) Whose registration has been obtained by fraud or misrepresentation;
- (b) Who is convicted, whether in this country or elsewhere, of a crime, or of any offence that, in the opinion of the Board, renders that person unfit to practice professional engineering;
- (c) Who is convicted of an offence under this Act;
- (d) Who ceases to hold the qualifications by virtue of which that person was registered;
- (e) Who fails to pay the prescribed fee;
- (f) Who fails to comply with the Code of Ethics as adopted by the Institution; or
- (g) Who is found by the Board to have been guilty of
 -
 - (i) disgraceful or improper conduct in his professional capacity;
 - (ii) allowing a person other than a registered person to practice in his name as a registered engineer;
 - (iii) directly or indirectly giving or offering to a person any valuable consideration for securing or attempting to secure for himself employment or work as a registered engineer;or

- (iv) refusing or failing to comply with any rules made by the Board under this Act.

20. Complaints to the Board-(1) Where a complaint is made to the Board against a registered engineer for improper professional conduct, or in any case where the Board thinks advisable, the Board may hold an inquiry.

(2) Before holding the Inquiry the Board shall forthwith serve on the person concerned a notice –

- (a) Specifying the allegations against him in sufficient detail to enable him to adequately prepare any defence he may have to the allegations;
- (b) Specifying the time and place at which he may appear before the Board to answer the allegations, but allowing the person concerned reasonable opportunity to prepare any defence he may have;
- (c) Informing him he may appear either personally or be legal counsel or other representative and cross examine any witnesses called against him call evidence in his defence or address the Board on the allegations;
- (d) Informing him of his right to have the assistance of an interpreter at the expense of the Board if he so desires; and
- (e) Informing him if he enters no appearance at the time and place specified that the matter will be finally determined by the Board in his absence.

(3) The Board may appoint legal counsel or a member of the Institution to present the case against the engineer concerned, or to assist the Board in the conduct of the Inquiry.

(4) The Board may from time to time adjourn the Inquiry and may reserve its decision on any matter; but in the latter event it must deliver its decision expeditiously and without undue delay.

(5) For the purposes of the Inquiry the Board shall have the same powers and privileges as are conferred on a Commission of Inquiry by the Commissions of Inquiry Act 1964 and witnesses at the Inquiry shall have the same protection as they have under that Act.

(6) Pending the holding and the making of a final determination at the Inquiry the Board may suspend the registration of the engineer concerned.

21. Board to Record its findings-(1) Following the inquiry, the Board shall –

- (a) Make a final determination in respect of the subject of the inquiry; and
- (b) Record the findings on which the decision was based and its reasons; and
- (c) If the engineer so requests, furnish a copy of the findings and reasons.

(2) Where the Board's decision is in respect of an employee of the Public Service, the Registrar shall forthwith notify the Public Service Commission, in writing, of the decision.

22. Appeals-(1) Any person dissatisfied with a decision of the Board made pursuant to section 19 may within 21 days after the decision has been communicated to him, or within such further time as the Supreme Court may allow, appeal to the Supreme Court against the Board's decision.

(2) The Supreme Court shall hear the appeal as soon as practicable and may confirm reverse or modify, in accordance with this Act, the decision of the Board.

(3) Any decision of the Supreme Court shall be final and conclusive.

(4) On any such appeal the Court may make such order as to costs as it shall think fit.

(5) Unless the Supreme Court so directs, no decision of the Board shall be deemed to be stayed by reason only of the fact that an appeal is pending against the decision.

PART V

REGULATION OF THE PRACTICE OF ENGINEERING

23. Employment of registered engineers-(1) Any person, company, statutory body, Government body or organization that undertakes professional engineering works (including design work, investigations and other works carried out offshore relating to projects within Samoa), where the

estimated value of works is in excess of that specified in the Regulations, shall employ registered engineers for the engineering management, design and implementation of these works.

(2) A person who fails to employ registered engineers in accordance with subsection (1) is guilty of an offence.

Penalty: A fine not exceeding 1,000 penalty units.

(3) A provisionally registered engineer cannot be engaged directly or indirectly under subsection (1) unless he is under the full time direction of a registered engineer who accepts responsibility for the engineering work of the provisionally registered engineer.

24. Unregistered persons purporting to be Registered

– A person other than a registered engineer, who uses any name, style, title, addition or description, whether in itself or in the circumstances in which it is used states or implies that such person is a registered engineer, is guilty of an offence.

Penalty: A fine not exceeding 50 penalty units.

25. Unregistered persons signing documents – A person who is not registered in the Register, but who claims to be registered, or who signs engineering documents as though he is registered, is guilty of an offence.

Penalty: A fine not exceeding 50 penalty units.

26. Employing an Unregistered person – A person, company, statutory body, government body or organization who employs an unregistered person as a registered engineer knowing him to be unregistered, is guilty of an offence.

Penalty: A fine not exceeding 50 penalty units.

PART VI MISCELLANEOUS

27. Officers of company to be liable –Where the person convicted of an offence against this Act is a company, statutory body, Government body or other organization, every director, secretary, manager and every officer concerned in the management of the company, statutory or Government body or

other organization shall be guilty of the offence, unless he proves that the act or omission constituting the offence took place without his knowledge or consent.

28. Board to direct prosecutions – The Board may order either generally or in any particular case, proceedings to be taken for the recovery of fees or penalties due under this Act and for the prosecution of any person, company statutory body, Government body or other organization offending against this Act.

29. Certified of Registrar to be conclusive – A certificate under the hand of the Registrar to the effect that any person was or was not registered under this Act at any specified time, or as to any entry in the register, or as to any act or proceeding of the Board, shall unless the contrary is proved, be conclusive evidence of the matters therein, and shall be admissible as proof of such matters in any Court in Samoa.

30. Act to bind the State – This Act shall bind the State.

31. Right to sue for fees – Every person who is registered or authorized under this Act to practice engineering or undertake Professional Engineering Work shall be entitled to sue in any Court of competent jurisdiction in Samoa for the recovery of any fee or other remuneration for professional services rendered.

32. Regulations – The Head of State, acting on the advice of Cabinet, may from time to time make regulations not inconsistent with this Act prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or expedient to be prescribed for carrying out or giving full effect to this Act, and the due administration thereof.

**SAMOA**

Faatulagaina o Aiaiga

**VAEGA I
FAATOMUAGA**

1. Igoa puupuu ma le amataga
2. Faamatalaina o uiga o upu

**VAEGA II
KOMITI FAATINO MO LE
FAAMAUINA O TAGATA
TOMAI FAA-INISINIA**

3. Faavaeina o le Komiti Faatino
4. Faavaeina o le Komiti Faatino
5. Vaitaimi o Tofi
6. Fonotaga a le Komiti Faatino
7. Faamagaloga o le

**VAEGA III
PULE MA MATAFAIOI A LE
KOMITI FAATINO**

8. Matafaioi a le Komiti Faatino
9. Pule a le Komiti Faatino
10. Totogifuapauina

**VAEGA IV
AGAVAA, FAAMAUINA MA
LE TUSI RESITARA**

11. Tusi Resitara o Tagata Tomai Faa-Inisia
12. Agavaa ma le Faamauina o Inisia
13. Talosaga mo le Faamauina
14. Komiti Faatino ina ia faia se faaiuga
15. Tusi Faamaonia o le Faamauina
16. Tuusaunoaga mai le Faamauina

17. Faamauina taufaasese
18. Suiga o tuatusi, ma isi tulaga faapena, ina ia logoina atu
19. Aveeseina o le Faamauina po o le faamutaina o le Faamauina
20. Faitioga I le Komiti Faatino
21. Komiti Faatino ia faamaumuina ana sailiiliga
22. Talosaga

**VAEGA V
TULAFONO
FAATONUTONU TAU
FAATINO GA O
GALUEGA FAA-
INISINIA**

23. Faafaigaluegaina o inisia faamauina
24. Tagaga e le i faamauina ua faamoemoe e faapea e ave a o ni Inisia Faamauina
25. Sainia o pepa aloaia e tagata e le I faamauina
26. Faafaigaluegaina o se tagata e le I faamauina

**VAEGA VI
MEA ESEESE**

27. Tagata Ofisa o kamupani o le a noatia
28. Komiti Faatino ina ia faatonuina ni moliaga
29. Tusi Faamaonia a ina ia mausali
30. Tulafono ua noatia ai le Malo
31. Aia e molia ai mo totogifuapauina
32. Tulafono Faatonutonu.

1998, Nu. 40

O SE TULAFONO e aiaia ai mo le faamauina o tagata tomai faa-inisia ma mo le faatonutonuina ma le pulea o a latou tomai faa-inisia ma isi faamoemoega faasino i ai.

[24 Tesema 1998]

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

**VAEGA I
FAATOMUAGA**

1. Igoa puupuu ma le amataga-(1) E mafai ona taua lenei Tulafono o le Tulafono o Tagata Tomai Faa-Inisinia (Faamauina) 1998.

(2) O lenei Tulafono o le a amata faamamaluina i luga o le faasalalauga a le Minisita o Galuega i se faasilasilaga i lena tulaga i totonu o le Gazette.

2. Faamatalaina o uiga o upu – I totonu o lenei Tulafono, ae vagana ai e ese se isi faamoemoe o lo a aliali mai:

“Komiti Faatino” o lona uiga o le Komiti Faatino o le Faamauina o Taga Tomai Faa-Inisinia ua faavaeina i lalo o lenei Tulafono:

“Faalapotopotoga” o lona uiga o le faalapotopotoga o Tagata Tomai Faa-Inisinia o Samoa ua tuu faatasia i lalo o le Tulafono o Sosaiete Tuu faatasia 1952:

“Galuega tau Tomai Faa-Inisinia” e aofia ai galuega e faapea-

(a) E manaomia ai le malamalamaaga i autu faasaienisi e avefaavae o tomai faa-inisia, ma le aotelega o le faamatalaina o nei mataupu autu e ala atu i auiliiliga faamatematika (pe a fai e talafeagai ai) ma e manaomia ai n i aoaoga loloto i se vaega faa-inisia po o i so o se isi tomai faasino i ai; po o

(b) E taua i tulaga faale-mafaufau, ma e mafai ona fetuutuunai, e aofia ai tulaga agavaa i so o se

vaega faa-inisia ma tulaga faataitai, faamasinoga, foia o uluai tulaga tau le tamaoaiga o matafaioi o faafitauli faa-inisia ma le faatinoina o galuega faa-inisia; po o

(c) E aofia ai le faaaogaina o potu tau tomai faa-inisia ma potu masani i gaoioiga fai e pei o le fuafuaina o ata tau galuega, fuafuaga, saililiga e faaaogaina ma atiinae ae, aoga ma aoaoga, e aofia ai le faatulagaina o galuega ma le pulea o ia gaoioiga fai ma isi gaoioiga e pei o le gaosia ma le fausia, faatuina, faagaoioia ma le tausia o nofoaga faa-inisia, faiga, meafaigaluega ma galuega faatino e fesootai iai; po o

(d) Faasino i nofoaga faa-inisia, faiga, meafaigaluega ma galuega e fesootai i ai i totonu o Samoa e faapea ua uma ona fuafuaina, tusiaina o ata, suesuega, faamaopoopoina, pulea, atiina ae, faatonutonuina, faia, fausia, faatulagaina, faagaoioia, po tausia e ni tagata, i totonu ma fafo atu o Samoa.

“Tusi Resitala” o lona uiga o le Tusi Resitala o Tagata Tomai Faa-Inisia e tausia i lalo o le fuaiupu 11:

“Inisia Faamauina” o lona uiga o se tagata ua faamauina e avea o se Tagata Tomai Faa-Inisia i lalo o lenei Tulafono:

“Resitara” o lona uiga o le Resitara ua tofia i lalo o le fuaiupu 4(3) o lenei Tulafono.

VAEGA II

KOMITI FAATINO MO LE FAAMAUINA O TAGATA TOMAI FAA-INISIA

3. Faavaeina o le Komiti Faatino-(1) O le Komiti mo le Faamauina o Tagata Tomai Faa-Inisia ua faavaeina nei.

(2) O le Komiti Faatino o le a aofia ai le Fono Aoao o le Faalapotopotoga o Tagata Tomai Faa-Inisia.

(3) Ina ia mafai ai ona fesoasoani ma faatinoina ana matafaioi ma galuega e mafai e le Komiti Faatino ona tofia ni

sui faapoopo mo so o se vaitaimi faamaotiina, peitai osea vaitaimi o le a le sili atu i le vaitaimi o tofi o le Komiti Faatino.

4. Faavaeina o le Komiti Faatino-(1) O le Peresetene o le Faalapotopotoga o le a avea o le Taitaifono o le Komiti Faatino.

(2) O le Sui Peresetene o le Faalapotopotoga o le a avea ma Sui Taitaifono o le Komiti Faatino.

(3) O le Failautusi o le Faalapotopotoga o le a avea ma o le Komiti Faatino.

(4) O isi sui o le Fono Aoao o le a avea ma sui masani o le Komiti Faatino.

5. Vaitaimi o Tofi-(1) O se sui o le Komiti Faatino, vagana ai ua vave ona tuua e ia le tofi e avea ai o se sui o le Komiti Faatino po o ua faamutaina lona umia o le tofi e avea ai o se sui o le Fono Aoao o le Faalapotopotoga, e tatau ona tofia mo se vaitaimi e le sili atu i le tasi le tausaga, e tusa ai ma le Faiga Palota a le Fono Aoao o le Faalapotopotoga, ma e agavaa mo le toe tofiaina.

(2) E mafai e se sui o le Komiti Faatino ona faamavae mai le tofi po o e mafai ona aveese mai le tofi i le Faalapotopotoga i se fonotaga aoao faapitoa i luga o ni mafuaaga o le le mafai ona totogiina aitalafu, faatalale i le faatinoina o tiute, le malosi o le tino po o se amio le taupulea ua faamaonia e tusa ai i le maliega a le Fonotaga.

(3) A fai o le tulaga o se sui ua avanoa a o le i faamutaina le vaitaimi o lona tofi, e mafai ona faatumuina le avanoa e le Faalapotopotoga i se Fonotaga Aoao Faapitoa i luga o le filifilia o se sui o le Fono Aoao e umia le tofi mo le vaega o le vaitaimi o le tofi e le i faamutaina.

6. Fonotaga a le Komiti Faatino-(1) O le Taitaifono, po o i lona toesea, le Sui Taitaifono, e tatau ona nofoia le Nofoa o le Taitaifono i Fonotaga uma a le Komiti Faatino.

(2) O le Komiti Faatino e tatau ona fono i ni taimi ma ni nofoaga e pei ona manatu le Taitaifono ua talafeagai ai mo le faatinoina lelei o ana mataupu.

(3) A fai ua talosagaina e faia se tulaga e ni sui e le itiiti ifo na i lo le toatolu ni sui, e tatau i le Taitaifono ona taloina se

fonotaga a le Komiti Faatino i se taimi vave e mafai ai ina ua uma ona mauaina e ia le talosaga.

- (4) I se fonotaga a le Komiti Faatino –
- (a) E toafa ni sui o le a mafai ai ona usuia ma faaauauina se fonotaga; ma
 - (b) O matapu uma o lo o i luma ole Komiti Faatino o le a faaiugafonoina e tusa ai ma le Palota e mafuli i ai le aofaiga o sui o lo o auai i le fonotaga; ma
 - (c) O le tagata o lo o taitaia le fonotaga o lo o i ai se Palotae faia ai se filifiliga, ma i le tulaga o se Palota e tutusa i luga o se mataupu, o le a ia te ia se Palota e faia ai se faaiuga.

(5) O le o le a tausia faamaumauga o mataupu o fonotaga uma a le Komiti Faatino.

(6) I le noatia i le nao lenei Tulafono ma so o se Tulafono Faatonutonu, o taualumaga o le Komiti Faatino o le a fuafuaina e le Komiti Faatino.

7. Faamagaloga o le ma sui o le Komiti Faatino- E leai se gaoioiga o le a faia faasaga i le po o so o se sui o le Komiti Faatino e tusa ai i so o se gaoioiga po o se mataupu ua faia po o ua le faia i luga o le agaga lelei e tusa ai i a latou matafaioi taitasi i lalo o lenei Tulafono po o i lalo o so o se Tulafono Faatonutonu.

VAEGA III

PULE MA MATAFAIOI A LE KOMITI FAATINO

8. Matafaioi a le Komiti Faatino – O le matafaioi a le Komiti Faatino e faapea –

- (a) O le faamauina ole tagata agavaa e avea ma inisinia faamauina;
- (b) Le uluai faamauina o ni tagata agavaa e avea o ni inisinia faamauina mo se vaitaimi;
- (c) Le aveesea o le faamauina e tusa ai ma lenei Tulafono mai ni tagata na faamauina e avea o ni inisinia faamauina po o e pei ona uluai faamauina mo se vaitaimi o ni inisinia faamauina;

- (d) I le fuafuaina o ni manaoga, agavaa ma tulaga talafeagai mo le faamauina ma uluai faamaumauga i matata eseese tau tomai faa-inisia;
- (e) I le tauaveina oni suesuega ma ni sailiiliga i gaioiga fai ma amioga a inisia faamauina po o inisia faamauina moni vaitaimi na faia ai ni faaiuga maumaututu e tusa ai ma ia tulaga;
- (f) Le faavaeina ma le faia o ni moliaga mo ni solitulafono ma faia faasaga i lenei Tulafono; ma
- (g) Le uunaia ma le faamalosia o amioga talafeagai i le va o tagata inisia ma le puipuia ma le tausia o le mamalu o le tulaga tau tomai faa-inisia i totonu o Samoa.

9. Pule a le Komiti Faatino-(1) E tatau ona i ai i le Komiti Faatino, e faaopoopo atu i so o se isi pule ua faaeeina i ai i ona luga e lenei po o so o se isi Tulafono o pule uma e faapea ua talafeagai po o ua tatau ai ina ia mafai ai e ia ona tauaveina ma tuuina atu malosiaga atoatoa i ana matafaioi.

(2) E aunoa ma le faatapulaaina o tulaga aoao o le faafuaiupu muamua o lenei fuaiupu, e mafai e le Komiti Faatino

- (a) Ona tofia ni Komiti po o ni Komiti laiti mai lea taimi i lea taimi mo ni faamoemoega e pei ona o le a ia manatu ua talafeagai ai ma e mafai ona tuuina atu i ia Komiti po o Komiti laiti so o se tasi o ana pule;
- (b) Faia ni moliaga faasaga i so o se tagata mo le solia o lenei Tulafono po o so o se isi Tulafono faasino i faiga o galuega faa-inisia;
- (c) Tofia se Loia po o se Loia mo tagata lautele e avea ma ona sui i totonu o so o se Faamasinoga faale-Tulafono e avea ai ma ona sui; ma
- (d) E tusa ai ma lenei Tulafono faatonuina, faaeeina atu, lafoga ma le aoina mai o totogifuapauina po o isi tupe totogi.

10. Totogifuapauina - E tatau i le Komiti Faatino mai lea taimi i lea taimi ona faatulagaina ni totogifuapauni e

totogiina mai mo talosaga ma le faamauina i lalo o lenei Tulafono mo le tuuina atu ma le toe faafouina o tusi faamaonia faale-tausaga, toe faamauina, tusi faamaonia o tuusaunoaga mo le suesueina ole Tusi Resitala.

VAEGA IV

AGAVAA, FAAMAUINA MA LE TUSI RESITALA

11. Tusi Resitala o Tagata Faa-Inisia- (1) E tatau i le Resitara ona tusia se Tusi Resitara o Inisia Faamauina, lea e tatau ona faauluina i ai le igoa o tagata faamauina taitasi po o uluai faamauga i lalo o lenei Tulafono, agavaa e tusa ai ma lona faamauina, so o se tapulaa po o ni tuutuuga e faaeeina i ai e tusa ai ma lona faamauina, le nofoaga o lana galuega, lona tuatusi i le meli ma isi auiliiliga faasino i ai e pei ona o le a fuafuaina e le Komiti Faatino mai lea taimi i lea taimi.

(2) O le Tusi Resitala e tatau ona tatalaina, i taimi uma talafeagai, mo suesuega a tagata lautele i le Ofisa o le Resitala, i le noatia ma le fai fuafua i le totogiina o ni totogifuapauina tau suesuega ua fuafuaina e le Komiti Faatino po o ua faatonuina e le Tulafono Faatonutonu.

(3) O le a faatonuina e le Resitala se lisi o tagata uma ua faamauina e tusa ai ma le faafuaiupu (1), faatasi ai ma o latou tuatusi e lafo atu ai i luga o le meli ma so o se faatapulaaga po o ni tuutuuga ua faaeeina i ai i luga o a latou faamauina o o latou faamauga, ma se lisi o ni tagata ua aveeseina o latou faamauina, ina ia lolomiina i totonu o le Gazette po o le Savali e faapea –

- (a) O se lisi, o le a soloia ai lisi uma talu ai, o tagata faamauina i le taimi nei o le a aliali ai i totonu a o faagasolo masina faale-tausaga o Mati, po o nisi taimi e pei ona o le a fuafuaina e le Komiti Faatino; ma
- (b) O se faaopoopoga i le lisi faale-tausaga, o ni tagata na faamauina mulimuli mai ai, po o ua toe aveesea le faamauina, e tatau ona faia i le tai kuata tausaga a o faagasolo masina o Iuni, Setema ma Tesema.

12. Agavaa ma le Faamauina o Inisia-(1) E leai se tagata ole a ina ua tuanai le faamutaina o se vaitaimi e 3 masina e mulimuli mai i le aso e amata faamamaluina ai lenei Tulafono

o lo o faatinoina le galuega faa-inisinia po o faia galuega tau tomai faa-inisinia o so o se faiga, uiga po o ituaiga i totonu o Samoa vagana ai ua faamauina o ia i lalo o so o se aiaiga o lenei Tulafono ma o lo o umia e ia se tusi faamaonia o le faamauina i le taimi nei na tuuina atu i lalo o le fuaiupu 15 o lenei Tulafono.

(2) O se tagata o le a agavaa e avea o se Inisinia Faamauina atoatoa pe a fai –

- (a) Ua faafetaiaia e ia manaoga ma tulaga o agavaa ua faavaeina e le Komiti Faatino e tusa ma le fuaiupu 8(d) o lenei Tulafono;
- (b) Talu mai ona avea o ia ua agavaa i poto faapitoa ma ua ia te ia se poto masani mo le lima po o le sili atu foi o tausaga na galue ai i lana matata faapitoa o le faa-inisinia i se maualuga faamalieina ai le iloiloga a le Komiti Faatino;
- (c) O ia o se sui faale-tupe i le taimi nei o le Faalapotopotoga; ma
- (d) Ua faamalieina e ia le Komiti Faatino e faapea o ia o se tagata e lelei lana amio ma lona tulaga i totonu o le atunuu.

(3) E ese ai i so o se mea i totonu o lenei fuaiupu o lo o aofia ai se tagata e le tatau ona faamauina e avea o se Inisinia Faamauina vagana ai o ia o se sui ua tuufaatasia faale-Tulafono a le Faalapotopotoga poo o lo o umia e ia ni agavaa e faapea ole a aia ai o ia e avea ma sui ole Faalapotopotoga tuufaatasia faale-Tulafono.

(4) O se tagata o ia lea ua agavaa peitai e le o mafai ona faafetaiai e ia manaoga o faafuaiupu (2) po o le (3) o lenei fuaiupu o le a faamauina mo se vaitaimi seia mafai e ia ona faafetaiaia manaoga faatasi ai ma vaitaimi aupito i tele o le faamauina mo se vaitaimi e le tatau ona sili atu i le fitu tausaga.

(5) O se tagata ua faamauina mo se vaitaimi muamua i lalo o lenei Tulafono e mafai ona faationina galuega tau tomai faa-inisinia i totonu o Samoa i le noatia ma le fai fuafua i tuutuuga ma aiaiga e faapea ua faaeeina atu i ai e le Komiti Faatino.

13. Talosaga mo le Faamauina-(1) E mafai e se tagata, i totonu o le pepa ma i le faiga e pei ona fuafuaina e le Komiti Faatino mai lea taimi i lea taimi, ona talosaga i le Komiti Faatino mo le faamauina.

- (2) O se tagata ua talosaga mo le faamauina i lalo o le faafuaitupu (1) e tatau ona tuuina atu i le –
- (a) Faamatalaga auiliili atoatoa o lona tagata e aofia ai tuatusi nofomau ma le nofoaga o le pisinisi po o le mea o loo faigaluega ai; ma
 - (b) Molimau o agavaa ma poto masani tau galuega; ma
 - (c) Molimau e faapea o ia o se sui faale-tupe o le Faalapotopotoga i le taimi nei; ma
 - (d) Ni tusi faamaonia se lua e tusa ai ma le lelei o lana amio e tuuina mai e ni inisinia sinia (pe i totonu o Samoa po o se isi nofoaga); ma
 - (e) Ni molimau o nisi mataupu e ono manaomia e le Komiti Faatino.
- (3) O talosaga mo le faamauina e tatau ona tuuina mai faatasi ma le totogifuapauina ole talosaga ua fuafuaina e le Komiti Faatino po o ua faatonuina e le Tulafono Faatonutonu.

14. Komiti Faatino ina ia faia se faaiuga-(1) I lana uluai fonotaga ina ua tuanai so o se talosaga mo le faamauina ua tuuina atu i le , po o i se taimi vave mulimuli mai e mafai ona faatinoina ai, e tatau i le Komiti Faatino ona iloiloina le talosaga ma e tatau ona tuuina atu se faatonuga e tusa ai ma lea talosaga e pei ona ua ia manatu ua talafeagai ai.

(2) E mafai e le Komiti Faatino ona manaomia se tagata o lo o talosaga e auai atu i ona luma ina ia suesueina po o ina ia faamaonia e tusa ai ma so o se faamatalaga ua faia e ia i totonu o lana talosaga ma afai ua le mafai ona auai atu o ia po o le tuuina atu o se faamaoniga i le Komiti Faatino e tusa ai ma ia tulaga e mafai e le Komiti Faatino ona teena le talosaga.

(3) A fai ole Komiti Faatino ina ua maea ona iloiloina e ia le talosaga ma ua i lona manatu e faapea ua faataunuina e le tagata o lo o talosaga manaoga uma olenei tulafono ma ua agavaa ina ia faamauina pe i se tulaga atoatoa po o mo se vaiitimi, po o ina ia faamauina i le noatia ma le fai fuafua i so o se tapulaa po o ni tuutuuga e tatau i le Komiti Faatino ona faatonuina le e tusa ai ma lona manatu, ma e tatau loa i le ona faamauina le tagata o lo o talosaga i le faiga e pei ona faatonuina ma logoina atu loa o ia e tusa ai ma sea faaiuga i luga o se tusi.

(4) A fai o le Komiti Faatino ina ua maea ona iloiloina e ia le tusi talosaga ma ua i ai i lona manatu e faapea e le o faataunuaina e le tagata o lo o talosaga manaoga o lenei tulafono po o e le o agavaa o ia ina ia faamauina i so o se tulaga, e tatau i le Komiti Faatino ona faatonuina le e tusa ai ma lana faaiuga ma e tatau i le i luga o se tusi ona logoina le tagata o loo talosaga e tusa ai ma le faaiuga a le Komiti Faatino faatasi ai ma mafuaaga ua faia ai lea faaiuga.

(5) O talosaga uma mo le faamauina e tatau ona umia e le mo se vaitaimi e tolu tausaga ina ua tuanai le faamutaina o le faamauina, ma e mafai loa ona faatamaia pe afai ua tuanai lea taimi.

15. Tusi Faamaonia o le Faamauina-(1) O se tagata ua faamauina i lalo o lenei Tulafono e tatau, i le totogiina o le totogifuapauina o le faamauina, ona mauaina se tusi faamaonia ua faanumeraina o le faamauina i lalo ole lima o le ma le Taitaifono.

(2) Ae vagana ai ua faamutaina po o ua soloia se tusi faamaonia na tuuina atu e tusa ai ma le faafuaiupu (1) e tatau ona toe faafouina i tausaga taitasi i le aso 31 Tesema i tausaga taitasi i le totogiina o le totogifuapauina mo le toe faafouina o le tusi faamaonia e pei ona fuafuaina e le Komiti Faatino pe faatonuina e le Tulafono Faatonutonu.

16. Tuusaunoaga mai le Faamauina-(1) Ua tuuina atu i le Komiti Faatino le pule e fuafuaina ai e faapea o se tagata, vaega o ni tagata, po o ni tagata o lo o faigaluegaina e nisi o faalapotopotoga, po o e faapea o nisi o vasega po o ituaiga o galuega, e ao ona tuusaunoaina mai i aiaiga o lenei Tulafono.

(2) O le a iloiloina e le Komiti Faatino mataupu uma taitasi e tusa ai ma ona tulaga lelei ma le aoga ma faia ai se faaiuga e tusa ai ma ia tulaga.

(3) O le faaiuga a le Komiti Faatino e mausali.

(4) E tatau i le ona faia ni faamatalaga auiliili o se tuusaunoaga e faasalalauina i totonu o le Gazette, po o le Savali i le taimi lava lea e tasi o le a faasalalauina ai le lisi e pei ona aiaia i lalo o le fuaiupu 11.

- (5) O tuusaunoaga e mafai ona talosagaina mo, ma faamaonia i luma o se faavae faale-tausaga.
- (6) O se tusi faamaonia o tuusaunoaga i lalo ole lima o le ma le Taitaifono o le a tuuina atu i luga o le totogiina o le totogifuapauina e pei ona fuafuaina e le Komiti Faatino po o ua faatonuina e le Tulafono Faatonutonu.

17. Faamauina taufaasese - O se tagata o ia lea, i sootaga ma se talosaga ua faia i lalo o lenei tulafono, ua faia se faamatalaga sese po o le taufaasese po o le tuuina atu o se tusi faamaonia sese, pepa faamaoniga po o isi pepa aloaia, ua nofo sala i se solitulafono.

Faasalaga: O se faasalaga e le sili atu le lima vaega o faasalaga.

18. Suiga o tuatusi, ma isi tulaga faapena, ina ia logoina atu-(1) O se tagata ua faamauina i lalo o lenei Tulafono o ia lea ua suia lona igoa po o le tulaga o lona nofoaga tau pisinisi po o lona tuatusi i le meli, i totonu o le 21 aso ina ua tuanai le suiga, logoina le i luga o se tusi.

(2) O se tagata oia lea ua solia po o ua le tausia le usitaia o le fuaiupu (1), ua nofosala i se solitulafono.

Faasalaga: O se faasalaga e le sili atu i le tasi vaega o faasalaga.

19. Aveeseina o le Faamauina po o le faamutaina o le Faamauina – E mafai e le Komiti Faatino ona aveesea le faamauina po o le faamutaina mo se vaitaimi e pei ona ua ia manatu ua talafeagai ai, o le faamauina o se tagata –

- (a) O lona faamauina sa maua mai i luga o se faiga tuafaasese po o ni faamatalaga le sao;
- (b) O ia lea ua faamaonia faale-tulafono lona moliaga, pe i totonu o lenei atunuu po o se isi nofoaga, i se solitulafono, po o so o se solitulafono e faapea, i le manatu o le Komiti Faatino, ua avea ai lena tagata e faapea ua le agavaa e galue i tomai faainisinia;
- (c) O ia lea ua faamaonia faale-tulafono i se solitulafono i lalo o lenei Tulafono;

- (d) O ia lea ua faamutaina lona umia o agavaa e tusa ai ma tulaga sa faamauina ai lena tagata;
- (e) O ia lea ua le mafai ona totogiina totogifuapauina e pei oa faatonuina;
- (f) O ia lea ua le tausisia le usitaia o Tulaga Aloia e pei ona faaogaina e le Faalapotopotoga; po o
- (g) O ia lea ua maua e le Komiti Faatino sa agasala i

—
(i) i se amioga mataga po o le le talafeagai e tusa ai ma lona tulaga tau tomai faa-inisia;

(ii) ua faatagaina se tagata e ese ai nai lo se tagata faamauina e galue i luga o lona igoa e avea ai o se inisia faamauina;

(iii) tuuina atu po o le ofoina atu i se faiga tuusao po o le faaalatua i se tagata o so o se iloiloga taua mo le malu puipua po o le taumafai ia malu puipua mo ia lava galuega po o le galue e pei o se inisia faamauina; po o

(iv) le teena po o ua le mafai ona tausisia so o se tulafono laitiiti ua faia e le Komiti Faatino i lalo o lenei Tulafono.

20. Faitioga i le Komiti Faatino-(1) A fai o se faitioga ua faia i le Komiti Faatino e faasaga i se inisia faamauina mo se amioga le talafeagai tau tomai faa-inisia po o i so o se tulaga pe a fai ua manatu le Komiti Faatino e ono fautuaina, e mafai e le Komiti Faatino ona faia se suesuega.

(2) A o le i faia le suesuega, e tatau i le Komiti Faatino ona auina atu i se taimi vave se faasilasilaga i le tagata ua aafia

-
- (a) E faamaoti ai tuuaiga e faasaga ia te ia i auililiga lava e mafai ai e ia ona lava saunia so o se tetee i ia tuaiga;
 - (b) E faamaoti ai le taimi ma le nofoaga e tulai ai o ia i luma o le Komiti Faatino e tali atu ai i tuuaiga, peitai ia faatagaina se avanoa i le tagata ua aafia e saunia ai mo so o se tetee e ono tuuina atu;
 - (c) Logoina o ia e mafai ona tulai mo ia lava po o se loia po o se isi e suitulaga ia te ia ma fesiligia so o se tagata molimau ua valaauina e faasaga

ia te ia i molimau i lona tetee po o se faamatalaga i le Komiti Faatino i luga o tuuaiga;

(d) Logoina o ia e tusa o ona aia tatau e maua ai se fesoasoani a se tagata faamatala upu e totagi e le Komiti Faatino pe a fai ua mana'o o ia; ma

(e) Logoina o ia pe a fai ua ia le tulai i luma o le Komiti Faatino i le taimi ma le nofoaga ua faamaotiina e faapea o le mataupu o le a faia i ai e le Komiti Faatino se faaiuga i lona le auai.

(3) E mafai e le Komiti Faatino ona tofia se loia po o se sui auai o le Faalapotopotoga e tuuina mai le mataupu e faasaga i le inisinia ua aafia po o le fesoasoani i le Komiti Faatino i le faia o le suesuega.

(4) E mafai e le Komiti Faatino mai lea taimi i lea taimi ona tolopo le suesuega ma e mafai ona faataatiaese lana faaiuga i luga o so o se mataupu, peitai i le tulaga tulai mai mulumuli ane e tatau ona tuuina atu lana faaiuga vave ma e aunoa ma le faatuai.

(5) Mo le faamoemoe o le suesuega e tatau i le Komiti Faatino ona i ai le pule lava e tasi ma tulaga aloaia e pei ona faaeeina atu i luga o se Komisi Suesue e le Tulafono o Komisi Suesue 1964 ma o molimau i le suesuega e tatau ona i ai le puipuga tutusa e pei ona aiaia i lalo o lona Tulafono.

(6) A o loma le faia o se faaiuga mausali i le suesuega, e mafai e le Komiti Faatino ona faataatiaese mo se vaitaimi le tumau le faamauina o le tagata inisinia o lo o aafia.

21. Komiti Faatino ia faamaumauina ana sailiiliga-

(1) A maea le suesuega e tatau i le Komiti Faatino ona -

(a) Faia se faaiuga tumau e tusa ai o le mataupu ole suesuega; ma

(b) Faamaumauina sailiiliga na faavae ai le faia o le faaiuga ma ona mafuaaga; ma

(c) A fai e manomia e le tagata inisinia, ia tuuina atu ia te ia se ata o sailiiliga ma mafuaaga.

(2) A fai o le faaiuga a le Komiti Faatino ua faatatau lea i se tagata faigaluega o Galuega a le Malo, e tatau i le ona logoina i se taimi vave le Komisi o Galuega a le Malo i se tusi e tusa ma le faaiuga.

22. Talosaga-(1) So o se tagata ua le faamalieina i se faaiuga a le Komiti Faatino ua faia e tusa ai o le fuaiupu 19, e mafai i totonu o le 21 aso talu ona faafesootai atu ia te ia le faaiuga po o se isi taimi e pei ona faataga e le Faamasinoga Mauualuga, ona talosaga i le Faamasinoga Mauualuga faasaga i le faaiuga a le Komiti Faatino.

(2) E tatau i le Faamasino Mauualuga ona fofogaina le talosaga i se taimi vave e ona faatino ai ma e mafai ona faamaonia le toe suia po o le toe faaleleia, e tusa ai ma lenei Tulafono le faaiuga a le Komiti Faatino.

(3) So o se faaiuga a le Faamasinoga Mauualuga e tatau ona tumau ma mausali.

(4) I luga o sea talosaga e mafai e le Faamasinoga ona faia se poloaiga e tusa ai ma tau e pei ona ua ia manatu ua talafeagai ai.

(5) Ae vagana ai ua faatonuina e le Faamasinoga Mauualuga, e leai se faaiuga a le Komiti Faatino e tatau ona avea faapea e tumau i le mafuaaga e faapea o lo o loma se talosaga faasaga i le faaiuga.

VAEGA V TULAFONO FAATONUTONU TAU FAATINOGA O GALUEGA FAA-INISINIA

23. Faafaigaluegaina o inisinia faamauina-(1) So o se tagata, kamupani, faalapotopotoga faale-tulafono, faalapotopotoga faale-Malo po o faalapotopotoga e faapea o lo o tauavea galuega tau tomai faa-inisinia (e aofia ai galuega tusi ata, suesuega ma isi galuega ua tauaveina i atunuu i fafo faasino i galuega i totonu o Samoa), a fai o le tau fuafuaina o galuega e sili atu i lo le tau ua faamaoti mai i totonu o le Tulafono Faatonutonu, e tatau ona faafaigaluegaina ni tagata inisinia faamauina mo pulega faa-inisinia, tusia o ata, ma le faatinoina o nei galuega.

(2) O se tagata ua le mafai ona faafaigaluegaina tagata inisinia faamauina e tusa ai ma le faafuaiupu (1) ua nofosala i se solitulafono.

Faasalaga: O se faasalaga e le sili atu i le 1,000 vaega o faasalaga.

(3) O se inisinia faamauina le tumau e le mafai ona faafaigaluegaina i se tuusao po o le faaalatua i lalo o le

faafuaiupu (1) vagana ua i ai oia i lalo ole faatonuga mo taimi uma a se tagata inisinia faamauina o ia lea ua talia tiute tauave mo galuega faa-inisinia a le inisinia faamauina le tumau.

24. Tagata e le i faamauina ua faamoemoe e faapea e ave a ni Inisinia Faamauina – O se tagata e ese mai ai nai lo o se tagata inisinia faamauina, o ia lea ua faaogaina so o se igoa, faiga, igoa o le tofi, faapoopoga po o faamatalaga pe ia te ia lava po o i ni tulaga e faaoga ai, faamatalaina po o faatatau i ai e faapea o se a tagata o se tagata inisinia faamauina, ua nofosala i se solitulafono.

Faasalaga: O se faasalaga e le sili atu i le 50 vaega o faasalaga.

25. Sainia o pepa aloaia e tagata e le i faamauina – O se tagata o ia lea e le i faamauina i le Tusi peitai ua ia taua faapea o ia ua faamauina, pe o ia lea ua sainia se pepa aloaia tau inisinia e pei ai o se tagata ua faamauina ua nofosala i se solitulafono.

Faasalaga: O se faasalaga e le sili atu i le 50 vaega o faasalaga.

26. Faafaigaluegaina o se tagata e le i faamauina – O se tagata, kamupani, faalapotopotoga faale-tulafono, faalapotopotoga faale-Malo, po o isi faalapotopotoga o i latou ia ua faafaigaluega se tagata e le i faamauina e ave a se tagata inisinia faamauina, a ua iloa o ia lea e le i faamauina, ua nofosala i se solitulafono.

Faasalaga: O se faasalaga e le sili atu i le 50 vaega o faasalaga.

VAEGA VI MEA ESEESE

27. Tagata ofisa o kamupani o le a noatia – A fai o se tagata ua faasalaina i se solitulafono e faasaga i lenei Tulafono i se kamupani, faalapotopotoga faale-tulafono, faalapotopotoga faale-Malo po o isi faalapotopotoga o faatonu taitasi uma, failautusi, pule ma tagata ofisa taitasi uma o lo o aafia i le pulega o le kamupani, faalapotopotoga faale-tulafono, faalapotopotoga faale-Malo po o isi faalapotopotoga o le a nofosala i se solitulafono, ae vagana au ua ia faamaonia e faapea o le gaioiga po o le le faia ua tulai mai ai se solitulafono, na faia e aunoa ma lona silafia po o sona maliega.

28. Komiti Faatino ina ia faatonuina ni moliaga – E mafai e le Komiti Faatino ona poloaia pe i le tulaga lautele po o i soo se mataupu faapitoa, le faia o taualumaga mo le toe faaolaina mai o totogifuapauina po o faasalaga ua tataua ona totogi mai i lalo o lenei Tulafono ma mo le moliaina i le faamasinoga o so o se tagata, Kamupani, faalapotopotoga faale-tulafono, faalapotopotoga faale-Malo po o i si faalapotopotoga ua faia se solitulafono faasaga i lenei Tulafono.

29. Tusi Faamaonia a ina ia mausali – O se tusi faamaonia i lalo o le lima o le i le malosiaga e faapea so o se tagata sa po o sa le i faamauina i lalo o lenei Tulafono i so o se taimi ua faamaotina, po o i so o se faamaumauga ua tuuina i totonu o le Tusi poo i so o se gaoioiga po o taualumaga a le Komiti Faatino, o lea tataua ae vagana e ese mai ai i le faamaonia i molimau mausali ua i ai i le mataupu ma le tataua ona talia o ni faamaoniga o sea mataupu i soo se faamasinoga i totonu o Samoa.

30. Tulafono ua noatia ai le Malo- O lenei Tulafono o le a noatia ai le Malo.

31. Aia e molia ai mo totogifuapauina – O tagata taitasi uma o i latou ia ua faamauina po o ua faatagaina i lalo o lenei Tulafono e faatino galuega faa-inisia po o le tauaveina o Tomai Faa-Inisia o le a agavaa e faia se moliaga i so o se faamasinoga vagana ua i ai se pulega faale-tulafono i totonu o Samoa mo le toe faaolaina mai o so o se totogifuapauina po o i si totogi mo galuega tau tomali faa-inisia sa tuuina atu.

32. Tulafono Faatonutonu – E mafai e le Ao o le Malo ona faia iluga o le fautuaga a le Kapeneta mai lea taimi i lea taimi ni tulafono faatonutonu e le ogatasi ma lenei Tulafono e faatonuina ai mataupu uma e faapea ua manaomia e lenei Tulafono po o le faataga ai ona faatonu, po o ua talafeagai ona faatonuina mo le tauaveina po o le tuuina atu ai o le malosiaga atoa i lenei Tulafono ma le pulega ua tuuina i ai.
