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ELECTORAL AMENDMENT ACT

WESTERN SAMOA

Arrangement of Provisions

Title

1. Short Title
2. Qualifications of Electors
3. Certificates of Identity

1991, No. 1

AN ACT to amend the Electoral Act 1963

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

1. Short Title - This Act may be cited as the Electoral Amendment Act 1991 and shall be read together with and deemed part of the Electoral Act 1963 (hereinafter referred to as the principal Act).

2. Qualifications of Electors - Section 16 of the principal Act (as substituted by section 5 of the Electoral Amendment Act 1990) is amended as follows:-

(a) By adding at the conclusion of paragraph (b) of subsection (2) the word "or"; and by further adding to paragraph (b) of subsection (2) the following new clause -

"(iii) at the choice of the elector and whether or not there is more than one title to which this paragraph applies, if the elector satisfies the Registrar that he is rendering bona fide service to a village, in the constituency in which that village is situated."

(b) By omitting from paragraph (c) of subsection (2) the words "of paragraph (d)";

(c) By inserting in subsection (3) after the expression "2(b)(ii)" the words "or 2(b)(iii)";

(d) By adding a new subsection as subsection (6) as follows:-

" (6) Where an elector ceases to render service to a village he shall cease to be entitled to be enrolled pursuant to subsection 2(b)(iii) or (2)(d)(i) as an elector of the constituency in which that village is situated."

(e) By adding a new subsection as subsection (7) as follows:-

" (7) For the purposes of this section a person shall not be deemed to have ceased to render service to a village by reason only of the fact that his service is temporarily suspended as a result of illness, or absence from Western Samoa."

(f) By adding a new subsection as subsection (8) as follows:-

" (8) For the purposes of this section, "village" means a village with a traditional salutation in accordance with Samoan custom and usage and having a council of Ali'i and Faipule."

3. Certificates of Identity - Section 135A of the principal Act (as inserted by section 31 of the Electoral Amendment Act 1990) is amended by repealing subsection (5) and substituting the following subsection:-

"(4) No person who applies for a certificate of identity during the period when the rolls are temporarily closed pursuant to section 34 of this Act shall be entitled to obtain a certificate of identity until the rolls are reopened after the election ; PROVIDED HOWEVER that any person who satisfies the Registrar that he has lost his Certificate of Identity may apply for a Certificate in substitution for that lost Certificate prior to 4 p.m. on the day before a polling day and subject to subsection (3) of this section shall be entitled to receive such Certificate before that polling day."

TULAFONO O TEUTEUGA O FAIGA PALOTA

SAMOA I SISIFO

Faatulagaina o Aiaiga

Igoa

1. Igoa Puupuu

2. Agavaa o Tagata Palota

3. Tusi Faamaonia e Ilagofie ai

1991, Nu. 1

O SE TULAFONO e teuteu ai le Tulafono o Faiga Palota 1963.

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

1. Igoa Puupuu - E mafai ona taua lena Tulafono o le Tulafono o Teuteuga o Faiga Palota 1991 ma e tatau ona faitauina faatasi ma avea o se vaega o le Tulafono o Faiga Palota 1963 (e pei ona taua mulimuli ane iinei o le Tulafono autu).

2. Agavaa o Tagata Palota - O le Fuaiupu 16 o le Tulafono autu (e pei ona suia e le fuaiupu 5 o le Tulafono o Teuteuga o Faiga Palota 1990) ua teuteuina e faapea:-

(a) I le faaopoopoina i ai i le faaiuga o le parakalafa (b) o le faafuaiupu (2)

le upu "poo"; ma i le toe faaopoopoina i le parakalafa (b) o le faafuaiupu (2) le fuaiupu fou e faapea -

"(iii)" i le filifiliga a le tagata palota ma e tusa lava pe tasi poo le sili atu foi nai lo le tasi le suafa e faaoga i ai lena parakalafa, pe a fai ua faamalieina e le tagata palota le Resitala e faapea o lo o ia faia se tautua ma le agaga lelei i se nuu, i totonu o le itumalo faa-alaalafaga lea o lo o i ai lena nuu."

(b) I le aveesca mai le parakalafa (c) o le faafuaiupu (2) ia upu "o le parakalafa (d)";

(c) I le faaofiina i ai i totonu o le faafuaiupu (3) ina ua tuana'i le faamatalaga "2(b)(ii)" ia upu "poo 2(b)(iii)";

(d) I le faapoopoina i ai o se faafuaiupu fou e avea ma faafuaiupu (6) e faapea:-

"(6) A fai o se tagata palota ua le toe faia se tautua i se nuu o le a faamutaina loa ana aia e faamauina ai o ia e tusa ai ma le faafuaiupu 2(b)(iii) poo le (2)(d)(i) e avea ai o se tagata palota o le itumalo faa-alaalafaga lea o lo o i ai lena nuu."

(e) I le faapoopoina i ai o se faafuaiupu fou (7) e faapea:-

"(7) Mo faamoemoega o lenei fuaiupu e le tatau ona faapea ua faamutaina le faia o se tautua a se tagata i se nuu i luga o se mafuaaga e faapea sa na ona le faia se tautua i se nuu i se taimi le tumau ona o se gasegase, po o le toesca mai i Samoa i Sisifo."

(f) I le faapoopoina i ai o se faafuaiupu fou e avea ma faafuaiupu (8) e faapea -

"(8) Mo faamoemoega o lenei fuaiupu, "nuu" o lona uiga o se nuu o lo o i ai ni ona faalupega faavae e tusa ai ma tu ma agaifanua a Samoa ma o lo o i ai se fonu a Alii ma Faipule."

3. Tusi Faamaonia e Hoagofie ai - O le Fuaiupu 135A o le Tulafono autu (e pei ona faaofiina e le fuaiupu 31 o le Tulafono o Teuteuga o Faiga Palota 1990) ua teuteuina i le soloia o le faafuaiupu (5) ma suia i le faafuaiupu e faapea:-

"(4) E leai se tagata e talosaga mo se tusi faamaonia e Hoagofie ai a o faagasolo le vaitaimi o le a tapunia ai mo se taimi le tumau pepa o faasologa o igoa o le au palota e tusa ai ma le fuaiupu 34 o lenei Tulafono e tatau ona agavaa e mauaina se tusi faamaonia e Hoagofie ai seia vagana ai ua toe tatala pepa o faasologa o igoa o le au palota ina ua maca le faiga palota; AE VAGANA Ai so o se tagata o ia

lea ua faamalieina le Resitala e faapea ua leiloa lana tusi faamaonia e Hoagofie ai e mafai ona talosaga mo se Tusi Faamaonia e sui ai le Tusi Faamaonia ua leiloa a o lei taina le 4.00 i le afiafi o le aso e sosoo ai ma le aso o le faiga palota ma i le noafia ma fai fuafua i le faafuaitupu (3) o lenei fuaitupu e tatau ona agavaa e mauaina se Tusi Faamaonia a o lei oo i le aso o lene faiga palota."



Western Samoa

Arrangement of Provisions

Title		
1. Short title		2. Qualifications of Electors 3. Certificates of Identity

1991, No. 1

AN ACT to amend the Electoral Act 1963 [18 January 1991]

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

1. Short title—This Act may be cited as the Electoral Amendment Act 1991 and shall be read together with and deemed part of the Electoral Act 1963 (hereinafter referred to as the principal Act).

2. Qualifications of Electors—Section 16 of the principal Act (as substituted by section 5 of the Electoral Amendment Act 1990) is amended as follows:-

(a) By adding at the conclusion of paragraph (b) of subsection (2) the word “or”; and by further adding to paragraph (b) of subsection (2) the following new clause—

“(iii) at the choice of the elector and whether or not there is more than one title to which this paragraph applies, if the elector satisfies the Registrar that he is rendering bona fide service to a village, in the constituency in which that village is situated.”

(b) By omitting from paragraph (e) of subsection (2) the words “of paragraph (d)”;

(c) By inserting in subsection (3) after the expression “2(b)(ii)” the words “or 2(b)(iii)”;

(d) By adding a new subsection as subsection (6) as follows:-

“(6) Where an elector ceases to render service to a village he shall cease to be entitled to be enrolled pursuant to subsection 2(b)(iii) or 2(d)(i) as an elector of the constituency in which that village is situated”

(e) By adding a new subsection as subsection (7) as follows:-

“(7) For the purposes of this section a person shall not be deemed to have ceased to render service to a village by reason only of the fact that his service is temporarily suspended as a result of illness, or absence from Western Samoa”

(f) By adding a new subsection as subsection (8) as follows—

“(8) For the purposes of this section, “village” means a village with a traditional salutation in accordance with Samoan custom and usage and having a council of Ali’i and Faipule”

3. Certificates of Identity—Section 135A of the principal Act (as inserted by section 31 of the Electoral Amendment Act 1990) is amended by repealing subsection (5) and substituting the following subsection:-

“(4) No person who applies for a certificate of identity during the period when the rolls are temporarily closed pursuant to section 34 of this Act shall be entitled to obtain a certificate of identity until the rolls are reopened after the election; PROVIDED HOWEVER that any person who satisfied the Registrar that he has lost his Certificate of Identity may apply for a Certificate in substitution for that lost Certificate prior to 4 p.m. on the day before a polling day and subject to subsection (3) of this section shall be entitled to receive such Certificate before that polling day.”



Samoa i Sisifo

Faatulagaina o Aiaiga

Igoa
1. Igoa puupuu

2. Agavaa o Tagata Palota
3. Tusi Faamaonia e Iloagofie ai

1991, Nu. 1

O SE TULAFONO e teuteu ai le Tulafono o Faiga Palota 1963.
[18 Tesema 1991]

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

1. Igoa puupuu—E mafai ona taua lena Tulafono o le Tulafono o Teuteuga o Faiga Palota 1991 ma e tataua ona faitauina faatasi ma avea o se vaega o le Tulafono o Faiga Palota 1963 (e pei ona taua mulimuli ane iinei o le Tulafono autu).

2. Agavaa o Tagata Palota—O le fuaiupu 16 o le Tulafono autu (e pei ona suia e le fuaiupu 5 o le Tulafono o Teuteuga o Faiga Palota 1990) ua teuteuina e faapea:-

(a) I le faaopoopoina i ai i le faaiuga o le parakalafa (b) o le faafuaiupu (2) le upu “poo”; ma i le toe faaopoopoina i le parakalafa (b) o le faafuaiupu (2) le fuaiupu fou e faapea —

“(iii)” i le filifiliga a le tagata palota ma e tusa lava pe tasi poo le sili atu foi nai lo le tasi le suafa e faaoga i ai lena parakalafa, pe a fai ua faamalieina e le tagata palota le Resitala e faapea o lo o ia faia se tautua ma le agaga lelei i se nuu, i totonu o le itumalo faa-alaalafaga lea o lo o i ai lena nuu.”

(b) I le aveesea mai le parakalafa (c) o le faafuaiupu (2) ia upu “o le parakalafa (d)”;

(c) I le faaofiina i ai i totonu o le faafuaiupu (3) ina ua tuana'i le faamatalaga “2(b)(ii)” ia upu “poo 2(b)(iii)”;

(d) I le faaopoopoina i ai o se faafuaiupu fou e avea ma faafuaiupu (6) e faapea:-

“(6) A fai o se tagata palota ua le toe faia se tautua i se nuu o le a faamutaina loa ana aia e faamauina ai o ia e tusa ai ma le faafuaiuppu 2(b)(iii) poo le (2)(d)(i) e avea ai o se tagata palota o le itumalo faaalaalafaga lea o lo o i ai lena nuu.”

(e) I le faaopoopoina i ai o se faafuaiupu fou (7) e faapea:-

“(7) Mo faamoemoega o lenei fuaiupu e le tatau ona faapea ua faamutaina le faia o se tautua a se tagata i se nuu i luga o se mafuaaga e faapea sa na ona le faia se tautua i se nuu i se taimi le tumau ona o se gasegase, po o le toesea mai i Samoa i Sisifo.”

(f) I le faaopoopoina i ai o se faafuaiupu fou e avea ma faafuaiupu (8) e faapea —

“(8) Mo faamoemoega o lenei fuaiupu, “nuu” o lona uiga o se nuu o lo o i ai ni ona faalupega faavae e tusa ai ma tu ma agaifanua a Samoa ma o lo o i ai se fono a Alii ma Faipule.”

3. Tusi Faamaonia e Iloagofie ai—O le Faafuaiupu 135A o le Tulafono autu (e pei ona faaofiina e le fuaiupu 31 o le Tulafono o Teuteuga o Faiga Palota 1990) ua teuteuina i le soloia o le faafuaiupu (5) ma suia i le faafuaiupu e faapea:-

“(4) E leai se tagata e talosaga mo se tusi faamaonia e Iloagofie ai a o faagasolo le vaitaimi o le a tapunia ai mose taimi le tumau pepa o faasologa o igoa o le au palota e tusa ai ma le fuaiupu 34 o lenei Tulafono e tatau ona agavaa e mauaina se tusi faamaonia e Iloagofie ai seia vagana ai ua toe tatala pepa o faasologa o igoa o le au palota ina ua maea le faiga palota; AE VAGANA AI so o se tagata o ia lea ua faamalieleina le Resitala e faapea ua leiloa lana tusi faamaonia e Iloagofie ai e mafai ona talosaga mo se Tusi Faamaonia e sui ai le Tusi Faamaonia ua leiloa a o lei taina le 4.00 i le afiafi o le aso e sosoo ai ma le aso o le faiga palota ma i le noatia ma fai fuafua i le faafuaiupu (3) o lenei fuaiupu e tatau ona agavaa e mauaina sea Tusi Faamaonia a o lei oo i le aso o lena faiga palota.”



Western Samoa

Arrangement of Provisions

Title
1. Short title

2. Rolls to be used in By-election when
original election avoided

1991, No. 5

AN ACT to amend the Electoral Act 1963. [23 July 1991]

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 Electoral Amendment Act (No 2) 1991 and shall be read together with and deemed part of the Electoral Act 1963 (hereinafter referred to as the principal Act).

2. Rolls to be used in By-election when original election avoided—The principal Act is amended by inserting after section 113 the following new section:-

“113A Rolls to be used in by-election when original election avoided. Where as a result the avoidance of an election pursuant to a decision of the Supreme Court in respect of an Election Petition it is necessary for a by-election to be held, and notwithstanding any other provision of this Act, the main roll and supplementary roll which were used at the election which has been avoided shall be used at the by-election without any amendment or addition.”



Samoa i Sisifo

Faatlagaina o Aiaiga

Igoa

1. Igoa Puupuu
2. O Lisi o Faasologa o igoa o le au-palota

o le a faaaogaina i se Faiga Palota
Laitiiti pe afai ua le faaleaogaina se
faiga palota na faia muamua

1991, Nu. 5

O SE TULAFONO e teuteu ai le Tulafono o Faiga Palota 1963. [23 Iulai 1991]

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

1. Igoa Puupuu— (1) E mafai ona taua lenei Tulafono o le
Tulafono o Teuteuga o le Tulafono o Faiga Palota 1991 (Nu
2) ma e tatau ona faitau faatasi ma avea o se vaega o le
Tulafono o Faiga Palota 1963 (e pei ona faasinomia mulimuli
ane iinei o le Tulafono autu).

**2. O Lisi o Faasologa o igoa o le au-palota o le a faaaogaina
i se faiga palota na faia muamua**—O le Tulafono autu ua teu-
teuina i le faaofiina i ai ina ua tuanai le fuaiupu 113 le fuaiupu
fou e faapea:-

“113A O Lisi o Faasologa o Igoa o le au-palota o le a faaaogaina
i se faiga palota laitiiti pe a fai ua faaleaogaina se faiga
palota na faia muamua. A fai ona o se taunuuga ua faaleaogaina
ai se faiga palota e tusa ai ma se faaiuga a le Faamasinoga
Sili e tusa ai ma se talosaga o Faiga Palota o le a talafeagai
ona faia o se faiga palota laitiiti, ma e ese mai ai so o se i si
aiaiga o lenei Tulafono, o le lisi autu ma le lisi faaopoopo o
faasologa o igoa o le au-palota o le a faaaogaina i le faiga laitiiti
e aunoa ma so o se teuteuga po o se faaopoopoga.