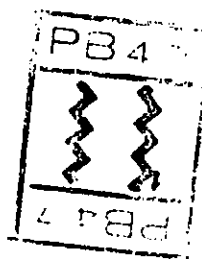
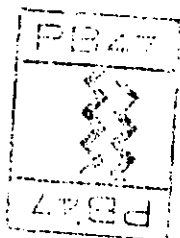


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WESTERN SAMOA

ANALYSIS

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1963, No. 16

**AN ACT to provide for the election of members of the
Legislative Assembly** [19 December 1963]

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

PART I PRELIMINARY.

1. Short Title and division into parts—(1) This Act may be cited as the Electoral Act 1963.

(2) This Act is divided into Parts, as follows:

Part I - Preliminary (Sections 1 to 4).

Part II - Qualifications of Members (Section 5 to 15)

Part III - Registration of Electors (Sections 16 to 18)

Part IV - Individual Voters (Sections 19 to 25)

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77 to 94)

Part IX - Corrupt and Illegal Practice (Sections
95 to 103)

Part X - Election Petitions (Sections 104 to 132)

Part XI - Miscellaneous Provisions (Sections
133 to 137)

2. Interpretation—(1) In this Act, unless the context otherwise requires:-

“Bankrupt” means a bankrupt within the meaning of the laws relating to bankruptcy in force in Western Samoa:

“Bribery” has the meaning assigned to that term by section 96 of this Act:

“By-election” means any election other than a general election:

“Candidate” means any person who has been nominated as a candidate for election as a Member of Parliament and in Parts IX and X of this Act includes any person who has declared his intention of becoming a candidate:

“Chief Returning Officer” means the Chief Returning Officer appointed under section 3 of this Act; and includes any person authorised to exercise the powers, duties and functions of the Chief Returning Officer:

“Constitution” means the Constitution of the Independent State of Western Samoa:

"Constituency" means a territorial constituency constituted under the Territorial Constituencies Act 1963:

"Corrupt practice" means any act declared by this Act to be a corrupt practice:

"Costs" includes charges and expenses:

"Deputy Registrar" means a Deputy Registrar appointed under this Act; and includes any person authorised to exercise the powers, duties and functions of a Deputy Registrar:

"Deputy Returning Officer" means a Deputy Returning Officer appointed under this Act; and includes any person authorised to exercise the powers, duties and functions of a Deputy Returning Officer:

"Election" means an election of a Member of Parliament:

"Elector", in relation to any territorial constituency means a person registered, or qualified to be registered, as an elector of that territorial constituency:

"Electoral roll" means the roll kept by the Registrar of the electors of a territorial constituency:

"Foreign country" means any country other than Western Samoa:

"Gazette" means the Western Samoa Gazette:

"General election" means an election which takes place after the dissolution or expiration of the Legislative Assembly:

"Government" means the Government of Western Samoa:

"Illegal practice" means any act declared by this Act to be an illegal practice:

"Individual voters' roll" means the roll kept by the Registrar pursuant to Part IV of this Act:

"Main roll", in relation to any territorial constituency or individual voters means the main roll printed for the territorial constituency or individual voters and for the time being in force:

"Matai title" means a title which is entered in the Register of Matais established and kept pursuant to the Land and Titles Protection Ordinance 1934, other than a title held as a complimentary honour only:

"Member" means a Member of Parliament:

"Nomination day", in relation to any election, means the day appointed by public notice as the latest day for the nomination of candidates:

"Personation" has the meaning assigned to that term

by section 95 of this Act:

"Polling day", in relation to any election, means the day appointed by public notice for that election for the polling to take place if a poll is required:

"Prescribed" means prescribed by this Act or by regulations made thereunder or (for the purposes of Part X of this Act) by rules of Court:

"Presiding Officer" means the Returning Officer or any Deputy Returning Officer appointed under section 3 of this Act and presiding at any polling place or booth on the day of the polling:

"Public notice" means publication -

- (a) In the Gazette; and
- (b) In the Savali; and
- (c) In a newspaper published in Western Samoa, or by means of notices posted in conspicuous places at Apia and at such other place or places in Western Samoa as the Chief Returning Officer and Registrar think fit, or by means of notices broadcast by radio; and "publicly notify" has a corresponding meaning:

"Public place" has the same meaning as in section 2 of the Police Offences Ordinance 1961:

"Public servant" means a person employed in the service of the Government, not being honorary service; but does not include any person to whom subsection (2) of this section applies; and does not include -

- (a) Any person by reason of his holding an office for which a salary is payable under the Civil List Ordinance 1961; or
- (b) Any person remunerated by fees or a commission and not by wages or salary:

"Registrar" means any person appointed as the Registrar under section 3 of this Act; and includes any person authorised to exercise the powers, duties, and functions of the Registrar:

"Returning Officer" means a Returning Officer appointed under this Act; and includes any person authorised to exercise the powers, duties, and functions of a Returning Officer:

"Roll" means an electoral roll, the individual voters' roll, a main roll, or a supplementary roll, as the case may be:

"Speaker" means the Speaker of the Legislative Assembly:

"Statement" includes not only words but also pictures, visual images, gestures, and other methods of signifying meaning:

"Supplementary roll", in relation to any territorial constituency or individual voters means a supplementary roll printed for the territorial constituency or individual voters and for the time being in force:

"Territorial constituency" means a constituency constituted under the Territorial Constituencies Act 1963:

"Treating" has the meaning assigned to that term by section 97 of this Act:

"Undue influence" has the meaning assigned to that term by section 98 of this Act:

"Voter" means a person registered, or qualified to be registered, as a voter on the individual voters' roll:

A reference to a numbered form is a reference to the form so numbered in the First Schedule to this Act.

(2) Where any person -

(a) Is appointed by the Government, or any Department or agency of the Government to be a member of any Commission, Council, Board, Committee, or other body; or

(b) Is a member of any Commission, Council, Board, Committee, or other body of which any members receive any payment out of public money, -

he shall not by reason of that membership be deemed to be a public servant, whether or not he receives any travelling allowances, or travelling expenses.

Cf. 1956, No. 107, s.2 (N.Z.); S.R. 1957/223, r.3 (N.Z.); S.R. 1961/6, cl. 2 (N.Z.).

Officers

3. *Chief Returning Officer, Registrar and other officers—*

(1) There shall be appointed by the Public Service Commission a Chief Returning Officer and a Registrar of electors and voters, who shall have and exercise the powers and duties conferred on them by this Act.

(2) The Chief Returning Officer and the Registrar shall be employees of the Western Samoa Public Service.

(3) There may from time to time be appointed by the Chief Returning Officer, with the approval of the Public Service Commission:-

(a) Returning Officers, Deputy Returning Officers, polling

officers, and such other officers as are required to carry out the provisions of this Act; and

(b) A substitute for any such officer to act in the case of the sickness, absence, death or removal of that officer.

(4) There may from time to time be appointed by the Registrar, with the approval of the Public Service Commission:-

(a) Deputy Registrars and such clerks as are required to assist the Registrar to carry out the provisions of this Act; and

(b) A substitute for any such officer to act in the case of the sickness, absence, death or removal of that officer.

(5) Every substitute while so acting shall have all the duties, powers and authorities of the officer for whom he is acting.

(6) The fact that any substitute so acts shall be sufficient evidence that a case has arisen authorising him so to act.

(7) Every Deputy Returning Officer shall have and may exercise in and about the polling place for which he is appointed all the powers and duties of a Returning Officer, and shall be subject to the authority and control of the Chief Returning Officer.

(8) Every Deputy Registrar shall have and may exercise all the powers and duties of the Registrar, and shall be subject to the authority and control of the Registrar.

(9) No candidate and no person holding any office in or being a member of any political organisation shall be an officer appointed under this section.

Cf. S.R. 1961/6. cl. 7 (N.Z.)

4. *Returning Officers to make declaration*—Every Returning Officer and every Deputy Returning Officer shall, before entering on the duties of his office, make a declaration in form No. 1 before the Chief Returning Officer, another Returning Officer, another Deputy Returning Officer or a person authorised by law to take statutory declarations,

Cf. 1956, No. 107, s. 10 (N.Z.).

PART II QUALIFICATIONS OF MEMBERS

5. *Who may be candidates for election as Members*—

(1) Subject to the provisions of the Constitution and of this Act, is qualified to be a candidate and to be elected as a Member of Parliament for that constituency, and any person who is registered as a voter on the individual voters' roll is qualified to be

a candidate and to be elected as a Member of Parliament representing the individual voters, if in either case, as required by Article 45 of the Constitution, he -

- (a) Is a citizen of Western Samoa; and
- (b) Is not disqualified under the provisions of the Constitution or of any Act.

(2) Any other person shall be disqualified for being a candidate for, or being elected as a Member of Parliament.

(3) A person shall be disqualified for being a candidate for, or being elected as a Member of Parliament representing a constituency if he loses any qualification required to enable him to be registered as an elector of that constituency.

(4) A person shall be disqualified for being a candidate for, or being elected as a Member of Parliament representing the individual voters if he loses any qualification required to enable him to be registered as an individual voter.

(5) A person shall be disqualified for being a candidate or being elected as a Member of Parliament if he -

- (a) Is an undischarged bankrupt; or
- (b) Has been convicted in Western Samoa or in American Samoa of an offence punishable by death or by imprisonment for a term of two years or upwards, or has been convicted in Western Samoa of a corrupt practice, unless he has received a free pardon or has undergone the sentence or punishment to which he was adjudged for the offence; or
- (c) Is of unsound mind and is subject to an order of medical custody made under the Mental Health Ordinance 1961. Cf. 1956, No. 107, s. 25 (N.Z.); S.R. 1957/223, r. 5 (N.Z.).

6. *Removed of anme from roll without cause*—Any person duly qualified as an elector or voter who has been registered on any electoral or the individual voters' roll but whose name has been removed from any roll through no fault of his own shall not, by reason only of not being registered as an elector or voter be disqualified from becoming a candidate and being elected; but in every such case he shall forward to the Chief Returning Officer, at the time when he sends his nomination or consent to nomination, a statutory declaration to the effect that he is not disqualified as an elector or voter as the case may be under the provisions of this or any other Act, that he still retains that qualification, and that his name has been removed from he

roll through no fault of his own.

Cf. 1956, No. 107, s. 27 (N.Z.).

7. *Effect of registration on wrong roll* — The nomination of any person as a candidate for election, or his election as a Member of parliament, shall not be questioned on the ground that, though he has chosen and is entitled to be registered as an elector of any constituency, he was not in fact registered as an elector of that constituency but was registered in error as an elector of some other constituency.

Cf. 1956, No. 107, s. 28 (N.Z.).

8. *Public Servants may become candidates or be elected*—

(1) Any public servant who desires to become a candidate for election as a Member of Parliament shall, on application, be granted special leave of absence for the purpose of his candidature.

(2) That special leave shall commence on a day to be selected by him, being not later than nomination day, and in the event of his nomination as a candidate, shall continue until the seventh day after polling day, unless he withdraws his nomination.

(3) During the period of that special leave he shall not be required or permitted to carry out any of his official duties, nor shall he be entitled to receive in respect of that period any salary or remuneration as a public servant except to the extent to which he takes during that period any leave with pay to which he is entitled.

(4) Except as provided in the foregoing provisions of this section his rights as a public servant shall not be affected by his candidature.

Cf. 1956, No. 107, s. 30 (N.Z.); S.R. 1957/223, r. 94 (N.Z.).

9. *Members disqualified from being public servants*—If any public servant is elected as a Member of Parliament he shall, forthwith upon the date on which he is declared so elected, be deemed to have vacated his office as a public servant.

Cf. 1956, No. 107, s. 31 (N.Z.); S.R. 1957/223, r. 93 (N.Z.).

Vacancies

10. *How Vacancies Created*—The seat of a Member of Parliament shall become vacant on the occurrence of any of the events specified in subclauses (a), (b) and (c) of clause (3) of

Article 46 of the Constitution, and in addition he shall be disqualified from holding his seat, -

- (a) If on three consecutive sitting days he fails, without permission of the Speaker of the Legislative Assembly, to attend in the Assembly; or
- (b) If he takes any oath in makes any declaration or acknowledgement of allegiance or adherence to any foreign country; or
- (c) If he does or concurs in or adopts any act whereby he may become a subject or citizen of any foreign country, or entitled to the rights, privileges, or immunities of a subject or citizen of any foreign country; or
- (d) If he becomes a bankrupt; or
- (e) If he is convicted in Western Samoa or in American Samoa of a crime punishable by death or by imprisonment for a term of two years or upwards, or has been convicted in Western Samoa of a corrupt practice, unless he has received a free pardon; or
- (f) If he becomes a public servants; or
- (g) If on an election petition the Court declares his election void; or
- (h) If he becomes of unsound mind and subject to an order of medical custody made under the Mental Health Ordinance 1961; or
- (i) If being a Member representing a constituency he ceases to be qualified to be a candidate to represent that constituency, or if being a Member representing the individual voters he ceases to be qualified to be a candidate to represent them; or
- (j) If while he is a Member of Parliament he has sexual intercourse with any person other than his spouse by valid marriage; or
- (k) If while he is a Member of Parliament he is guilty of conduct unbecoming a Member of Parliament.

Cf. 1956, No. 107, s. 32 (N.Z.); S.R. 1957/223, r. 6 (N.Z.).

11. Proof of disqualification—(1) If and as soon as the Speaker has reason to believe or suspect that any Member of Parliament has become disqualified from holding his seat on either of the grounds set out in paragraphs (j) and (k) of section 10 of this Act he shall charge that Member with such disqualification, and if the Legislative Assembly is then sitting shall do so orally in the Assembly.

(2) If any Member of Parliament other than the Speaker charges any other Member with having become disqualified

paragraphs (j) and (k) other than in a sitting of the Legislative Assembly, he shall immediately notify the Speaker of that charge.

(3) If the Speaker or any other Member of Parliament charges any other Member with having become disqualified from holding his seat on either of the grounds set out in the said paragraphs (j) and (k), and that other Member does not admit the charge in writing (by cable if he is not in Western Samoa) within seven days of it being brought to his attention, the Speaker shall refer the charge to the Supreme Court by motion, and it shall be determined by that Court pursuant to Article 47 of the Constitution.

(4) The Speaker shall give notice of his motion to the Member charged, and to the person with whom the Member charged is alleged to have had sexual intercourse or any person with whom the Member charged is alleged to have misconducted himself, unless in any case he is excused by the Court on special grounds from so doing.

(5) The person with whom the Member charged is alleged to have had sexual intercourse, or any person with whom the Member charged is alleged to have misconducted himself, as the case may be, shall be entitled to be treated as a party to the motion and to be heard thereon.

(6) On the Speaker referring a charge to the Supreme Court by motion under this section, the Assembly may by resolution suspend the Member charged until the motion has been disposed of.

(7) A Member suspended under this section shall not during the period of his suspension be entitled to sit in or otherwise take part in the proceedings of the Assembly or any Committee thereof, to perform any of the functions or powers of a Member or have any of the privileges or immunities of a Member.

(8) A Member suspended under this section shall not be entitled to any pay or allowance for the period of his suspension unless the Supreme Court holds that he is not disqualified.

(9) If the Speaker is charged by any other Member with having become disqualified from holding his seat as a Member on either of the grounds set out in the said paragraphs (j) and (k), the Deputy Speaker shall perform the functions and duties of the Speaker under the foregoing provisions of this section.

12. Registrar of Court to notify cause of vacancy in certain

cases—The Registrar of the Supreme Court shall, within forty-eight hours after adjudication as a bankrupt of a Member of Parliament, or after his conviction of an offence punishable by death or by imprisonment for a term of two years or upwards, or after he has been convicted of a corrupt practice, notify the fact to the Speaker.

Cf. 1956, No. 107, s. 34 (N.Z.); S.R. 1957/223, r. 95 (N.Z.)

13. Registrar of Deaths to notify Speaker of death of Member—The Registrar of Deaths by whom the death of any Member of Parliament is registered shall, within twenty-four hours of making the registration, notify the fact to the Speaker.

Cf. 1956, No. 107, s. 35 (N.Z.); S.R. 1957/223, r. 96 (N.Z.)

14. Offence for disqualified member to sit—Every Member of Parliament who sits or votes therein being disqualified under the provisions of this Act and knowing that he is so disqualified or after his seat has become vacant under this Part of this Act shall be liable to a fine not exceeding thirty pounds for every day on which he so sits or votes.

Cf. 1956, No. 107, s. 26 (N.Z.); S.R. 1957/223, r. 92 (N.Z.)

15. No person to be elected for more than one constituency—

(1) Where a Member of Parliament for any constituency is also elected as a Member of Parliament for any other constituency his election for that other constituency shall be void.

(2) Where at elections held on the same polling day any person is elected as a Member of Parliament for two or more constituencies, his election shall in every case be void.

Cf. 1956, No. 107, s. 36 (N.Z.).

PART III REGISTRATION OF ELECTORS

16. Qualifications of electors—(1) Subject to the provisions of the Constitution and of this Act every person shall be qualified to be registered as an elector of a constituency if -

- (a) He is the holder of a Matai Title and;
- (b) His name appears for the time being on the Register of Matais established and kept pursuant to the Land and Titles Protection Ordinance 1934; and
- (c) He is not disqualified as a candidate for election by virtue of any of the provisions of section 5 of this Act.

(2) Any person whose name appears on the individual voters' roll shall not be qualified to be registered as an elector of any constituency.

Cf. 1956, No. 107, s. 39 (N.Z.); S.R. 1957/223, r. 10 (N.Z.)

17. Compilation of electoral rolls—(1) each constituency the Registrar shall from time to time compile an electoral roll, which he shall make and keep as complete and accurate as possible.

(2) Subject to Part VI of this Act, the Registrar shall make such additions to, deletions from and other amendments to each electoral roll as appear to him to be necessary as he receives information as to the conferring of titles, deaths of title-holders, other losses of titles, Court orders as to rightful title-holders, other disqualifications, choices of constituencies by plural title-holders and registration errors.

(3) Subject to this Act, each person qualified to be registered as an elector shall be entitled to have his name entered on the electoral roll for the constituency to which his title or one of his titles belongs.

(4) A person shall not be entitled to be registered as an elector in more than one constituency or more than once in one constituency, notwithstanding that he may be a plural title-holder.

(5) Each plural title-holder may at any time choose in respect of which of his titles he will be registered as an elector, and notify the Registrar in writing accordingly. Subject to Part V of this Act, a choice made and notified to the Registrar may be revoked, and a fresh choice be made and notified to the Registrar, at any time.

Cf. 1956, No. 107, s. 40 (N.Z.); S.R. 1957/223, r. 11 (N.Z.)

18. Procedure—(1) In compiling an electoral roll for a constituency, the Registrar shall be entitled to rely primarily on the last previous electoral roll for that constituency and on the Register of Matais but he shall not include any person who holds a complimentary honour only.

(2) As soon as possible after the Chief Returning Officer gives public notice of a general election under section 45 of this Act or a by-election under section 47 of this and before the roll for any constituency is closed for the purposes of that election:

(a) The Registrar shall give a public notice addressed to all plural title-holders who are qualified to be registered as electors and who have not made and notified a choice under subsection (5) of section 17 of this Act;

- (b) The Registrar may also give individual notices in writing to all or any persons who are known to him, whether from the Register of Matais or otherwise, to be plural title-holders who are qualified to be registered as electors and who have not made and notified a choice under subsection (5) of section 17 of this Act but failure to give any individual notice shall not invalidate any roll or any election;
- (c) Such public notice and such individual notices shall require each person to whom they are addressed to make and notify a choice under subsection (5) of section 17 of this Act within fourteen days of the date thereof;
- (d) If a plural title-holder has not made and notified such a choice by the expiration of such period of fourteen days, and the Registrar is satisfied that he is qualified to be registered as an elector, the Registrar shall make a choice for him and register him accordingly;
- (e) The Registrar may either consult any matai or pulenu'u of any constituency, or convene and attend a meeting in any constituency of the matais and pulenu'u belonging thereto, for the purpose of checking and correcting (if necessary) the electoral roll for that constituency.

PART IV INDIVIDUAL VOTERS

19. Qualifications of voters—(1) Subject to the provisions of the Constitution and of this Act every person shall be qualified to be an individual voter and to have his name entered on the individual voters' roll if he is a citizen of Western Samoa of or over the age of twenty-one years and not disqualified as a candidate for election by virtue of any of the provisions of section 5 of this Act, and if -

- (a) His name was entered on the European electoral roll on the 30th day of November 1963; or
- (b) He -
 - (i) Is the child of a father whose name was entered on, or who if alive on the 30th day of November 1963 would have qualified to have his name entered on, the European electoral roll on the 30th day of November 1963; and
 - (ii) Was unborn or had not attained the age of 21 years on the 30th day of November 1963; or
- (c) He acquired his citizenship of Western Samoa by naturalisation; or
- (d) He acquired his citizenship of Western Samoa by birth

and is the child of a father who is not a citizen of Western Samoa or of a father who if alive at the date of the commencement of the Citizenship of Western Samoa Ordinance 1959 would not have automatically qualified to be a citizen of Western Samoa by virtue of any provision of that Ordinance.

(2) Notwithstanding the provisions of subsection (1) of this section no person shall be qualified to have his name entered on the individual voters' roll if he

- (a) Holds a matai title or is exercising any customary right or privilege in regard to customary land; or
- (b) Is married to a person holding a matai title or exercising any customary right or privilege in regard to customary land.

20. *Registration of absentee voters*—Notwithstanding anything to the contrary in this or any other Act, if any person would be qualified to have his name entered on the European electoral roll on the 30th day of November 1963 on application, but it is impossible or difficult for him to claim such entry before the 30th day of November 1963 by reason of absence from Western Samoa at any time during the period between the first reading of this Act in the Legislative Assembly and the 30th day of November 1963, he may, at any time within six months of returning to Western Samoa, claim to have his name entered on the European electoral roll, and the Registrar may enter his name on that roll, and any such entry shall be deemed to have been made on the 30th day of November 1963.

21. *Registration of voters*—Every person desirous of having his name entered on the individual voters' roll shall (unless his name is already on the roll) deliver or send by post to the Registrar a claim and declaration in form No. 2.

Cf. S.R. 1957/223, r. 13 (N.Z.)

22. *Retention on the roll*—Every person whose name is entered on the individual voters' roll shall be entitled to have his name retained on that roll so long as he remains qualified to be an individual voter.

23. *Procedure following claim for registration*—(1) If the Registrar is satisfied that any voter who claims to be registered as a voter is qualified to be registered he shall forthwith enter his name on the roll.

(2) If after making inquiries as he thinks fit the Registrar is not so satisfied he shall within five days of the receipt of the

claim give notice in writing to the claimant setting forth the particulars of which proof is required.

(3) If the claimant fails to furnish proof of his qualifications satisfactorily to the Registrar within ten days after the giving of notice to him under subsection (2) of this section, the Registrar shall refuse the claim and forthwith notify the claimant accordingly.

(4) Within fourteen days after the giving to the claimant of a notice of refusal under subsection (3) of this section, the claimant may require the Registrar to refer his claim to a Magistrate's Court.

(5) The Registrar shall notify the claimant of the time and place appointed for the hearing of the claim by such Magistrate's Court.

Cf. 1956, No. 107, s. 49 (N.Z.); S.R. 1957/223, r. 14 (N.Z.)

24. Voter required to notify Registrar on occurrence of certain events—(1) Every person whose name is entered on the individual voters' roll and who takes a matai title or begins to exercise any customary right or privilege in regard to customary land or who marries a person holding such a title or exercising any such right or privilege shall notify the Registrar in writing of that event within one month of its occurrence, and on failure so to do shall be liable to a fine not exceeding twenty pounds.

(2) On learning of the occurrence of that event the Registrar shall forthwith delete the name of that person from the individual voters' roll.

(3) In the event of an election being held after the occurrence of that event and before the name of that person has been deleted from the individual voters' roll, he shall not be entitled to vote at that election and any vote he may cast shall be disregarded and shall not invalidate the election.

25. Voter's name entered or re-entered—(1) No person whose name has been deleted from the individual voters' roll pursuant to subsection (2) of section 24 of this Act by reason of taking a matai title or beginning to exercise any customary right or privilege in regard to customary land shall be eligible to have his name re-entered on the individual voters' roll if he should cease to hold a matai title or to exercise any customary right or privilege in regard to customary land.

(2) No person whose name has been deleted from the individual voters' roll pursuant to subsection (2) of section 24 of this Act by reason of marrying a person holding a matai title

or exercising any customary right or privilege in regard to customary land shall be eligible to have his name re-entered on the individual voters' roll if his spouse should die or they should be divorced or if his spouse should cease to hold such a title or to exercise any such right or privilege:

Provided that a woman whose name was on the European electoral roll on or before the 30th day of November 1963, or was ever on or qualified to be on the individual voters' roll, and who lost her qualification to be on the latter roll only by reason of her marriage, and who has not subsequently been disqualified from being on the latter roll for any other reason, shall be eligible, on the death of her husband or on her divorce from him, to have her name entered or re-entered on the individual voters' roll.

PART V ROLLS OBJECTIONS AND ALTERATIONS

26. *Elector's or voter's objection*—(1) Any elector or voter may at any time object to the name of any person being on the roll for a constituency, or individual voters, upon the ground that -

- (a) The person is not qualified as an elector in terms of section 16 of this Act; or
- (b) The person is not qualified as a voter in terms of section 19 of this Act; or
- (c) The name should appear on some other roll: or
- (d) The person whose name is objected to is also registered as an elector or voter under the same or another name either on the same or another roll.

(2) Every objector shall make his objection in writing specifying particulars of the objection and the grounds thereof, and shall serve his objection on the Registrar and a copy thereof on the person objected to.

(3) Unless within ten days after the service of the copy of the objection the person objected to agrees with the Registrar that the latter may delete the entry objected to, or satisfies the Registrar that he is entitled to have the entry objected to retained on the roll, or the objection is withdrawn, the Registrar shall refer the objection to a Magistrate's Court, and shall notify the parties of the time and place appointed for the hearing.

Cf. 1956, No. 107, s. (N.Z.); S.R. 1957/223, rr. 16 (2), 17 (a) to (c) (N.Z.).

27. *Registrar's objection*—(1) The Registrar may at any

time object to the name of any person being on a roll on the ground that that person is not qualified to be registered as an elector or voter, as the case may be.

(2) The Registrar shall forthwith give notice in writing to the person objected to of the objection and of the particulars and grounds thereof.

(3) Unless within ten days after the giving of notice of the objection to the person objected to he agrees with the Registrar that the latter may delete the entry objected to, satisfies the Registrar that he is entitled to have the entry objected to retained on the roll, or the objection is withdrawn, the Registrar shall refer the objection to a Magistrate's Court and shall notify the person objected to of the time and place appointed for the hearing.

(4) Nothing in this section shall affect the provisions of this Act as to the removal by the Registrar of names from any roll.

Cf. 1956, No. 107, s. 53 (N.Z.); S.R. 1957/223, r. 18 (a) (N.Z.).

28. Time limit for objections and hearings by Magistrate's Court after closing of rolls—When the roll for any constituency or individual voters has been closed in accordance with subsection (1) of section 34 of this Act -

(a) No objection shall be made under section 26 or section 27 of this Act in respect of any roll unless thirty five clear days before polling day remain:

(b) No application or objection referred to a Magistrate's Court under section 23, section 26 or section 27 of this Act shall be determined by the Court within the period of fourteen clear days before polling day.

Cf. 1956, No. 107, s. 54 (N.Z.).

29. Procedure on reference of claim or objection to Magistrate's Court—(1) The following provisions of this section shall apply with respect to proceedings on the reference to a Magistrate's Court of a claim under section 23 of this Act or of an objection under section 26 or section 27 of this Act.

(2) The Registrar, any claimant, any objector, and the person objected to may appear before the Court either in person or by some person appointed by him in writing or by a barrister or solicitor.

(3) In the case of an objection the person objected to may forward to the Registrar of the Court a statement signed by him giving reasons why the entry objected to should be retain-

ed on the roll, and the Court shall take any such statement into account in determining the objection.

(4) If any person objected to does not either appear or forward a statement as aforesaid the Court shall make an order that the entry objected to be removed from the roll.

(5) Except as otherwise provided in this Act, the entry objected to shall not be removed from the roll until the objection has been determined.

(6) At the hearing of an objection no grounds of objection shall be taken into account except those specified in the written objection.

(7) In any proceedings to which this section applies the Court may make such order as to costs as it thinks fit.

(8) Subject to the provisions of this section, the ordinary rules of procedure of the Court shall apply.

(9) The Registrar shall make any additions, deletions, and alterations to the roll that may be necessary to give effect to the orders of the Court.

Cf. 1956, No. 107, s. 55 (N.Z.); S.R. 1957/223, rr. 17 (e) to (i) and (m), 18 (j) (N.Z.).

Purging of Rolls

30. Registrar of Deaths to notify adult deaths—The Registrar of Deaths shall within forty-eight hours after the registration of the death of any adult person notify the Registrar to enable him to amend any roll if necessary.

Cf. 1956, No. 107, s. 46 (N.Z.).

31. Registrar of marriages to notify women's marriages—

(1) The Registrar of Marriages shall within forty-eight hours after the marriage of any woman elector or voter send notice thereof to the Registrar.

(2) On receipt of any such notice the Registrar shall take all proper steps, after verification of the particulars contained in the notice, to amend any roll if necessary.

(3) If for any reason the alteration is not made in the appropriate roll before polling day the elector or voter shall, if otherwise qualified, be entitled to vote at that election in respect of her former name as appearing on the roll.

Cf. 1956, No. 107, s. 47 (N.Z.).

32. Removal of names from roll by Registrar—(1) The Re-

gistrar shall, at any time except as provided in subsection (3) of this section, remove from any roll -

- (a) The name of every person not qualified to be registered as an elector or voter who requests in writing that his name be removed from the roll; and
- (b) The name of every person of whose indentity the Registrar is satisfied and whose death has been notified to him by the Registrar of Deaths.

(2) Notwithstanding anything in this Act the Registrar, on being satisfied that the name of any person has been omitted or removed from any roll by mistake or clerical error, or through false information, may restore the name of that peson to the roll at any time not later than fourteen clear days before polling day.

(3) Except as provided in subsection (2) of this section it shall not be lawful for the Registrar to enter on or remove from any roll the name of any person after the date fixed for the closing of the roll and before the day following the polling day in connection with which the roll has been closed.

(4) If the Registrar offends against the provisions of this section he shall be liable to a fine not exceeding twenty pounds for every name improperly entered on or removed from the roll.

Cf. 1956, No. 107, s. 57 (N.Z.); S.R. 1957/223, rr. 19, 20 (N.Z.); S.R. 1961/6, cl. 19 (N.Z.).

33. Assistance to be given Registrar—(1) All members of the Police Force shall at the request of the Registrar assist him by informing him of the name of any person who they believe is registered as a voter but not qualified to be so registered and shall give the Registrar any information he requests relating to the qualifications of any person for registration as a voter.

(2) All members of the Police Force shall also assist the Registrar by making such enquiries and obtaining such information as he requests.

Cf. 1956, No. 107, s. 51 (N.Z.).

Closing and Printing of Rolls

34. Rolls closed by Chief Returning Officer—(1) In every year in which a general election or by-election is to be held, all rolls or the roll as the case may be, shall be closed on a date to be fixed by the Chief Returning Officer, and after such date no name shall be added to the roll to which it relates until after that election.

(2) At least fifteen days before the date so fixed, the Chief Returning Officer shall give public notice thereof.

S.R. 1957/223, r. 21 (1) and (2) (N.Z.); S.R. 1960/60, r. 6 (N.Z.)

35. Main rolls to be printed—(1) As soon as practicable after the closing of all the electoral rolls, the Registrar shall cause the roll for each constituency to be printed, containing the names, numbered consecutively in alphabetical order according to the Samoan alphabet, of all persons whose names are lawfully on the roll. The roll for each constituency shall be in form No. 3 and shall be issued under the hand of the Registrar.

(2) As soon as practicable after the closing of the individual voters' roll the Registrar shall cause the roll to be printed, containing the names, numbered consecutively in alphabetical order, according to the English alphabet of all persons whose names are lawfully on the roll. The roll shall be in form No. 4, and shall be issued under the hand of the Registrar.

(3) The printed rolls so formed, signed, added to, or altered from time to time as herein provided, shall for the time being be the electoral and individual voters' rolls for Western Samoa.

Cf. S.R. 1957/223, rr. 21 (3) to (5), 22 (N.Z.).

36. Supplementary rolls to be printed—(1) The Registrar may from time to time prepare supplementary rolls containing names added to any roll after the printing of the main roll and an indication of names removed from the main roll, and may cause the same to be printed, and every supplementary roll shall be deemed to be a part of the main roll to which it refers.

(2) The names in any supplementary roll shall be numbered consecutively, starting with the number next higher than the last number on the last printed roll for electors or voters, whether main or supplementary.

Cf. 1956, No. 107, s. 63 (3) (N.Z.); S.R. 1957/223, r. 23 (N.Z.).

*37. Requirement of printing of rolls—*The requirement of printing of rolls may, for the purposes of this Part of this Act, be satisfied by typewriting and any mechanical process of reproducing typewritten copies, and the term "printed" wherever used in this Part shall, where necessary, be construed accordingly.

Cf. S.R. 1957/223, r. 28 (N.Z.).

*38. Inspection of main supplementary rolls—*Printed copies

of the main rolls and of the supplementary rolls shall be kept for inspection by the public at the office of the Registrar in Apia, at the Post Office in Apia, and at such other convenient places as the Registrar from time to time directs.

(2) Any person may inspect at the Registrar's office without payment at any time when the office is open for the transaction of business -

- (a) The main rolls and the supplementary rolls so kept;
- (b) The applications of any person who have applied or claimed to be registered as electors or voters but whose names are not on the relevant roll.

(3) A printed copy of the electoral roll for each constituency shall be kept for inspection by the public without payment at convenient times at the residence of each *pulenu'u* holding office in the constituency concerned.

Cf. 1956, No. 107, s. 64 (1) and (2) (N.Z.); S.R. 1957/223, r. 25 (N.Z.).

39. *Copies of rolls for Chief Returning Officer*—Printed copies of the main rolls and supplementary rolls, certified correct by the Registrar, shall be supplied by him to the Chief Returning Officer, as the same are required from time to time for the purpose of conducting any election.

Cf. 1956, No. 107, s. 65 (N.Z.); S.R. 1957/223, r. 26 (N.Z.)

PART VI OFFENCES

40. *False statement or declarations*—Every person who knowingly and wilfully makes a false statement in any claim, application, declaration or objection for the purposes of Part III, Part IV or Part V of this Act shall be liable to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months.

Cf. 1956, No. 107, s. 66 (N.Z.); S.R. 1957/223, r. 29 (N.Z.)

41. *Wilfully misleading Registrar*—(1) Every person shall for each offence be liable to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months who, -

- (a) Wilfully misleads any Registrar in the compilation of any roll, or wilfully enters or causes to be entered thereon any false or fictitious name or qualification or the name of any person whom he knows to be dead; or
- (b) Signs the name of any other person, whether requested to do so or not, or any false or fictitious name, to any form of claim, application, declaration or objection for

the purposes of Part III, Part IV or Part V of this Act either as claimant, applicant, declarant; objector or witness; or

- (c) Signs his name as witness to any signature upon any such form of claim, application, declaration or objection without either seeing the signature written or hearing the person signing declare that the signature is in his own handwriting and that the name so signed is his own proper name.

(2) It shall be the duty of the Registrar to institute a prosecution against any person whom he believed to have committed any offence against this section, or the offence of aiding, abetting, counselling, or procuring the commission of any such offence by any person.

Cf. 1956, No. 107, s. 67 (N.Z.); S.R. 1957/223, r. 30 (N.Z.)

42. Failure to deliver claim or application—Every person shall be liable to a fine not exceeding twenty pounds who, having obtained possession of a claim or application for registration signed by any other person for the purpose of being delivered to the Registrar for registration, wilfully or negligently fails so to deliver it so that the claimant's or applicant's name is not entered on the roll in question.

Cf. 1956, No. 107, s. 68 (N.Z.); S.R. 1957/223, r. 31 (N.Z.)

43. Misfeasance of Registrar—Every Registrar who knowingly and wilfully does anything contrary to the provisions of Part III, Part IV or Part V of this Act or who knowingly and wilfully omits to do anything required by Part III, Part IV or Part V of this Act to be done-by-him, shall be liable if no other penalty is elsewhere in this Act provided, to a fine not exceeding twenty pounds.

Cf. 1956, No. 107, s. 69 (N.Z.).

PART VII GENERAL ELECTIONS AND BY-ELECTIONS

General Elections

44. Head of State gives notice to Chief Returning Officer—For every general election of Members of Parliament and every by-election the Head of State shall give notice in writing to the Chief Returning Officer not less than ninety-five clear days before the polling day fixed for that election.

Cf. 1956, No. 107 (N.Z.); S.R. 1957/223, r. 34 (N.Z.); S.R. 1960/60, r. 9 (N.Z.).

45. Chief Returning Officer to give public notice of election

and nomination day—The Chief Returning Officer shall, not less than ninety clear days before polling day, give public notice of that day, and shall in the notice appoint a place in Apia and a day, being not less than thirty days (exclusive of polling day) before polling day, for receiving nominations of candidates:

Provided that, after giving any public notice, the Chief Returning Officer shall satisfy himself that the requirements of the notice are in fact adequately known in all constituencies concerned.

Cf. 1956, No. 107, s. 79 (N.Z.); R.S. 1957/223, r. 35 (N.Z.)

By-Elections

46. *Proceedings in a by-election*—Except as provided by this Act the proceedings in a by-election shall be the same as in the case of a general election.

Cf. S.R. 1957/223, r. 33 (N.Z.).

47. *Chief Returning Officer to give public notice of by-election and nomination day*—(1) If the seat of a Member of Parliament becomes vacant six months or more before the expiration of three years from the date of the last preceding general election, the Chief Returning Officer upon receipt of notice in writing from the Head of State under section 44 of this Act shall forthwith, by public notice, appoint a day not less than ninety clear days after the date of publication as polling day for a by-election to fill the same, and shall in the notice appoint a place in Apia and a day, being not less than thirty days (exclusive of polling day) before polling day, for receiving nominations of candidates.

(2) If the seat of a Member of Parliament becomes vacant less than six months before the expiration of three years from the date of the last preceding general election the seat shall remain vacant until the next general election.

Cf. S.R. 1957/223, r. 32 (2) and (3). (N.Z.).

Nominations

48. *Nomination of candidates*—(1) Any person qualified under Part II of this Act may, with his consent, be nominated as a candidate for election for any constituency or for the individual voters, by not less than two registered electors of that constituency, or by two registered voters, as the case may be, by a nomination paper in form No. 5.

(2) Consent to the nomination of any person shall be given by that person in writing or by telegram, but need not be given at the time when the nomination paper is lodged.

(3) Every nomination paper and every consent shall be lodged with or given to the Chief Returning Officer not later than noon on nomination day. The Chief Returning Officer shall give a receipt in writing for every nomination accepted by him.

(4) Each candidate shall be nominated by a separate nomination paper in such manner as, in the opinion of the Chief Returning Officer, is sufficient to identify the candidate.

(5) No elector or voter may nominate more than one candidate.

(6) Any registered elector or voter may inspect any nomination paper or consent at the Chief Returning Officer's office without payment at any time when the office is open for the transaction of business.

Cf. 1956, No. 107, s. 80 (N.Z.); S.R. 1957/223, r. 36 (N.Z.)

49. Deposit by candidate—(1) Every candidate, or some person on his behalf, shall deposit with the Chief Returning Officer the sum of ten pounds not later than noon on nomination day.

(2) If the total number of votes received by any unsuccessful candidate is less than one-fourth of the total number of votes received by the successful candidate the deposit of the unsuccessful candidate shall be forfeited and paid into the Western Samoa Treasury Fund but in every other case the deposit shall be returned to the person who paid it.

(3) Where a candidate has duly withdrawn his nomination not later than seven clear days before polling day, his deposit shall be returned to the person who paid it.

Cf. 1956, No. 107, ss. 81 (1) and (3), 83 (3), (N.Z.); S.R. 1960/60 r. 12 (N.Z.)

50. Acceptance or rejection of nomination—(1) The Chief Returning Officer shall reject the nomination of any candidate -

- (a) If the nomination paper and the consent of the candidate are not lodged with him not later than noon on nomination day; or
- (b) If the nomination paper does not state that the candidate is a registered elector of a specified constituency, or, registered as an individual voter; or
- (c) If the nomination paper is not signed by at least two registered electors of the constituency for which the nomination is made, or, in the case of an individual voter, by at least two registered voters; or

(d) If the deposit is not paid as required by this Act.

(2) In every other case the Chief Returning Officer shall accept the nomination:

Provided that nothing in this subsection shall limit the jurisdiction of the Court hearing an election petition.

Cf. 1956, No. 107, s. 82 (N.Z.).

51. Advertisement of nomination—At the hour of noon on the day appointed for the nomination of candidates, or as soon thereafter as practicable, the Chief Returning Officer shall cause the names of all candidates so nominated to be posted in a conspicuous place outside the place named in the said public notice, and shall in each constituency give public notice of the nominations for that constituency.

Cf. 1956, No. 107, s. 84 (N.Z.); S.R. 1957/223, r. 37 (N.Z.)

52. Withdrawal of nomination—(1) Any candidate may sign and deliver to the Chief Returning Officer, not later than seven clear days before polling day, a paper in form No. 6 stating that the candidate withdraws his nomination. The Chief Returning Officer shall give public notice thereof.

(2) No withdrawal of nomination which does not comply with subsection (1) of this section shall have any effect.

(3) If any candidate withdraws his nomination in accordance with subsection (1) of this section, he shall not be capable of being elected at any poll which it may still be necessary to hold.

Cf. 1956, No. 107, s. 83 (N.Z.); S.R. 1957/223, r. 42 (N.Z.)

53. Procedure where nominations insufficient—(1) If there is only one member to be elected for any constituency or by individual voters, and if no candidate is nominated or if the only candidate nominated withdraws his nomination, the Chief Returning Officer shall, after the expiration of three months from polling day, declare the seat to be vacant and thereupon the provisions of section 47 of this Act shall apply.

(2) If there is more than one member to be elected for any constituency or by individual voters, and if no candidate is nominated or if the number of candidates nominated is less than the number of members to be elected, or if any candidate or candidates who have been nominated withdraw his or their nominations and the number of candidates who remain (if any) is less than the number of members to be elected, the Chief Returning Officer shall, after the expiration of three months from polling day, declare to be vacant any seat in excess of the

number of remaining nominations and thereupon the provisions of section 47 of this Act shall apply to each such vacant seat.

Cf. S.R. 1957/223, rr. 39, 40 (b), 42 (N.Z.).

54. Procedure where election not contested—(1) The Chief Returning Officer shall, by public notice on or before polling day, in respect of any constituency or individual voters, declare that the candidate or candidates shall be deemed to be elected, and report accordingly to the Head of State, -

(a) If there is only one member to be elected and if only one candidate is nominated, or if any candidate who has been nominated withdraws his nomination and there remains only one candidate; or

(b) If there is more than one member to be elected and if the number of candidates nominated is equal to or less than the number of Members to be elected, or if any candidate or candidates who have been nominated withdraw his or their nomination and the number of candidates who remain is equal to or less than the number of Members to be elected.

(2) Thereupon the Head of State shall, by warrant under his hand, declare such candidate or candidates to be elected.

Cf. 1956, No. 107, s. 85 (N.Z.); S.R. 1957/223, rr. 38, 40 (a) (N.Z.); S.R. 1960/60, r. 10 (N.Z.).

Contested Elections

55. Public notice of polling day and candidates—If the number of candidates exceeds the number of Members to be elected, the Chief Returning Officer shall forthwith give a second public notice of polling day, and public notice of the names of the candidates.

Cf. S.R. 1957/223, r. 41 (N.Z.).

56. Form of ballot papers—(1) After nomination day the Chief Returning Officer shall cause ballot papers to be printed in form No. 7 in sufficient number for the election. The directions on the ballot papers shall be in the Samoan language and the English language.

(2) The ballot papers shall contain a list of all the persons nominated as candidates who have not withdrawn their nominations (each name being inserted once only, whether nominated in one or more nomination papers), and of no other persons, arranged in order of their surnames in large characters in accordance with the Samoan alphabet for each constituency,

and in accordance with the English alphabet for individual voters, and where two or more candidates have the same surname, or for any other reason the Chief Returning Officer considers that confusion may arise, the candidates shall be distinguished on the ballot papers by the addition in smaller characters of their Christian names and any other matter necessary to distinguish them.

(3) If a candidate withdraws his nomination after the ballot papers have been printed the Chief Returning Officer shall, before the poll, erase his name from every ballot paper.

(4) The ballot papers to be used at any election shall be printed on paper of one uniform colour for all constituencies and another uniform colour for the individual voters.

(5) Every ballot paper shall have a counterfoil in form No. 8.

(6) If the Chief Returning Officer so decides, there may also be printed on the top right-hand corner of the back of every ballot paper and in the space provided in the counterfoil attached thereto a number (called a consecutive number) beginning for each constituency and for the individual voters with the number one in the case of the first ballot paper printed, and on all succeeding ballot papers printed the numbers shall be consecutive, so that no two ballot papers for the same constituency or individual voters shall bear the same number.

Cf. 1956, No. 107, s. 87 (N.Z.); S.R. 1957/223, rr. 43, 45 (N.Z.).

Death of Candidate

57. Death before close of nominations—(1) Where a candidate who has been nominated and has not withdrawn his nomination dies before the close of nominations his nomination shall be treated in all respects as if it had not been made, and his deposit shall be returned to his personal representatives or, as the case may be, to the person who paid it.

(2) Where in any such case the candidate dies on nomination day or on the day before nomination day the time for the close of nominations in that constituency, or for individual voters (if the candidate is an individual voter), shall be deemed to be postponed by five days.

Cf. 1956, No. 107, s. 88 (N.Z.).

58. Death after close of nominations—(1) If any candidate dies after the close of nominations and before the close of the

poll or if the successful candidate dies after the close of the poll and before the declaration of the result of the poll, the provisions of this section shall apply.

(2) The election shall be deemed to have failed and the seat shall be deemed to be vacated.

(3) Where the candidate dies before polling day the Chief Returning Officer shall, upon being satisfied of the fact of the death, countermand the notice of the poll in that particular constituency or for individual voters as the case may be.

(4) Where the candidate dies on polling day before the close of the poll the Chief Returning Officer or the Presiding Officer shall, upon being satisfied of the fact of the death, immediately close the poll and declare it to be null and of no effect.

(5) Where the candidate dies after the close of the poll and before the declaration of the result of the poll, and it is found on the completion of the count of votes or on a recount that the candidate, if still living, would have been elected the Chief Returning Officer shall, upon being satisfied of the fact of the death, endorse on the report to the Head of State the fact of the death and that the candidate, if still living, would have been elected.

(6) The provisions of this Act as to an equality of votes between candidates shall apply notwithstanding the death of one of those candidates after the close of the poll.

(7) Where the poll is interrupted in consequence of the death of a candidate all ballot papers placed in the several ballot boxes shall be taken out by the several Presiding Officers and, being made up into secured packages, shall be sent unopened to the Chief Returning Officer, who shall forthwith destroy them in the presence of a Magistrate or other judicial officer.

(8) A fresh public notice shall be issued by the Chief Returning Officer forthwith for a new election and, except as otherwise provided, all proceedings in connection with the new election shall be had and taken anew.

(9) The main roll and supplementary rolls which were to be used at the election which has failed shall be used at the new election without any amendment or addition.

(10) It shall not be necessary to nominate afresh any candidate who at the time of the countermand or close of the poll was a duly nominated candidate:

Provided that any such candidate may withdraw his nomination not later than seven clear days before the new polling day.

(11) All appointments of polling places made in respect of the election which has failed shall continue in respect of the new election.

Cf. 1956, No. 107, s. 89 (N.Z.).

Polling at Elections

59. Polling places—The Chief Returning Officer shall by public notice, given at least seven days before polling day, appoint a sufficient number of polling places in each constituency where an election is being held and for individual voters, for the taking of the poll.

Cf. S.R. 1957/223, r. 41 (N.Z.); S.R. 1960/60, r. 11 (N.Z.); S.R. 1961/6, cl. 30 (N.Z.).

60. Polling booths, ballot boxes, ballot papers, etc.—The Chief Returning Officer shall provide the following things for taking the poll:

- (a) One or more rooms for polling booths at each polling place, and in each booth one or more inner compartments, separated from but opening into the booth and having no other opening;
- (b) In each inner compartment pencils for use of the electors or voters or other suitable facilities for the marking of ballot papers;
- (c) In each booth one or more ballot boxes having a lock and key and a slit in the upper side by which the ballot papers may be put into the box;
- (d) In each booth one or more copies of the main roll and supplementary rolls for the constituency or individual voters, as the case may be, and a sufficient number of ballot papers.

Cf. 1956, No. 107, s. 92 (N.Z.); S.R. 1957/223; r. 44 (N.Z.)

61. Allocation of Officers—(1) The Chief Returning Officer shall prescribe the constituency or constituencies in which and the individual voters in respect of which Returning Officers, Deputy Returning Officers, poll clerks and interpreters shall exercise their functions.

(2) A Returning Officer shall have the powers and may perform any of the duties of the Chief Returning Officer in the constituency or constituencies or in respect of the individual voters to which he is appointed and shall be subject to the authority and control of the Chief Returning Officer.

(3) The Chief Returning Officer shall exercise supervision over the functions of Returning Officers, Deputy Returning Officers, poll clerks and interpreters, and may give any such officers directions as to the performance of their duties.

Cf. S.R. 1961/6, cl. 29 (N.Z.).

62. Deputy Returning Officers, poll clerks, and interpreters—(1) The Chief Returning Officer shall appoint for each polling booth a Deputy Returning Officer to conduct the poll at that booth and one or more poll clerks to assist the Deputy Returning Officer, and may appoint such additional Deputy Returning Officers and poll clerks and such interpreters as he considers necessary.

(2) A Returning Officer may himself exercise all the powers, duties, and functions of a Deputy Returning Officer in respect of any one polling booth.

(3) Any Returning Officer or Deputy Returning Officer may at any time on or before polling day appoint in writing a substitute to act for him in respect of that election in case of his absence from duty.

(4) If the Deputy Returning Officer fails to open the polling at any booth, or if he is absent from duty and has not appointed a substitute, any poll clerk at the booth may act for him and in that event shall be deemed to be his substitute.

(5) Every substitute while acting for any Returning Officer or Deputy Returning Officer shall have all the powers, duties, and functions of that Returning Officer or Deputy Returning Officer.

Cf. 1956. No. 107, s. 93 (N.Z.).

63. Poll clerks and interpreters to make declaration—Every poll clerk and interpreter shall before the poll, and every substitute for a Deputy Returning Officer shall before acting, make a declaration in form No. 1 before the Chief Returning Officer, Returning Officer, another Deputy Returning Officer or a person authorised to take a statutory declaration by section 21 of the Oaths, Affidavits and Declarations Act 1963.

Cf. 1956, No. 107, s. 94 (N.Z.); S.R. 1957/223 r. 47 (N.Z.)

64. Scrutineers—(1) Each candidate may, by writing under his hand, appoint one scrutineer for each polling booth at any election.

(2) Every scrutineer shall, before being allowed to act, make a declaration in form No. 1 before a Returning Officer, a De-

puty Returning Officer or a person authorised to take a statutory declaration by section 21 of the Oaths, Affidavits and Declarations Act 1963.

(3) Any scrutineer who during the hours of polling leaves the polling booth to which he is appointed, without having first obtained the permission of the Presiding Officer at that polling booth, shall not be entitled to re-enter the booth or to resume his scrutiny.

(4) Nothing in this Act shall render it unlawful for a scrutineer to communicate to any person information as to the names of persons who have voted.

(5) No candidate shall act as a scrutineer under this Act.

Cf. 1956, No. 107, s. 95 (N.Z.); S.R. 1957/223 rr. 4, 46 (N.Z.).

65. Hours of polling—(1) The poll at every election shall commence at nine o'clock in the morning of polling day, and, except as otherwise provided in this Act, shall finally close at six o'clock in the evening of the same day.

(2) Every elector or voter who at the close of the poll is present in a booth for the purpose of voting shall be entitled to receive a ballot paper and to mark and deposit it in the same manner as if he had voted before the close of the poll.

Cf. 1956, No. 107, s. 96 (N.Z.); S.R. 1957/223, r. 48 (N.Z.)

The Ballot

66. Ballot box to be kept locked during poll—The Presiding Officer at each polling booth shall, before the opening of the poll, and in the sight of any of the scrutineers present, see that the ballot box is empty, and shall close and lock it, and retain the key in his possession; and the ballot box shall not again be opened until after the close of the poll;

Provided that, if the lock of a ballot box is damaged or defective so that the box cannot be locked, the Presiding Officer shall securely seal the box instead of locking it.

Cf. 1956, No. 107, s. 101 (N.Z.); S.R. 1957/223 r. 49 (N.Z.)

67. Persons not to remain in polling booth—Not more than six electors or voters shall be allowed in a polling booth or more than one elector or voter in any inner compartment at one and the same time; and no person shall be allowed to remain in any polling booth except the Presiding Officer and his clerks, any of the scrutineers, an interpreter, and as many constables as the Presiding Officer thinks necessary to keep the peace.

Cf. 1956, No. 107, s. 102 (N.Z.); Cf. 1957/223, r. 50 (N.Z.)

68. *Person not to be spoken to in booth*—(1) No scrutineer or other official or unofficial person shall speak to any elector or voter in a polling booth either before or after the elector or voter has given his vote, except only the Presiding Officer or poll clerk (with an interpreter if necessary), who may ask the questions he is authorised to put, and give such general directions as may assist any elector or voter to give his vote, and in particular may on request inform an elector or voter orally of the names of all the candidates in alphabetical order.

(2) Every person who offends against this section shall be liable on summary conviction to a fine not exceeding twenty pounds, and may be at once removed from the booth by order of the Presiding Officer.

Cf. 1956, No. 107, s. 103 (N.Z.); S.R. 1957/223, r. 51 (N.Z.)

69. *Questions may be put to elector or voter*—(1) The Presiding Officer may, and if so required by any scrutineer shall, before allowing any person to vote, put to him the following questions:

- (a) Are you the person whose name appears as A.B. in the roll now in force for the (Name) constituency, or the individual voters' roll, as the case may be?
- (b) Are you still possessed of the qualifications in respect of which you are enrolled?
- (c) Have you already voted at this election?

(2) In every such case the Presiding Officer shall require the questions to be answered in writing signed by the person to whom they are put.

(3) Every person to whom those questions are put who does not answer them, or does not answer the first and second in the affirmative and the third in the negative, shall not be permitted to vote.

(4) Every person who wilfully and knowingly makes a false answer to any of the questions that the Presiding Officer may put to him under this section shall be liable to a fine not exceeding twenty pounds.

Cf. 1956, No. 107, s. 104 (N.Z.); S.R. 1957/223, r. 53 and 54 (N.Z.).

70. *Issue of ballot papers* — (1) Every Presiding Officer shall, in accordance with the provisions of this section, issue ballot papers to all electors or voters who apply to vote at the booth in respect of which he is appointed.

(2) The elector or voter shall state his name to the Presiding Officer and shall give such particulars as may be necessary to identify the entry in the printed rolls relating to the elector or voter.

(3) If the name of the elector or voter appears in the rolls a line shall be drawn through his name and number.

(4) If the name of the elector or voter appears in the rolls the Presiding Officer shall then issue to the elector or voter a ballot paper after he has prepared it in the following manner:

- (a) Unless a consecutive number has been printed on the ballot paper and on the counterfoil, he shall enter on both the counterfoil and the back of the ballot paper in the spaces provided a number (called a consecutive number), beginning with the number one in the case of the first ballot paper issued by him, and on all succeeding papers issued by him the numbers shall be consecutive, so that no two ballot papers issued in the same booth shall bear the same number;
- (b) He shall then fold over the corner of the ballot paper on which the consecutive number appears and shall firmly fix a piece of gummed paper over that corner so as effectively to conceal the consecutive number;
- (c) On the counterfoil of the ballot paper he shall write his initials, and the number appearing in the roll against the name of the elector or voter;
- (d) He shall place his official booth stamp on the perforation between the counterfoil and the back of the ballot paper.

(5) Every Presiding Officer who fails faithfully to perform any duty imposed on him by this section, by reason whereof any of the requirements of the section are not effectively fulfilled, shall be liable to a fine not exceeding ten pounds:

Provided that, insofar as the failure relates to the duty of fixing a piece of gummed paper over the consecutive numbers so as effectively to conceal it, it shall be a sufficient defence if he satisfies the Court that he took all reasonable precautions to secure the same.

Cf. 1956, No. 107, s. 105 (N.Z.); S.R. 1957/223, rr. 52, 55 (N.Z.); S.R. 1961/6, cl. 42 (N.Z.).

71. Method of voting — (1) The elector or voter, having received a ballot paper, shall immediately retire into one of the inner compartments provided for the purpose, and shall there alone and secretly indicate on the ballot paper the candidate

or candidates for whom he desires to vote by marking a cross in a square set opposite to the name of each:

Provided that no ballot paper shall be rejected as informal that clearly indicates the candidate or candidates for whom the elector or voter intended to vote whether that indication is made in the manner prescribed by this section or otherwise.

(2) Every elector or voter shall, before leaving the inner compartment, fold his ballot paper so that the contents cannot be seen, and shall then deposit it so folded in the ballot box.

Cf. 1956, No. 107 s. 106 (N.Z.); S.R. 1957/223, r. 56 (N.Z.); S.R. 1961/6, cl. 43 (N.Z.).

72. Spoilt ballot papers — (1) Any elector or voter who, not having deposited his ballot paper in the ballot box, satisfies the Presiding Officer that he has spoilt it by inadvertence may be supplied with a fresh ballot paper, but only after the spoilt one has been returned to the Presiding Officer.

(2) The Presiding Officer shall —

(a) Cancel every such spoilt ballot paper by writing across the face thereof the words "Spoilt by elector or voter, and a fresh ballot paper issued" and writing his initials thereon;

(b) If any ballot paper is inadvertently spoilt by the Presiding Officer or any other official, cancel it by writing across the face thereof the words "Spoilt by official" and also the words "and a fresh ballot paper issued" if that is the case, and writing his initials thereon;

(c) Retain all spoilt ballot papers in his possession until the close of the poll.

(3) The Presiding Officer shall make up into separate packets and shall deliver to the Chief Returning Officer as soon as practicable after the close of the poll all spoilt ballot papers at the polling booth at which he presided.

(4) The provisions of subsection (1) of section 83 of this Act providing for the disposal of ballot papers shall apply with respect to the disposal of spoilt ballot papers.

Cf. 1956, No. 107 (N.Z.); S.R. 1957/223, r. 57 (N.Z.); S.R. 1961/6, cl. 44 (N.Z.).

73. Voter blind or unable to read or write—(1) Any elector or voter who is wholly or partially blind, or is unable to read or write (whether because of physical handicap or otherwise), or is not sufficiently familiar with the English language to vote without assistance, may vote in accordance with the

provisions of this section.

(2) At the request of any such elector or voter who has received a ballot paper the Presiding Officer shall accompany him into one of the inner compartments provided for the marking of ballot papers, and the ballot paper may there be marked by the elector or voter with the assistance of the Presiding Officer or may be marked by the Presiding Officer in accordance with the instructions of the elector or voter.

(3) The person assisting the elector or voter shall sign his name on the back of the ballot paper and shall add the words "Witness for blind or partially blind person" or "Witness for person unable to read or write" or "Witness for person not familiar with the English language", as the case may be, and shall fold the ballot paper so that its face cannot be seen before depositing it in the ballot box.

(4) A poll clerk or some other person nominated by the elector or voter may also accompany him into the inner compartment and may, if so desired by the elector or voter, inspect the ballot paper before it is deposited in the ballot box.

(5) Every person who is present in accordance with this section or with any regulations when an elector or voter votes and who communicates at any time to any person any information obtained as to the candidate for whom the elector or voter is about to vote or has voted, or as to the number on the ballot paper given to the elector or voter, commits an offence, and shall be liable to imprisonment for a term not exceeding three months.

Cf. 1956, No. 107, No. 108 (N.Z.); S.R. 1957/223 r. 58 (N.Z.).

74. Procedure when second vote given in same name—If any person proposing to vote at any election gives as his name the name of any person to whom a ballot paper has already been given at the same election, he shall be dealt with in all respects in like manner as any other elector or voter:

Provided that the ballot paper of any such person shall not be deposited in the ballot box or be allowed by the Presiding Officer, but shall be set aside for separate custody.

Cf. 1956, No. 107, s. 109 (N.Z.); S.R. 1961/6, cl. 46 (N.Z.)

Preliminary Count of Votes

75. Procedure after close of poll—(1) At each polling booth the Presiding Officer shall, as soon as practicable after the close of the poll, in the presence of such of the scrutineers as choose

to be present and the poll clerks, but of no other person, perform the following duties:

- (a) He shall make up into separate parcels -
 - (i) The certified copies of the main roll and supplementary rolls on which the fact of any person having received a ballot paper has been noted; and
 - (ii) All the counterfoils of ballot papers that have been issued to electors or voters; and
 - (iii) All the spoilt ballot papers; and
 - (iv) All the unused ballot papers.
- (b) He shall then open the ballot boxes and, taking therefrom all the ballot papers therein, proceed to ascertain the number of votes received by each candidate:
- (c) He shall set aside as informal all ballot papers which do not clearly indicate the candidate for whom the elector or voter desired to vote:
- (d) He shall announce the result of the voting at the polling booth at which he presides and arrange for the result of the voting to be transmitted as soon as possible to the Chief Returning Officer:
- (e) He shall make up into separate parcels -
 - (i) The used ballot papers, together with (but in separate enclosures) the ballot papers set aside as informal, and the ballot papers set aside under section 74 of this Act; and
 - (ii) A certificate signed by himself of the number of votes received by each candidate, the number of ballot papers set aside as informal, the number of ballot papers set aside under section 74 of this Act, the number of spoilt ballot papers, the number of unused ballot papers, and the number of ballot papers originally delivered to him.

(2) Each parcel made up under this section shall be endorsed by the Presiding Officer with a description of its content, the name of the constituency, or individual voters the name of the polling place, the number of the booth and the date of the polling; and the parcel shall be enclosed signed by the Presiding Officer; and the parcel shall be enclosed in paper or similar material and shall be properly secured.

(3) The Presiding Officer shall forthwith forward all the parcels mentioned in this section to the Chief Returning Officer.

Cf. 1956, No. 107 s. 111 (N.Z.); S.R. 1957/223, rr. 59, 60 (N.Z.).

PART VIII PROCEDURE AFTER POLLING DAY

Scrutiny of the Rolls.

76. Arrangements for scrutiny of the rolls—(1) The Chief Returning Officer shall make arrangements of a scrutiny of the rolls as soon as practicable after the close of the poll, and shall give at least three clear days notice in writing to each of the candidates of the time and place at which he will commence the scrutiny.

(2) No person other than the Chief Returning Officer and his assistants, and one person appointed as scrutineer by each candidate for the purpose, shall be present at the scrutiny.

(3) No candidate shall act as scrutineer under this section.

(4) A scrutineer may be appointed under this section by telegram.

Cf. 1956, No. 107, s. 112 (N.Z.); S.R. 1957 223, r. 61 (N.Z.)

77. Marked copies of rolls to be compared—(1) The Chief Returning Officer shall, in the presence and hearing of his assistants (if any) and such scrutineers as choose to be present, but of no other person, compare one with another all the certified copies of the main roll and supplementary rolls on which the fact of any person having received a ballot paper has been noted, and shall on an unmarked copy of the main roll and every supplementary roll (called the master roll) draw a line through the number and name of any elector or voter who is shown on any of the certified copies of the rolls as having received a ballot paper.

(2) If on that comparison, or from the report of a Presiding Officer on the ballot papers set aside under section 74 of this Act, and after such inquiry as the Chief Returning Officer deems necessary, it appears that the same elector or voter has received more than one ballot paper, the Chief Returning Officer shall, in the presence of his assistants (if any) and such scrutineers as choose to be present, but of no other person, open the parcel or parcels of ballot papers used at the polling booth or polling booths at which that elector or voter appears to have received a ballot paper, and shall select therefrom the ballot papers which appear from their consecutive numbers and counterfoils to have been issued to that elector or voter, and shall disallow every vote appearing to have been given by means of the ballot papers so selected:

Provided that, if the Chief Returning Officer is satisfied that

one and only one of the ballot papers was lawfully received by the elector or voter entitled thereto and that he was not in any way concerned in the issue of the other ballot paper or ballot papers, the Chief Returning Officer shall not disallow the vote of that elector or voter under this section but shall disallow the other vote or votes.

(3) Except in the case of the ballot papers so selected therefrom, the Chief Returning Officer shall inspect only the consecutive numbers on the ballot papers in the several parcels so opened, and shall so cover the ballot papers that no person present shall have the opportunity of determining the candidate for whom any particular elector or voter has voted.

Cf. 1956, No. 107, s. 113 (1), (2) and (4) (N.Z.); S.R. 1957/223, r. 62 (N.Z.).

78. Parcels to be secured after scrutiny—(1) When the Chief Returning Officer has selected from any parcel all the ballot papers he is required to select therefrom, he shall forthwith, in the presence of his assistants (if any) and such scrutineers as choose to be present, but of no other person, close and secure the parcel, and shall endorse thereon a memorandum of the fact of the ballot papers having been selected from that parcel, specifying the same by the name of the person to whom the same appear to have been delivered, and shall sign the endorsement with his name.

(2) The Chief Returning Officer shall set aside all ballot papers selected by him from any parcel as herein provided, and shall in the presence of his assistants (if any) and such scrutineers as choose to be present, but of no other person, secure those ballot papers in a separate parcel, and shall endorse the parcel with a description of the contents thereof, and shall sign the endorsement with his name.

Cf. 1956, No. 107, s. 114 (N.Z.); S.R. 1957/223, r. 63 (N.Z.)

Official Count and Declaration of Poll

79. Counting the votes—(1) On completion of the scrutiny hereinbefore directed the Chief Returning Officer, with such assistants as he deems necessary, and in the presence of such of the scrutineers appointed under section 76 of this Act as choose to be present, but of no other person, shall select and open one of the parcels of used ballot papers referred to in paragraph (c) of subsection (1) of section 75 of this Act and shall mark each ballot paper therein with a number in consecutive order, beginning with the number one, so that parcel shall bear the same number:

Provided that the procedure set out in this subsection need not be delayed until the inquiries under subsection (2) of section 77 of this Act have been completed, but the ballot papers from any particular polling booth shall not be counted until any inquiries in respect of ballot papers from that booth have been completed.

(2) When the ballot papers from the parcel so selected have been marked as aforesaid the Chief Returning Officer shall make a record of the last number marked, and shall then, in the presence of his assistants (if any) and such of the scrutineers as choose to be present, but of no other person, deal with the ballot papers as follows:

(a) He shall reject as informal any ballot paper -

(i) That does not bear the official mark if there is reasonable cause to believe that it was not issued to an elector or voter by any Presiding Officer; or

(ii) That does not clearly indicate the candidate for whom the elector or voter desired to vote; or

(iii) That has anything not authorised by this Act written or marked thereon by which the elector or voter can be identified; or

(iv) That purports to vote for more candidates than the number of candidates to be elected;

Provided that no ballot paper shall be rejected as informal by reason only of some informality in the manner in which it has been dealt with by the elector or voter if it is otherwise regular, and if in the opinion of the Chief Returning Officer the intention of the elector or voter in voting is clearly indicated:

Provided also that no ballot paper shall be rejected as informal by reason only of some error or omission on the part of an official, if the Chief Returning Officer is satisfied that the elector or voter was qualified to vote at the election:

(b) The Chief Returning Officer shall then count the number of votes received by each candidate, and the number of votes rejected as informal, and compare the result of that count with the certificate of the Presiding Officer in respect of the preliminary count, and shall, where necessary, amend that certificate, and every such certificate shall be initialled by the Chief Returning Officer:

(c) The Chief Returning Officer shall then make up and secure the parcel anew, and endorse thereon a memorandum specifying the number of ballot papers contained in the parcel the number of votes received by each candidate, the number of informal ballot papers, the

name of the polling place, and the number of the booth at which the votes were recorded; and the endorsement shall be signed by the Chief Returning Officer.

(3) After the ballot papers from one parcel have been dealt with in the manner aforesaid, those from the remaining parcels shall be successively dealt with in like manner, the marking of the ballot papers to commence with the number one in the case of each parcel.

Cf. 1956, No. 107, s. 115, (1), (2) and (3) (N.Z.); S.R. 1957/223, r. 64 (N.Z.).

80. Declaration of result of poll—(1) When all the ballot papers have been dealt with as aforesaid the Chief Returning Officer, having ascertained the total number of votes received by each candidate, shall forthwith declare the result of the poll including the number of votes received by each candidate by giving public notice thereof in form No. 9, and report the result of the poll to the Head of State. Thereupon the Head of State shall, by warrant under his hand, declare the successful candidate or candidates to be elected.

(2) Where there is an equality of votes between candidates and the addition of a vote would entitle one of those candidates to be declared elected, the Chief Returning Officer shall forthwith apply to a Magistrate for a recount under section 81 of this Act, and all the provisions of that section shall apply accordingly, except that no deposit shall be necessary.

Cf. 1956, No. 107, s. 116 (N.Z.); S.R. 1957/223, r. 65 (N.Z.)

Recount

81. Application to Magistrate for recount—(1) Where any candidate has reason to believe that the declaration by the Chief Returning Officer of the number of votes received by each candidate is incorrect, and that on a recount thereof the first-mentioned candidate might be found to be elected, he may, within three days after the public notice of the result of the election, apply to a Magistrate for a recount of the votes.

(2) Every such application shall be accompanied by a deposit of fifteen pounds.

(3) The Magistrate shall cause a recount of the votes to be commenced within three days after receiving the application, and shall give notice in writing to the Chief Returning Officer and to each of the candidates or their scrutineers of the time and place at which the recount will be made.

(1) The recount shall be made in the presence of the Magistrate or of an officer appointed by him for the purpose, and shall as far as practicable be made in the manner provided in the case of the original count:

Provided that no person shall be present at the recount except the Magistrate or the officer appointed by him, his assistants (if any), the Chief Returning Officer and his assistants (if any), and the scrutineers appointed under section 76 of this Act.

(5) In any case where on any recount under this section there is an equality of votes between candidates and the addition of a vote would entitle one of those candidates to be declared elected, the Chief Returning Officer shall determine by lot which candidate shall be elected.

(6) The Magistrate shall have all the powers that the Chief Returning Officer had on the original count, and may reverse any decision made by the Chief Returning Officer in the exercise of those powers.

(7) If on the recount the Magistrate finds that the declaration of the result of the poll was incorrected he shall order the Chief Returning Officer to make an amended declaration of the result of the poll by giving public notice thereof in form No. 9 and to give an amended report of the result of the poll to the Head of State. Thereupon the Head of State shall, by warrant under his hand, revoke his previous warrant and declare the successful candidates to be elected.

(8) The Magistrate may make such order as to the costs of and incidental to the recount as he deems just, and, subject to any such order, shall direct the deposit made under this section to be returned to the person who paid it.

(Cf. 1956, No. 107, s. 117 (N.Z.); S.R. 1957-223, r. 66 (N.Z.)

82. Ballot papers and certificate to be compared on recount

(1) At any recount made as aforesaid the Chief Returning Officer shall produce to the Magistrate all the used ballot papers, together with the certificate stating the total number of ballot papers used at the election.

(2) If on comparing the number of ballot papers stated in the certificate with the ballot papers used at the election the Magistrate finds that any of the ballot papers have been lost, stolen, or in any way interfered with during the interval between the official count and the recount, the official count made by the Chief Returning Officer shall be deemed to be

correct, and the result of the poll declared accordingly. Where in any such case there is an equality of votes between candidates and the addition of a vote would entitle one of those candidates to be declared elected, the Chief Returning Officer shall determine by lot which candidate shall be elected.

Cf. 1956, No. 107, s. 118 (N.Z.); S.R. 1957/223, r. 66 (N.Z.)

Disposal of Ballot Papers

83. Disposal of ballot papers, rolls, etc.—(1) As soon as practicable after polling day the Chief Returning Officer shall enclose in separate packets in the following manner all the parcels transmitted to him by the several Presiding Officers or made up and secured by himself, that is to say:

- (a) He shall enclose in one or more separate packets all the parcels of used ballot papers, and all counterfoils corresponding to those ballot papers; in one or more other separate packets all parcels of unused and spoilt ballot papers; in another all parcels of ballot papers set aside under section 74 and section 78 of this Act; and in one or more other separate packets all parcels containing ballot paper accounts, copies of rolls (except the master roll), books, or other papers, as provided in this Act.
- (b) He shall properly secure the said several packets, and endorse them with a description of the contents thereof respectively; and the name of the constituency or individual voters, the name of the polling place and number of the polling booth; and the date of the polling; and shall sign the endorsement; and shall forthwith forward the said packets to the Registrar of the Supreme Court.
- (c) He shall also at the same time properly secure and transmit to the Registrar of the Supreme Court a parcel containing all ballot papers printed for the election and not used by the Chief Returning Officer or distributed for use to any Presiding Officer.

(2) The Registrar of the Supreme Court shall forthwith give or and to the Chief Returning Officer a receipt under his hand for the said packets and parcel.

(3) The Chief Returning Officer shall send the master roll to the Registrar appointed under section 3 of this Act and the Registrar shall keep it until the close of the next general election. Any registered elector or voter may inspect any master roll at the Registrar's office without payment of any fee at any time when the office is open for the transaction of business.

Cf. 1956, No. 107, s. 121 (N.Z.); S.R. 1957/223, r. 67 (N.Z.)

84. Disposal of packets—(1) The packets and parcel shall be safely kept for one year unopened, unless a Court of competent jurisdiction orders them, or any of them, to be opened.

(2) At the end of one year the packets and parcel shall be destroyed unopened in the presence of the Registrar of the Supreme Court and the Clerk of the Legislative Assembly.

Cf. 1956, No. 107, s. 122 (N.Z.); S.R. 1957/223, r. 67 (N.Z.)

85. Papers taken from parcels as evidence in certain cases—

(1) Any ballot paper, and any copy of a roll, and any book purporting to be taken from any such parcel as aforesaid, and having written thereon respectively, under the hand of the Registrar of the Supreme Court, a certificate of the several particulars by this Act required to be endorsed on the parcel, shall be conclusive evidence in any Court or before any Committee of the Legislative Assembly that it was so taken and that it, if a ballot paper, was deposited and, if a roll or book, was kept or used at the election and booth to which the endorsement and writing relate.

(2) Every ballot paper so certified shall be evidence of a vote given at the poll, and of the correspondence of the number appearing on the ballot paper with the number appearing on any roll so certified as of the same election and booth, according to the tenor of the said ballot paper.

(3) But in the case of the ballot papers set aside or selected by a Presiding Officer or by the Chief Returning Officer the correspondence shall be evidence only of some person having voted in the name appearing on the roll.

Cf. 1956, No. 107, s. 123 (N.Z.)

Maintenance of Order at Elections

86. Presiding Officers to maintain order—(1) Every presiding Officer shall maintain order and keep the peace at the polling place or booth where he is conducting the poll, and may, without any other warrant than this Act, -

- (a) Cause to be arrested and taken before a Magistrate any person reasonably suspected of committing or attempting to commit at the polling place or booth any of the offences mentioned in section 92 of this Act; or
- (b) Cause to be removed any person who obstructs the approaches to a polling booth, or wilfully and unnecessarily obstructs the proceedings at the polling, or conducts himself in a disorderly manner, or causes a disturbance.

or wilfully acts in any manner in defiance of the lawful directions of the Presiding Officer.

(2) All constables shall aid and assist the Presiding Officer in the performance of his duty.

Cf. 1956, No. 107, s. (N.Z.); S.R. 1957/223, r. 69 (N.Z.)

87. Adjournment of Poll—(1) Where the polling at any polling place cannot start or has to be suspended whether by reason of riot or open violence, natural disaster, or any other cause, the Presiding Officer shall adjourn the taking of the poll at that polling place to the following day, and if necessary from day to day until the poll can be taken, and shall forthwith give public notice of the adjournment in such manner as he thinks fit.

Provided that the poll shall not be kept open for more than nine hours in all at any polling place.

Cf. 1956, No. 107, s. 125 (N.Z.); S.R. 1957/223, r. 70 (N.Z.)

Custody of Ballot Papers

88. Prevention of irregularities as to ballot papers—In order to prevent the commission at any election of irregularities in respect of the improper possession of ballot papers the following provisions shall apply:

- (a) The Chief Returning Officer shall give to the person printing the ballot papers a receipt specifying the total number of ballot papers received by him, and it shall be the duty of the printer to see that all copies of the ballot papers other than those delivered to the Chief Returning Officer are immediately destroyed;
- (b) Every Presiding Officer shall give to the Chief Returning Officer a receipt specifying the total number of ballot papers received by him, and shall be personally responsible for the safe custody of all such ballot papers from the time they are received by him until they are disposed of in accordance with this Act;
- (c) Every Presiding Officer shall be personally responsible for the safe custody of all ballot papers used at the polling booth at which he presides from the time each ballot paper was placed in the ballot box by the elector or voter until the parcel of used ballot papers has been delivered to the Chief Returning Officer as in this Act provided and the Presiding Officer has obtained from the Chief Returning Officer a receipt in writing for the parcel, which receipt the Chief Returning Officer is in all cases required to give on such delivery;

- (d) In like manner the Chief Returning Officer shall be personally responsible for the safe custody of all ballot papers used at the polling both at which he presides, and of all parcels of used ballot papers for which he has given a receipt to a Presiding Officer, until they have been sent by him to the Registrar of the Supreme Court as aforesaid;
 - (e) Every person who fails to take reasonable steps to secure the safe custody of all ballot papers for which he is responsible, with the result that any such ballot paper is removed from his custody, shall be liable to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months;
 - (f) Every person shall be liable to a fine not exceeding fifty pounds who wilfully or negligently allows any copy of a ballot-paper printed by him to come into the possession of any person other than the Chief Returning Officer;
 - (g) Every person shall be liable to a fine not exceeding fifty pounds who obtains possession of or has in his possession any ballot paper other than the one given to him by the Chief Returning Officer or a Presiding Officer for the purpose of recording his vote, or retains any ballot paper in his possession after leaving any polling booth.
- Cf. 1956, No. 107, s. 126 (N.Z.); S.R. 1957/223, rr. (N.Z.).

Offences at Elections.

89. *Interfering with or influencing electors or voters—*

- (1) Every person commits an offence and shall be liable to a fine not exceeding fifty pounds who at an election -
 - (a) In any way interferes with any elector or voter either in the polling booth or while on his way thereto, with the intention of influencing him or advising him as to his vote;
 - (b) At any time on polling day before the close of the poll in or in view or hearing of any public place holds or takes part in any demonstration or procession having direct or indirect reference to the poll by any means whatsoever;
 - (c) At any time on polling day before the close of the poll makes any statement having direct or indirect reference to the poll by means of any loudspeaker or public address apparatus or cinematograph apparatus;
 - (d) At any time on polling day before the close of the poll, prints or distributes or delivers to any person anything being or purporting to be in imitation of any ballot paper

to be used at the poll and having thereon the names of the candidates or any of them, together with any direction or indication as to the candidate for whom any person should vote, or in any way containing any such direction or indication, or having thereon any matter likely to influence any vote:

- (e) At any time on polling day before the close of the poll exhibits in or in view of any public place, or publishes, or distributes, or broadcasts, any statement advising or intended or likely to influence any elector or voter as to the candidate for whom he should vote:

Provided that this paragraph shall not apply to any statement in a newspaper published before six o'clock in the afternoon of the day before polling day:

Provided also that where any statement is to be exhibited before polling day in a fixed position not in view of a polling place it shall not be an offence to leave it so exhibited on polling day:

Provided further that the Chief Returning Officer may at any time on polling day cause to be removed or obliterated any statement to which this paragraph applies which is exhibited within half a mile of a polling place, and may recover all expenses incurred in so doing from the persons by whom or by whose direction the statement was exhibited, as a debt due by them jointly and severally to the Government:

- (f) At any time on polling day before the close of the poll prints or distributes or delivers to any person any card or paper, (whether or not it is an imitation ballot paper) having thereon the names of the candidates or any of them:

- (g) Exhibits or leaves in any polling booth any card or paper having thereon any direction or indication as to how any person should vote or as to the method of voting:

- (h) At any time on polling day before the close of the poll, within, or at the entrance to, or in the vicinity of, any polling place, or booth -

(i) Gives or offers to give to any person any written or oral information as to any name or number on the main roll or any supplementary roll being used at the election:

(ii) Permits or offers to permit any person to examine any copy of the main roll or any supplementary roll being used at the election.

- (2) It shall not be an offence against this section for any

person to wear or display (whether on his person or not) any party emblem.

(3) Nothing in this section shall apply to any official statement or announcement made or exhibited under the authority of this Act.

Cf. 1956, No. 107, s. 127 (N.Z.); S.R. 1957/223, r. 73 (N.Z.).

90. Publishing defamatory matter at election time—
Every person shall be liable to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months who at any time after public notice has been given by the Chief Returning Officer under section 45 or section 47 of this Act and before the close of the poll publishes or exposes, or causes to be published or exposed, to public view any document or writing or printed matter containing any untrue statement defamatory of any candidate and calculated to influence the vote of any elector or voter.

Cf. 1956, No. 107, s. 128 (N.Z.); S.R. 1957/223, r. 74 (N.Z.).

91. Erasing or altering official mark on ballot paper—
Every person shall be liable to a fine not exceeding fifty pounds who erases, obliterates, or alters any official mark, stamp, or writing on any ballot paper, or places thereon any writing, print, or other matter which might lead persons to believe that it was put thereon by any official or person duly authorised in that behalf.

Cf. 1956, No. 107, s. 129 (N.Z.); S.R. 1957/223, r. 75 (N.Z.).

92. Offences in respect of ballot papers and ballot boxes—
(1) Every person commits an offence against this section who -

- (a) Forges, or counterfeits, or fraudulently defaces, or fraudulently destroys any ballot paper, or the official mark on any ballot paper;
- (b) Without due authority supplies any ballot paper to any person;
- (c) Fraudulently puts into any ballot box any paper other than the ballot paper that he is authorised by law to put therein;
- (d) Fraudulently takes out of a polling booth any ballot paper;
- (e) Without due authority destroys, takes, opens, or other-

wise interferes with any ballot box, or box or packet or parcel of ballot papers, then in use for the purposes of an election, on in course of transmission by post or otherwise, or thereafter whenever the same may be kept as a record of the election.

(2) Every person who commits an offence against this section shall be liable on conviction -

- (a) If an officer appointed under this Act, to imprisonment for a term not exceeding two years:
- (b) If any other person, to imprisonment for a term not exceeding six months.

(3) Every person who attempts to commit any offence against this section shall be liable on conviction to imprisonment for a term not exceeding one half of the longest term to which a person committing the offence may be sentenced.

Cf. 1956, No. 107, s. 130 (N.Z.): S.R. 1957/223, r. 75 (N.Z.).

93. Property to be stated as being in Chief Returning Officer—In any prosecution for an offence in relation to any ballot boxes, ballot papers, or marking instruments at an election the property in the boxes, papers, and instruments may be stated as being in the Chief Returning Officer.

Cf. 1956, No. 107, s. 131 (N.Z.).

94. Infringement of secrecy—(1) Every official, clerk, scrutineer, interpreter, and constable in attendance at a polling booth shall maintain and aid in maintaining the secrecy of the voting in the booth, and shall not communicate to any person, except for some purpose authorised by law, any information likely to defeat the secrecy of the ballot.

(2) No person, except for some purpose authorised by law, shall -

- (a) Interfere with or attempt to interfere with an elector or voter when marking his vote;
- (b) Attempt to obtain in a polling booth information as to the candidate for whom elector or voter in a booth is about to vote or has voted;
- (c) Communicate at any time to any person any information obtained in a polling booth as to the candidate for whom any elector or voter at the booth is about to vote or has voted, or as to the consecutive number on the ballot paper given to any elector or voter at the booth.

(3) Every person in attendance at the counting of the votes

shall maintain and aid in maintaining the secrecy of the voting, and shall not communicate any information obtained at the counting as to the candidate for whom any vote is given in any particular ballot paper.

(4) No person shall directly or indirectly induce any elector or voter to display his ballot paper after he has marked it, so as to make known to any person the name of any candidate for or against whom he has voted.

(5) Every person who offends against this section shall be liable to imprisonment for a term not exceeding three months.

(Cf. 1956, No. 107, s. 132 (N.Z.); S.R. 1957/223 r. 81 (N.Z.))

PART IX CORRUPT AND ILLEGAL PRACTICES

Corrupt Practices

95. *Personation*—(1) Every person is guilty of a corrupt practice who commits, or aids or abets, counsels, or procures the commission of, the offence of personation.

(2) Every person commits the offence of personation who—

(a) Votes as some other person, whether that other person is living or dead or is a fictitious person; or

(b) Having voted at any election, votes again at the same election; or

(c) Having voted at an election in any constituency or as an individual voter at a general election, votes again in another constituency or as an individual voter at the same general election.

(3) For the purpose of this section a person shall be deemed to have voted if he has applied for a ballot paper for himself, or has marked a ballot paper for himself, whether validly or not.

(4) It shall be the duty of the Chief Returning Officer to institute a prosecution against any person whom he believed to have committed the offence of personation, or to have aided, abetted, counselled, or procured the commission of, that offence by any person, at the election for which he is Chief Returning Officer.

(Cf. 1956, No. 107, s. 140 (N.Z.); S.R. 1957 223. r. 80 (N.Z.).)

96. *Bribery*—(1) In this section the terms “elector” and “voter” include any person who has or claims to have a right to vote.

(2) Every person is guilty of a corrupt practice who commits the offence of bribery.

(3) Every person commits the offence of bribery who, directly or indirectly, by himself or by any other person on his behalf -

(a) Gives any money or procures any office to or for any elector or voter, or to or for any other person on behalf of any elector or voter, or to or for any other person, in order to induce any elector or voter to vote or refrain from voting; or

(b) Corruptly does any such act as aforesaid on account of any elector or voter having voted or refrained from voting; or

(c) Makes any such gift or procurement as aforesaid to or for any person in order to induce that person to procure, or endeavour to procure, the return of any person at an election or the vote of any elector or voter -

or who, upon or in consequence of any such gift or procurement as aforesaid, procures, or engages, promises, or endeavours to procure, the return of any person at any election or the vote of any elector or voter.

(4) For the purposes of this section -

(a) References to giving money shall include references to giving, lending, agreeing to give or lend, offering, promising, or promising to procure or endeavour to procure, any money or valuable consideration;

(b) References to procuring any office shall include references to giving, procuring, agreeing to give or procure or to endeavour to procure, any office, place, or employment.

(5) Every person commits the offence of bribery who -

(a) Advances or pays or causes to be paid any money to or to the use of any other person with the intent that that money or any part thereof shall be expended in bribery at any election; or

(b) Knowingly pays or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election.

(6) The foregoing provisions of this section shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses incurred in good faith at or concerning an election.

(7) An elector or voter commits the offence of bribery if

before or during an election he directly or indirectly, by himself or by any other person on his behalf, receives, or agrees or contracts for, any money, gift, loan, or valuable consideration, office place, or employment for himself or for any other person for voting or agreeing to vote or for refraining or agreeing to refrain from voting.

(8) Every person commits the offence of bribery if after an election he directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting.

Cf. 1956, No. 107, s. 141 (N.Z.); S.R. 1957/223, r. 77 (N.Z.).

97. *Treating*—(1) Every person is guilty of a corrupt practice by himself or by any other person on his behalf, either before, during, or after an election, directly or indirectly, gives or provides, or pays wholly or in part the expense of giving or providing, any food, drink, entertainment, or provision to or for any person -

- (a) For the purpose of corruptly influencing that person or any other person to vote or refrain from voting; or
- (b) For the purpose of corruptly procuring himself to be elected; or
- (c) On account of that person or any other person having voted or refrained from voting, or being about to vote or refrain from voting.

(3) Every elector and voter who corruptly accepts or takes any such food, drink, entertainment, or provision also commits the offence of treating.

Cf. 1956, No. 107, s. 112 (1), (2) and (4) (N.Z.); S.R. 1957/223, r. 78 (N.Z.).

98. *Undue influence*—(1) Every person is guilty of a corrupt practice who commits the offence of undue influence,

(2) Every person commits the offence of undue influence who -

- (a) Directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence or restraint, or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person, in order to induce or compel that person to vote for or against a particular candidate or to vote

or refrain from voting, or on account of that person having voted for or against a particular candidate or having voted or refrained from voting; or

- (b) By abduction, duress, or any fraudulent device or contrivance, impedes or prevents the free exercise of the franchise of an elector or voter, or thereby compels, induces, or prevails upon an elector or voter either to vote or to refrain from voting.

Cf. 1956, No. 107, s. 143 (N.Z.); S.R. 1957/223, r. 79

Illegal Practices

99. Procurement of voting by unqualified electors or voters—Every person is guilty of an illegal practice who induces or procures to vote at any election any person whom he knows at the time to be disqualified or prohibited, whether under this Act or otherwise, from voting at that election.

Cf. 1956, No. 107, s. 148 (N.Z.).

General Provisions

100. Cinematograph films—(1) For the purposes of this section the expression "cinematograph film" or film" includes any screen advertisement of any description.

(2) For the purposes of this Act, the exhibition of any cinematograph film except on polling day shall not be deemed to constitute bribery or treating or an illegal practice, and any payment or contract for payment in respect of any such exhibition shall not be deemed to constitute an illegal practice notwithstanding that the film may be wholly or mainly an advertisement.

Cf. 1956, No. 107, s. 149 (N.Z.).

101 Punishment for corrupt or illegal practice—Every person who is guilty of any corrupt practice or any illegal practice shall be liable on conviction—

- (a) In the case of a corrupt practice, to imprisonment for a term not exceeding one year or to a fine not exceeding two hundred pounds, or to both;
- (b) In the case of an illegal practice, to a fine not exceeding one hundred pounds.

Cf. 1956, No. 107, s. 150. (1). (N.Z.); S.R. 1957/223, r. 76 (N.Z.).

102. Persons charged with corrupt practice may be found guilty of illegal practice—Any person charged with a corrupt practice may, if the circumstances warrant that finding, be found guilty of an illegal practice; and any person charged

with an illegal practice may be found guilty of that offence notwithstanding that the act constituting the offence amounted to a corrupt practice.

Cf. 1956, No. 107, s. 151 (N.Z.).

103. Time limit for prosecutions—A Prosecution against any person for a corrupt practice or an illegal practice shall be commenced within six months after the offence was committed:

Provided that where the person charged has been reported by the Supreme Court in its report on the trial of an election petition to have been proved guilty of the offence a prosecution shall be commenced within six months after the offence was committed or within three months after the date of the report, whichever period is the later to expire.

Cf. 1956, No. 107, s. 152 (N.Z.).

PART V ELECTION PETITIONS

104. Method of questioning election—(1) No election and no declaration of result or report to the Head of State shall be questioned except by a petition complaining of an unlawful election or unlawful declaration or report (in this Act referred to as an election petition) presented in accordance with this Part of this Act.

(2) A petition complaining of no declaration or report shall be deemed to be an election petition, and the Supreme Court may make such order thereon as the Court thinks expedient for compelling a declaration or report to be made or may allow the petition to be heard as provided with respect to ordinary election petitions.

Cf. 1956, No. 107, s. 155 (N.Z.).

105. Election petitions—(1) An election petition may be presented to the Supreme Court by one or more of the following persons:

- (a) A person who voted or had a right to vote at the election;
- (b) A person claiming to have had a right to be elected or returned at the election;
- (c) A person alleging himself to have been a candidate at the election.

(2) The member whose election or result is complained of shall be the respondent to the petition, and if the petition complains of the conduct of any official the Chief Returning Officer or Registrar as the case may be shall also be a respondent.

(3) The petition shall be in such form and state such matters as are prescribed by rules of Court, and be signed by the petitioner or all the petitioners if more than one.

(4) The petitioner shall present his petition by filing it in the office of the Supreme Court at Apia, and shall serve a copy of it on each respondent thereto.

(5) The petition shall be served personally, or in such other manner as may be prescribed by rules of Court.

Cf. 1956, No. 107, s. 156 (N.Z.); S.R. 1957/223, r. 82 (1) (N.Z.); S.R. 1960/60, r. 14 (N.Z.).

106. Time for presentation of election petition—(1) Subject to the provisions of this section, an election petition shall be presented within twenty-eight days after the day on which the Chief Returning Officer has publicly notified the result of the poll.

(2) If the petition questions the election on result upon an allegation of a corrupt practice and specifically alleges a payment of money or other reward to have been made by the member or on his account or with his knowledge and consent since the day of such public notification in pursuance or furtherance of the alleged corrupt practice, it may be presented within twenty-eight days after the date of the payment.

(3) For the purposes of this section an allegation that an election is avoided under section 113 of this Act shall be deemed to be an allegation of corrupt practices, notwithstanding that the offences alleged are or include offences other than corrupt practices.

Cf. 1956, No. 107, s. (N.Z.); S.R. 1957/223, r. 82 (1), (N.Z.); S.R. 1960/60, r. 14 (N.Z.).

107. Security for costs—(1) At the time of presenting an election petition or within three days after the expiration of the time limited for the presentation of the petition the petitioner shall give security to the satisfaction of the Registrar of the Court for all costs which may become payable by him to any witness summoned on his behalf or to any respondent.

(2) The security shall be an amount of fifty pounds and shall be given by recognisance to the Government entered into by any number of sureties not exceeding five or by a deposit of money, or partly in one way and partly in the other.

(3) If no security is given as required by this section no further proceedings shall be taken on the petition.

Cf. 1956, No. 107, s. 158 (N.Z.); S.R. 1957/223, r. 82 (2), (N.Z.).

*108. More than one petition relating to same election—*Where more petitions than one are presented relating to the same election or result, all those petitions shall be dealt with as one petition.

Cf. 1956, No. 107, s. 159 (N.Z.).

109. Rules of Court—(1) Rules of Court may be made in the manner prescribed by the Judicature Ordinance 1961 for the purposes of this Part of this Act.

(2) All rules made under this section shall be laid before the Legislative Assembly within twenty-eight days after the date of the making thereof, if the Assembly is then in session, and, if not, shall be laid before the Assembly within twenty-eight days after the date of the commencement of the next ensuing session.

Cf. 1956, No. 107, s. 160 (N.Z.).

Trial of Election Petition

*110. Court and place of Trial—*Every election petition shall be tried by the Supreme Court.

Cf. 1956, No. 107, s. 161 (N.Z.).

111. Trial of petition—(1) Election petition shall be tried in open Court without assessors, and notice of the time and place of trial shall be given not less than fourteen days before the day of trial.

(2) The Court may in its discretion adjourn the trial from time to time, but the trial shall, so far as is practicable consistently with the interests of justice in respect of the trial, be continued from day to day on every lawful day until its conclusion.

(3) The trial of an election petition shall be proceeded with notwithstanding that the respondent may have become disqualified as a member of Parliament, or that Parliament may have been prorogued.

(4) Subject to this Act, the Court shall have jurisdiction to inquire into and adjudicate on any matter relating to the petition in such manner as it thinks fit, and in particular may at any time during the trial direct a recount or scrutiny of the votes given at the election, and shall disallow the vote of every person proved to have been guilty of any corrupt practice, or whose name has been wrongly placed or retained on the roll:

Provided that the vote of any person who on polling day was entitled to be registered as an elector or voter of the constituent

cy or individual voters in question shall not be disallowed on the ground that his name has been wrongly placed or retained on any roll.

(5) On the trial of an election petition, unless the Court otherwise directs, any charge of a corrupt or illegal practice may be gone into, and evidence in relation thereto received before any proof has been given that any candidate was aware of or consenting to the corrupt or illegal practice.

(6) On the trial of an election petition complaining of an unlawful election declaration or report and claiming the seat for some person, the respondent may give evidence to prove that that person was not duly elected, in the same manner as if he had presented a petition against the election or that person.

(Cf. 1956, No. 107, s. 162 (N.Z.).)

112. Avoidance of election of candidate guilty of corrupt practice—Where a candidate who has been elected at any election is proved at the trial of an election petition to have been guilty of any corrupt practice at the election, his election shall be void.

(Cf. 1956, No. 107, s. 163 (N.Z.).)

113. Avoidance of election for general corruption—(1) Where it is reported by the Supreme Court on the trial of an election petition that corrupt or illegal practices committed in relation to the election for the purpose of promoting or procuring the election of any candidate thereat have so extensively prevailed that they may be reasonably supposed to have affected the result, his election, if he has been elected, shall be void.

(2) Except under this section, an election shall not be liable to be avoided by reason of the general-prevalence of corrupt or illegal practices.

(Cf. 1956, No. 107, s. 164 (N.Z.).)

114. Votes to be struck off for corrupt practices—Where, on the trial of election petition claiming the seat for any person, a candidate is reported by the Supreme Court to have been proved guilty of bribery, treating, or undue influence in respect of any person who voted at the election, there shall, on a scrutiny, be struck off from the number of votes appearing to have been received by the candidate one vote for every person who voted at the election and is reported to have been proved to have been so bribed, treated, or unduly influenced.

(Cf. 1956, No. 107, s. 165 (N.Z.).)

115. Real justice to be observed—On the trial of any elect-

ion petition -

- (a) The Court shall be guided by the substantial merits and justice of the case without regard to legal forms or technicalities;
- (b) The Court may admit such evidence as in its opinion may assist it to deal effectively with the case, notwithstanding that the evidence may not otherwise be admissible in the Supreme Court.

Cf. 1956, No. 107, s. 166 (N.Z.).

116. Irregularities not to invalidate election—No election shall be declared invalid by reason of -

- (a) Any failure to comply with the times prescribed for doing any act; or
- (b) Any omission or irregularity in filling up any form prescribed by this Act or by regulations made thereunder; or
- (c) Any want or defect in the appointment of any official or scrutineer; or
- (d) Any absence of, or mistake or omission or breach of duty by, any official, whether before, during, or after the polling -

if the Court is satisfied that the election was so conducted as to be substantially in compliance with the law as to elections, and that the failure, omission, irregularity, want, defect, absence, mistake, or breach did not affect the result of the election.

Cf. 1956, No. 107, s. 167 (N.Z.); S.R. 1957, 223 r. 100 (2) (N.Z.).

117. Decisions of Court to be final—All decisions of the Supreme Court under this Part of this Act shall be final and conclusive and without appeal, and shall not be questioned in any way.

Cf. 1956, No. 107, s. 168 (N.Z.).

118. Certificate of Court as to result of election—At the conclusion of the trial of an election petition the Court shall determine whether the member whose election or return is complained of, or any and what other person, was duly elected or returned, or whether the election was void, and shall forthwith certify in writing the determination to the Speaker and the determination so certified shall be final to all intents and purposes.

Cf. 1956, No. 107, s. 169 (N.Z.).

119. Report of Court as to corrupt or illegal practices—(1)

Where in an election petition any charge is made of any corrupt or illegal practice having been committed at the election, the Court shall, in addition to giving a certificate and at the same time, report in writing to the Speaker as follows:

- (a) Whether any corrupt or illegal practice has or has not been proved to have been committed by or with the knowledge and consent of any candidate at the election, and the nature of the corrupt or illegal practice;
- (b) Whether any of the candidates has been guilty by his agents of any corrupt or illegal practice in reference to the election;
- (c) The names of all persons proved at the trial to have been guilty of any corrupt or illegal practice and whether they have received certificates of indemnity;
- (d) Whether there is reason to believe that corrupt or illegal practices have extensively prevailed at the election.

(2) In the case of someone who is not a party to the petition nor a candidate on behalf of whom the seat is claimed by the petition, the Court, before reporting him to have been proved guilty of any corrupt or illegal practice, shall first cause notice to be given to him, and if he appears in pursuance of the notice, shall give him an opportunity of being heard and of calling evidence in his defence to show why he should not be so reported.

(3) For the purposes of this Act, if it is reported by the Court that a corrupt or illegal practice was committed with the knowledge and consent of a candidate, he shall be treated as having been reported to have been proved guilty of that corrupt or illegal practice.

(4) If a candidate is reported to have been guilty by his agents of treating undue influence, or any illegal practice, and the Court further reports -

- (a) That no corrupt or illegal practice was committed at the election by the candidate with his knowledge or consent, and that the offences mentioned in the report were committed without the sanction or connivance of the candidate; and
- (b) That all reasonable means for preventing the commission of corrupt and illegal practices at the election were taken by and on behalf of the candidate; and
- (c) That the offences mentioned in the report were of a trivial, unimportant, and limited character; and
- (d) That in all other respects the election was free from any corrupt or illegal practice on the part of the candidate

and of his agents, -

the candidate shall not be treated for the purposes of this Act as having been proved guilty of the offences mentioned in the report.

Cf. 1956, No. 107, s. 170 (N.Z.).

120. Special report—At the same time as it gives its certificate at the conclusion of the trial of an election petition, the Court may make a special report to the Speaker as to any matters arising in the course of the trial an account of which, in the judgment of the Court, ought to be submitted to the Legislative Assembly.

Cf. 1956, No. 107, s. 171 (N.Z.).

121. Signature and effect of certificate and report—(1) The certificate and any report of the Court at the conclusion of the trial of an election petition shall be signed by the Presiding Judge.

(2) On being informed by the Speaker of the certificate and any report of the Court, the Legislative Assembly shall order the same to be entered in the Journals of the Assembly, and shall give the necessary directions for confirming or altering the result or for issuing a public notice for a new election, or for carrying out the determination, as the circumstances may require.

(3) Where the Court makes a special report the Legislative Assembly may make such order in respect of that report as it thinks proper.

Cf. 1956, No. 107, s. 172 (N.Z.).

Witnesses

122. Summons and examination of witnesses—(1) Witnesses may be summoned and sworn on the trial of an election petition in the same manner, as nearly as circumstances admit, as in the trial of an ordinary action.

(2) The Supreme Court may by order require any person who appears to the Court to have been concerned in the election to attend as a witness, and every person who refuses to obey any such order shall be guilty of contempt of Court.

(3) The Court may examine any person so required to attend or any person in Court, although he is not called or examined by any party to the petition.

(4) After the examination of a witness as aforesaid by the Court he may be cross-examined by or on behalf of the peti-

tioner and each respondent, or any of them.

Cf. 1956, No. 107, s. 173 (N.Z.).

123. Certificate of indemnity to witness—(1) A person called as a witness on the trial of an election petition shall not be excused from answering any question relating to any offence at or connected with the election on the ground that the answer thereto may incriminate or tend to incriminate himself, or on the ground of privilege:

Provided that -

- (a) An answer by a person to a question put by or before the Court shall not, except in the case of any criminal proceeding for perjury in respect of the evidence, be admissible in evidence against him in any proceeding, civil or criminal;
- (b) A witness who answers truly all questions which he is required by the Court to answer shall be entitled to receive a certificate of indemnity, stating that he has so answered.

(2) Where a person has received a certificate of indemnity in relation to an election, and any legal proceeding is at any time instituted against him for any offence committed by him at or in connection with the election previously to the date of the certificate, the Court having cognisance of the case shall on production of the certificate stay the proceeding, and may in its discretion award to the said person such costs as he has been put to in the proceeding.

(3) Nothing in this section shall be deemed to relieve a person receiving a certificate of indemnity from any incapacity under this Act or from any proceedings to enforce any such incapacity (other than a criminal prosecution).

Cf. 1956, No. 107, s. 174 (N.Z.).

124. Expenses of witnesses—(1) The reasonable expenses incurred by any person in appearing to give evidence at the trial of an election petition, according to the scale allowed to witnesses on the trial of civil actions, may be allowed to him by the Court.

(2) Any such expenses, if the witness was called and examined by the Court, shall be deemed to be part of the expenses of the Court, and in other cases shall be deemed to be costs of the petition.

Cf. 1956, No. 107, s. 175 (N.Z.).

COSTS

125. Costs of petition—(1) All costs of and incidental to

the presentation of an election petition, and to the proceedings consequent thereon, except such as are by this Act otherwise provided for shall be defrayed by the parties to the petition in such manner and in such proportions as the Supreme Court may determine; and in particular any costs which in the opinion of the Court have been caused by vexatious conduct, unfounded allegations, or unfounded objections on the part either of the petitioner or respondent, and any needless expenses incurred or caused on the part of the petitioner or respondent, may be ordered to be defrayed by the parties by whom they were caused or incurred, whether those parties are or are not on the whole successful.

(2) If a petitioner fails for six months after demand to pay to any person summoned as a witness on his behalf, or to any respondent, any sum certified to be due to him for costs, and the failure is within one year after the demand proved to the satisfaction of the Supreme Court, every person who has under this Act entered into a recognisance relating to the petition shall be held to have made default in the recognisance, and it shall be dealt with in manner provided by section 21 of the Crown Proceedings Act 1950 (New Zealand).

Cf. 1956, No. 107, s. 176 (N.Z.).

126. Costs payable by persons proved guilty of corrupt or illegal practice—(1) Where on the trial of an election petition it appears to the Court that any person has been guilty of any corrupt or illegal practice, the Court may, after giving that person an opportunity of making a statement to show why the order should not be made, order the whole or any part of the costs of or incidental to any proceedings before the Court in relation to that offence or to that person to be paid by that person to such other person or persons as the Court thinks fit.

(2) All costs so ordered to be paid may be recovered as a debt due by the person by whom they are ordered to be paid to the person or persons to whom they are ordered to be paid.

Cf. 1956, No. 107, s. 177 (N.Z.).

Withdrawal and Abatement of Petitions

127. Withdrawal of petition—(1) A petitioner shall not withdraw an election petition without the leave of the Supreme Court upon special application to be made in the prescribed manner.

(2) No such application shall be made until the prescribed notice of the intention to make it has been given in the con-

stituency or among the individual voters to which the petition relates.

(3) Where there are more petitioners than one, an application to withdraw the petition shall not be made except with the consent of all the petitioners.

(4) If a petition is withdrawn, the petitioner shall be liable to pay the costs of each respondent.

Cf. 1956, No. 107, s. 178 (N.Z.).

128. Substitution of newpetitioner—(1) On the hearing of an application for leave to withdraw a petition, any person who might in the first instance have presented the petition may apply to the Court to be substituted as a petitioner.

(2) The Court may, if it thinks fit, substitute any such applicant as petitioner, and may, if the proposed withdrawal is in the opinion of the Court the result of any corrupt bargain or consideration, by order direct that the security given on behalf of the original petitioner shall remain as security for any costs incurred by the substituted petitioner, and that to the extent of the sum named in the security the original petitioner shall be liable to pay the costs of the substituted petitioner.

(3) If the Court does not so direct, security to the same amount as would be required in the case of a new petition, and subject to the like conditions, shall be given on behalf of the substituted petitioner within three days after the order of substitution.

(4) Subject as aforesaid, a substituted petitioner shall as nearly as may be stand in the same position and be subject to the same liabilities as the original petitioner.

• Cf. 1956, No. 107, s. 179 (N.Z.).

129. Report on withdrawal—In every case of the withdrawal of an election petition the Supreme Court shall make a report to the Speaker stating whether in its opinion the withdrawal of the petition was the result of any corrupt arrangement or in consideration of the withdrawal of any other election petition and, if so, the circumstances attending the withdrawal.

• Cf. 1956, No. 107, s. 180 (N.Z.).

130. Abatement of petition—(1) An election petition shall be abated by the death of a sole petitioner or of the survivor of several petitioners.

(2) The abatement of a petition shall not affect the liability of the petitioner or any other person to the payment of costs.

previously incurred.

(3) On the abatement of a petition notice of the abatement; shall be given in the prescribed manner and within twenty-eight days after notice is given any person who might have been a petitioner in respect of the election may apply to the Supreme Court in the prescribed manner. On any such application the Court may, if it thinks fit, substitute the applicant accordingly.

(4) Security shall be given on behalf of a petitioner so substituted, as in the case of a new petition.

Cf. 1956, No. 107, s. 181 (N.Z.).

General Provisions

131. Withdrawal and substitution of respondent before trial—(1) If before the trial of an election petition a respondent other than the Chief Returning Officer and the Registrar -

(a) Dies; or

(b) Gives the prescribed notice that he does not intend to oppose the petition; or

(c) Has his seat declared vacant in a report from the Speaker to the Head of State. -

notice thereof shall be given in the prescribed manner and, within twenty-eight days after the notice is given, any person who might have been a petitioner in respect of the election may apply to the Supreme Court to be admitted as a respondent to oppose the petition, and shall be admitted accordingly, except that the number of persons so admitted shall not exceed three.

(2) A respondent who has given the prescribed notice that he does intend to oppose the petition shall not be allowed to appear or act as a party against the petition in any proceedings thereon, and shall not sit or vote in the Legislative Assembly until the Assembly has been informed of the report on the petition.

(3) Where a respondent has given the prescribed notice as aforesaid, the Court shall report that fact to the Speaker.

Cf. 1956, No. 107, s. 182 (N.Z.).

132. Submission of report to Attorney General—Where the Supreme Court reports that certain persons named have been proved at the trial of an election petition to have been guilty of any corrupt or illegal practice the report shall be laid before the Attorney-General.

Cf. 1956, No. 107, s. 183 (N.Z.).

PART XI

Miscellaneous Provisions

133. Service of notices—(1) Any notice under this Act may be served on any person by delivering it to that person, and may be delivered to him either personally or by leaving it at his place of residence as stated on any roll or by posting it by registered letter addressed to him at that place of residence.

(2) A notice so posted shall be deemed to have been served at the time when the registered letter would in the ordinary course of post be delivered.

(3) Where any notice is sent by registered letter addressed to any person at his place of residence as stated on any roll, with a special request that the letter be returned to the sender at the expiration of fifteen days if the person to whom the letter is addressed cannot be found, the return of the letter by the Post Office shall be deemed sufficient proof that the person has quitted that place of residence.

Cf. 1956, No. 107, s. 184 (N.Z.).

134. Chief Returning Officer and Registrar exempt from Court fees—The Chief Returning Officer and the Registrar shall be exempt from the payment of any Court fees in respect of any proceedings under this Act.

Cf. 1956, No. 107, s. 186 (N.Z.).

135. Validation of irregularities—Where anything is omitted to be done or cannot be done at the time required by or under this Act, or is done before or after that time, or is otherwise irregularly done in matter of form, or sufficient provision is not made by or under this Act, the Head of State acting on the advice of Cabinet may, by notice in the Gazette, at any time before or after the time within which the thing is required to be done, extend that time, or validate anything so done before or after the time required or so irregularly done in matter of form, or make other provision for the case as he thinks fit:

Provided that this section shall not apply with respect to the presentation of an election petition or to the giving of security for costs in relation to an election petition.

Cf. 1956, No. 107, s. 187 (N.Z.); S.R. 1957/233, r. 100 (3).

136. Regulations—(1) The Head of State acting on the advice of Cabinet may from time to time, by Order, make all such regulations as may in his opinion be necessary or expedient for giving full effect to the provisions of this Act and for the due administration thereof.

(2) Regulations made under this section may prescribe penalties for offences against the regulations, not exceeding im-

prisonment for a term of three months or a fine of fifty pounds, or both.

(3) All regulations made under this section shall be laid before the Legislative Assembly within twenty-eight days after the date of the making thereof if the Assembly is then in session, and, if not, shall be laid before the Assembly within twenty-eight days after the date of the commencement of the next ensuing session.

Cf. 1956, No. 107, s. 188 (N.Z.).

137. Repeals and savings—(1) The enactment specified in the Second Schedule to this Act shall cease to have effect as part of the law of Western Samoa.

(2) The provisions of sections 20, 20A and 21 of the Acts Interpretation Act 1924 (New Zealand, section 20A having been inserted therein by section 2 of the Acts Interpretation Amendment Act 1960) shall apply with respect to those enactments as if they had been revoked by this section.

(3) All acts done by the Head of State or the Chief Returning Officer or the Registrar or by any other officer and all applications and declarations made by any person the commencement of this Act in relation to the first general election of Members of Parliament to be held after the commencement of this Act which would have been valid if this Act had been force when the act was done or the application or declaration was made are hereby validated and declared to have been lawfully done or made.

Cf. S.R. 1957/223, r. 102 (N.Z.).

SCHEDULES

FIRST SCHEDULE

FORMS

Form 1

Sections 4, 63, 64:

DECLARATION BY RETURNING OFFICER, DEPUTY RETURNING OFFICER, POLL CLERKS, SCRUTINEERS AND OTHER OFFICERS

I, A. B., (Insert full residential address and occupation or description), solemnly and sincerely declare that I will well and truly serve in the office of -

*Returning Officer

*Deputy Returning Officer

*Poll Clerk

***Interpreter**

***Scrutineer for C.D., a candidate,**
at the poll for the Constituency or Representative of the
Individual Voters and that I will not do anything forbidden by
section 94 of the Electoral Act 1963.

A N D I make this solemn declaration conscientiously believing
the same to be true and by virtue of the Oaths Affidavits and
Declarations Act 1963.

Declared at this)
day of 19 before me:)
E.F.)

A.B.

***Chief Returning Officer**

***Returning Officer**

***Deputy Returning Officer**

***(Occupation or description of a)**
person authorised to take a statutory
declaration by section 21 of the Oaths
Affidavits and Declarations Act 1963.

***Delete whichever do not apply.** Section 94 of the Electoral
Act 1963 is to be printed on the back of this form and must be
read by or to the declarant.
Section 21:

Form 2

To the Registrar of electors and voters for Western Samoa
I (Insert full names, full residential address and occupation
or description) hereby claim to have my name entered on the
individual voters' roll for Western Samoa; and I solemnly and
sincerely declare:

(A) That my answers to the following questions are true
and correct:

1. Are you a citizen of Western Samoa under the Citizenship
of Western Samoa Ordinance 1959?
2. Have you attained the age of twenty-one years?
3. Are you an undischarged bankrupt?
4. Have you been convicted in Western Samoa or in American Samoa of an offence punishable by death or by imprisonment for a term of two years or upwards or have you been convicted in Western Samoa of any practice declared to be a corrupt practice by the Electoral Act 1963?
5. If so have you:
 - (a) Received a free pardon?
 - (b) Undergone the sentence or punishment to which you

6. Are you of sound mind and not subject to an order of medical custody under the Mental Health Ordinance 1961?

8. What is (or was) the full name of your father?

9. If he is dead, when and where did he die?

11. If not and if he died before the 30th day of November 1963, would he if alive on that day have qualified to have his name entered on the European electoral roll on that day?

13. Did you acquire your citizenship of Western Samoa by:

(a) Naturalisation?

(b) Birth?

14. If the latter:

(a) Is your father if alive a citizen of Western Samoa?

(b) Would your father if alive at the date of the commencement of the Citizenship of Western Samoa Ordinance 1959 on the 8th day of September 1959 have automatically qualified to be a citizen of Western Samoa by virtue of any provision of that Ordinance?

15. Have you taken the oath of allegiance in the manner and form provided by section 18 of the Citizenship of Western Samoa Ordinance 1959?

(B) That I do not hold a mafai title and am not exercising any customary right or privilege in regard to customary land.

(C) That I am not married to a person holding such a title or exercising any such right or privilege.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Affidavits and Declarations Act 1963.

SIGNED and declared at _____)
 this _____ day of _____ 19____) (signature of claimant)
 before me: _____)

(Signature and occupation or description of a person authorised to take a statutory declaration by section 21 of the Oaths Affidavits and Declarations Act 1963).

FORM 3

Section 35 (1).

ELECTORAL ROLL FOR TERRITORIAL CONSTITUENCY

**Roll of Persons Entitled to Vote as Electors of the Territorial
Constituency of**

Number on Roll	Title (s) or Surname	Taulele'u or Christian Name (s)	Sub- village or Pitonu'u	Village or Nu'u	Occupation or Description

..... Registrar

Section 35 (2).

FORM 4

INDIVIDUAL VOTERS' ROLL

**Roll of Persons Entitled to Vote for Representatives of the
Individual Voters**

Number on Roll	Surname	Christian Names	Residence	Occupation or Description

..... Registrar.

Form 5

Section 48 (1):

NOMINATION PAPER

To the Chief Returning Officer for Western Samoa.

We (Insert full names full residential addresses and occupations or descriptions), being qualified.

*electors for the territorial Constituency or

*individual voters for Western Samoa

hereby nominate (Insert full names, full residential address, and occupation or description), a registered.

*elector

*individual voter, with his consent, as a candidate at the election of

*Representative (s) for the above constituency

*Representatives of the Individual Voters

the holding of which election is appointed for the day of
19

D A T E D this day of 19

(Signatures of two or more
electors or voters nominating).

I (Insert full names of candidate) hereby consent to the above nomination.

(Signature of candidate

*Delete words that do not apply.

Section 52 (1):

Form 6

NOTICE OF WITHDRAWAL OF NOMINATION

To the Chief Returning Officer for Western Samoa.

I (Insert full names) hereby give notice that I withdraw my nomination as a candidate at the election of

*Representative (s) of the Constituency

*Representatives of the Individual Voters

the holding of which is appointed for the day of 19
and for which I was nominated on the day of 19

Signature of candidate

RECEIVED at the hour of on the day of
19

Signature of Chief Returning Officer

*Delete words that do not apply.

Section 56 (1):

Form 7

BALLOT PAPER

Election of Member (s) of Parliament
to represent

The Territorial Constituency of
or

The Individual Voters

CANDIDATES

MATA'IA, Sione

TAGALOA, Levi

or

ANDERSON, Thomas

BERRY, Charles (Tailor)

BERRY, Charles (Boatmaker)

HIBBERD, Norman Frank

DIRECTIONS

The elector (or voter) may vote for only candidate (s). The elector (or voter) is to mark a cross opposite the name (s) of the candidate (s) for whom the elector (or voter) desires to vote. The vote will be invalid if names marked with a cross exceed the number to be elected.

After voting, fold this paper and place it in the ballot box. You must not take it out of the polling booth.

If you spoil this paper, return it to the Issuing Officer and obtain another.

Section 56 (5):

FORM 8

COUNTERFOIL OF BALLOT PAPER

Consecutive No.

(To be entered here and also on the top right hand corner of the back of the voting paper).

Designation of Roll:

No. on Roll:

(To be entered here only)

(Stamp across the perforation so that the number of) Official
the polling booth shall appear on both the) Booth
counterfoil and the voting paper) Stamp

Initials of Presiding Officer

Section 80

Form 9

DECLARATION OF RESULT OF POLL

Territorial Constituency of
(or Individual Voters)

I HEREBY declare the result of the poll taken on the day
of 19 for the election of a member (s) of Parliament for
the Territorial Constituency of (or for Individual voters) to be
as follows:

Candidates	Votes Received
------------	----------------

C.D.	/
E.F.	
G.H.	
I.J.	
K.L.	

Total number of valid votes	_____
-----------------------------------	-------

Number of votes rejected as informal	_____
--	-------

I therefore declare the said C.D. to be elected.

Dated at this day of 19

A.B.

CHIEF RETURNING OFFICER

SECOND SCHEDULE

Section 137.

Enactments Ceasing to Have Effect

The Western Samoa Legislative Assembly Regulations, 1957;
Serial Number 1957/223 (N.Z.)

The Western Samoa Legislative Assembly Regulations, 1957;
Amendment No. 1; Serial Number 1960/60 (N.Z.)



SAMOA I SISIFO

VAEVAEINA

VAEGA I

Upu Tomua

Igoa

1. Igoa putuputu ma le vaevaeina i Vaega.
2. Fa'amatalaina o Upu.

Ali'i Ofisa

3. Ali'i Ofisa Sili Fai-Palota, Resitara ma isi ali'i ofisa.
4. Ia faia e Ali'i Ofisa Fai-Palota se ta'utinoga.

VAEGA II

Uiga Agava'a o Sui Usufono

5. O e e mafai ona fa'atutū mai mo le palotaina e avea ma Sui Usufono.
6. Ave'escina o le igoa mai le pepa o le fa'asologa o igoa e aunoa ma se mafua'aga.
7. Taunu'uga o le fa'amauiina i se pepa ese'e o le fa'asologa o igoa.
8. E mafai ona avea Tagata Faigaluega o le Malo ma sui e fa'atutū mai po o le filifili.
9. Sui usufono ua fa'aleaogaina mai le avea ma tagata faigaluega o le Malo.

Avanoa

10. Mafua'aga e pogai ai ni Avanoa.
11. Mafua'aga e fa'amaonia ai ua le ta'uagava'aina se sui.
12. Ia fa'ailoa mai e le Resitara o le Fa'amasinoga le mafua'aga o se avanoa i nisi itu.
13. Ia logo e le Resitara o e Māli-lu le Fofoga Fetalai e uiga i le maliu o se Sui.
14. O le solitulafono le aua i se fonotaga o se sui usufono ua fa'aleaogaina.
15. E leai se tagata e tātau ona filifilia mo ni itumalo e sili atu i lo le taxi.

VAEGA III

Fa'amauiina o Au-Palota

16. Uiga agava'a o tagata palota.
17. Fa'amaopoopoina o pepa o le fa'asologa o igoa.
18. Tauafumaga.

VAEGA IV

Tagata Palota Ta'ito'atasi

19. Uiga agava'a o tagata palota.
20. Fa'amauiina o tagata palota o lo'o to'esea.
21. Fa'amauiina o tagata palota.

22. O le tumau ai pea i luga o le pepa o le fa'asologa o igoa.
 23. Taulumaga e soso'o ma se talosaga mo le fa'amauiina.
 24. E mana'omia le tagata palota ina ia na logoina le Resitara e uiga i nisi mea e tutupu mai.
 25. Igoa o le tagata palota na tusia po ua toe tusia.

VAEGA V

Pepa o le Fa'asologa o Igoa
 Fa'atu'i'ese ma Suiga

26. Fa'atu'i'ese a se tagata palota po o tagata palota ta'ito'atasi.
 27. Fa'atu'i'ese a le Resitara.
 28. Taimi fa'atapula'aina mo fa'atu'i'ese ma su'esu'ega a le Fa'amasinoga Maulalo a ua uma ona tapuni pepa o fa'asologa o igoa.
 29. Taulumaga tau le tu'uina atu o se talosaga po o se fa'atu'i'ese i le Fa'amasinoga Maulalo.
 Fa'asagatonuina o Pepa
 o le Fa'asologa o Igoa
 30. Ia fa'a'iloa mai e le Resitara o Maliliu tagata matutua e maliliu.
 31. Ia fa'a'iloa mai e le Resitara o Fa'aipoipoga fafine e fa'aipoipo.
 32. Ave'eseina o igoa mai le pepa o le fa'asologa o igoa e le Resitara.
 33. Fesoasoani e ao ina tu'uina atu i le Resitara.
 Tapunia ma le Lolomiina
 o Pepa o le Fa'asologa o Igoa
 34. O pepa o le fa'asologa o igoa o tapunia e le Ali'i Ofisa Sili Fai-Palota.
 35. Pepa autu o le fa'asologa o igoa ia lomia.
 36. Pepa fa'aopoopo o fa'asologa

o igoa ia lomia.

37. Aiaiga tau le lolomiina o pepa o fa'asologa o igoa
 38. Asiasiga o pepa autu po o pepa fa'aopoopo o fa'asologa o igoa.
 39. Ata po o kopi o pepa o fa'asologa o igoa mo le Ali'i Ofisa Sili Fai-Palota.

VAEGA VI

Solitulafono.

40. Fa'amatalaga po o ta'utinoga pepelo.
 41. Ta'ita'iina sese ma le loto iai o le Resitara.
 42. O le le fa'ao'oina o se tagi po o se talosaga.
 43. Faiga sese a le Resitara.

VAEGA VII

Faiga Palota Aoao ma

Palota Laiti.

Faiga-Palota Aoao

44. E tu'uina atu e le Ao o le Malo le fa'aaliga i le Ali'i Ofisa Sili Fai-Palota.
 45. Ia tu'uina atu e le Ali'i Ofisa Sili Fai-Palota se fa'aaliga mo tagata uma e uiga i le faiga-palota ma le aso o filifiliga.
 Palota-Laiti
 46. Taulumaga i se palota-laititi.
 47. Ia tu'uina atu e le Ali'i Ofisa Sili Fai-Palota se fa'aaliga mo tagata uma e uiga i se palota-laititi ma le aso o filifiliga.
 Filifiliga.
 48. Filifiliga o sui e fa'atutu mai.
 49. Tupe e tu'uina mai e se sui e fa'atu mai.
 50. O le talia po o le te'ena o le filifiliga.
 51. Fa'asalalauina o filifiliga.

52. Toe tatalaina i tua o se fili-filiga.
53. Taualumaga pe afai e lē lava filifiliga.
54. Taualumaga pe afai e le fete'ena'i le filifiliga.
Filifiliga Fete'ena'i.
55. Fa'aaliga mo tagata uma e uiga i le aso e fai ai palota ma sui e fa'atutu mai.
56. Foliga tino mai o pepa palota. Malu o se Sui na fa'atu mai.
57. Malu a o le'i tapunia filifiliga.
58. Malu a ua uma ona tapunia filifiliga.
O le Faiga o Palota i Faiga-Palota.
59. Nofoga e fai ai palota.
60. Fale palota, pusa palota, pepa palota, ma isi mea.
61. Fa'asoasoina o Ali'i Ofisa.
62. Sui Ali'i Ofisa Fai-Palota, failautusi o palota, ma fa'amatala'upu.
63. Ia faia e failautusi o palota ma fa'amatala'upu se tu'utinoga.
64. Tagata e va'ava'aia le faiga o palota.
65. Itula e fai ai palota.
O le Palota
66. Ia loka tumau le pusa palota a o fa'agasolo le faiga o palota.
67. Ia le iai tumau tagata i totonu o le fale palota.
68. Ia le tantala atu i tagata i totonu o le fale palota.
69. Fesili e mafai ona tu'uina atu i tagata palota po o tagata palota ta'ito'atasi.
70. Tu'uina atu o pepa palota.
71. Faiga e fai ai palota.
72. Pepa palota ua fa'alecagaina.
73. Tagata palota e tauaso pe le mafai ona faitusi pe tusitusi.
74. Taualumaga pe a o'o ina tu'uina atu sona lua o palota i le igoa lava e tasi.
Faitauga Muamua o Palota
75. Taualumaga a ua uma ona tapuni le palota.
VAEGA VIII
Taualumaga ina ua tuana'i le aso o le Palota
Iloiloa o Pepa o le Fa'asologa o Igoo
76. Fa'atutanga mo le iloiloa o pepa o le fa'asologa o igoo.
77. Ia fefa'atusatusaa'i kopi o pepa o le fa'asologa o igoo ua uma ona fa'aaloga.
78. Ia matua fa'amaui lelei afifi ina ua uma le iloiloa.
Faitauga Fa'amaonia ma le Ta'utinoia o le Palota
79. Fuitauina o palota.
80. Ta'utinoia o le ta'utuga o le palota.
Toe Faitauga.
81. Talosaga i se Fa'amasino Maulalo mo se toe faitauga.
82. Ia fefa'atusatusaa'i pepa palota ma le pepa fa'amaoni i le toe faitauga.
O le Tu'u'eseina atu o Pepa Palota.
83. O le tu'u'eseina atu o pepa palota, pepa o le fa'asologa o igoo, ma isi mea.
84. O le tu'u'eseina atu o ta'ui.
85. Pepa e aveina mai afifi e avea ma molimau i nisi itu.
Fa'atumauiina o le Nofa-Lelei i Faiga-Palota
86. Ia fa'atumauiina e le Ali'i Ofisa

Tā'ita'i le nofo-lelei.

87. Tolopoina o le Palota.

Tausiga o Pepa-Palota.

88. Taofia o ni uiga sesē e fa'asino i pepa palota.

Solitulafono i Faiga-Palota

89. O le aiaina ma le fa'atosinaina o tagata palota po o tagata palota ta'ito'atasi.

90. Fa'asalalanina o ni mea tau-fa'a-leaga i le tuimi o le faiga-palota.

91. Tinea po o le suia o le fa'a-ilogā fa'amaonia i luga o le pepa palota.

92. Solitulafono i le itu i pepa palota ma pusa palota.

93. Ia fa'aalia mea totino e fa'apea o lo'o iai i le Ali'i Ofisa Sili Fai-Palota.

94. Solia o uiga fa'alilolilo.

VAEGA IX

Faiga Ta'uvala ma le lē tusa ai ma le Tulafono

Faiga Ta'uvala.

95. Fa'afoligaina o se tasi tagata.

96. Faiga fa'atosina.

97. Faiga sesē e fa'atosina ai.

98. Fa'atosina i ala e le tatau ai.

Faiga e le tusa ai ma le Tulafono.

99. O le sailia ina ia maua ni palota e tagata palota po o tagata palota ta'ito'atasi e le tagava'a.

Tu'utu'uga 'Ese'ese.

100. Ata tifaga.

101. Fa'asalaga mo se faiga ta'uvala po o se faiga e le tusa ai ma le tulafono.

102. O tagata ua molia i se faiga

ta'uvala e mafai ona maua ua nofosala i se faiga e le tusa ai ma le tulafono.

103. Taini fa'atapula'aina mo moliga fa'ale-tulafono.

VAEGA X

Talosaga e uiga i Faiga-Palota

104. Auala tau le fesiligia o se faiga-palota.

105. Talosaga e uiga i faiga-palota.

106. Taimi mo le tu'uina mai o se talosaga e uiga i se faiga-palota.

107. Puipuiga mafu mo tofogi.

108. O le sili atu i lo le tasi o se talosaga e fa'asino i lea lava faiga-palota.

109. Tulafono e Puipui ai a le Fa'amasinoga.

Su'esu'eina o Talosaga e' uiga i Faiga-Palota.

110. Fa'amasinoga ma le nofoaga e su'esu'eina ai.

111. Su'esu'eina o talosaga.

112. O le fa'aleaogaina o le filifiliga o se sui na fa'utu mai ua nofosala i se faiga ta'uvala.

113. O le fa'aleaogaina o se filifiliga ona o se uiga ta'uvala kaula.

114. Ia soloi 'ese palota ona o ni faiga ta'uvala.

115. Ia tausisia le amiotonu moni.

116. E le avea ni uiga sesē ma ala e fa'aleaogaina ai se faiga-palota.

117. E mausali fa'ai'uga a le Fa'amasinoga.

118. Tusi fa'amaoni a le Fa'amasinoga e uiga i le taunu'uga o se faiga-palota.

119. Lipoti a le Fa'amasinoga e uiga i faiga ta'uvalca po o faiga e le tusa ai ma le tulafono.
120. Lipoti fa'apitoa.
121. Sainia ma le taunu'uga o se tusi fa'amaoni ma se lipoti.
Molimau
122. Vala'uina ma le su'esu'eina o molimau.
123. Tusi fa'amaoni o le puipuiga i molimau.
124. Tūpe alu a tagata molimau.
Totogi
125. Totogi o talosaga.
126. Totogi e tatau ona totogi e tagata ua fa'amaonia e nofosala i se faiga ta'uvalca po o se faiga e le tusa ai ma le tulafono.
O le Toe Tatalaina ma le Fa'amutaina o Talosaga
127. Toe tatalaina o se talosaga.
128. Suia o se tagata talosaga fou.
129. Lipoti e uiga i le toe tatalaina i tui.
130. Fa'amutaina o se talosaga.
Tu'utu'uga Lautele
131. O le toe tatalaina ma le suia o lē e tete'e a o humana'i le fa'amasinoga.
132. Tu'uina atu o le lipoti i le Loia-Sili.

VAEGA XI

133. Tu'uina atu o fa'aaliga.
134. E tu'usaunoina le Ali'i Ofisa Sili Fai-Palota ma le Resitara mai totogi o le Fa'amasinoga.
135. Fa'amagania fa'ale-tulafono o ni uiga sēsē.
136. Tulafono Fa'atonutonu.
137. Mea ua soloia ma mea e fa'asaina.
Fa'amatalaga.

1963 Nu. 16

O SE TULAFONO TAU FA'AOFI E IGOA
O SE TULAFONO E FAI AI TU'UTU'UGA MO LE PALOTA-
INA O SUI USUFONO O LE FONO AOAO FAITULAFONO.

[19 Tesema 1963.]

UA FAIA e le Fono Aoao Faitulafono a Samoa i Sisifo i totonu o le Palemene a o aofia potopoto e fa'apenei:-

VAEGA I

UPU TOMUA

1. Iga Pu'upu'u ma le vaevaeina i Vaega—(1) E mafai ona ta'ua le Tulafono lena o le Tulafono o Faiga-Palota 1963.

(2) O le Tulafono lena ua vaevaeina i Vaega, e fa'apenei:
Vaega I - Upu Tomua (Fuaiupu 1 e o'o i le 4)

Vaega II - Uiga Agava'a o Sui Usufono (Fuaiupu 5 o'o i le 15)

Vaega III - Fa'amauiina o le Au-Palota (Fuaiupu 16 e o'o i le 18)

Vaega IV - Tagata Palota Ta'ito'atasi (Fuaiupu 19 e o'o i le 25)

Vaega V - Pepa o le Fa'asologa o Igao (Fuaiupu 26 e o'o i le 39)

Vaega VI - Solitulafono (Fuaiupu 40 e o'o i le 43)

Vaega VII - Faiga-Palota Aoao ma Palota-Laiti (Fuaiupu 44 e o'o i le 76)

Vaega VIII - Taulumaga a ua tuana'i le Aso o le Palota (Fuaiupu 77 e o'o i le 94)

Vaega IX - Faiga ta'uvala ma Faiga e le tusa ai ma le Tulafono (Fuaiupu 95 e o'o i le 103)

Vaega X - Talosaga e uiga i Faiga-Palota (Fuaiupu 104 e o'o i le 132)

Vaega XI - Tu'utu'uga 'Ese'ese (Fuaiupu 133 e o'o i le 137)

2. *Fa'amatalaina o Upu*—(1) I totonu o le Tulafono lenei, ae vagana ai ona ua mana'omia nisi uiga e 'ese ai o upu o lo'o iai:-

“Tagata ua Gau Mativa” o lona uiga o se tagata ua gau sana pisinisi ma ua le mafai ona totogi ana aitalafu e tusa ma le uiga o tulafono e fa'asino i le gau mativa o se pisinisi o lo'o fa'amamaluina i totonu o Samoa i Sisifo:

“Faiga Fa'atosina” ua iai lava le uiga ua tu'uina atu i lea fuaitu e le fuaiupu e 96 o le Tulafono lenei:

“Palota-La'itiiti” o lona uiga o so o se faiga-palota e 'ese ai nai lo se faiga-palota aoao:

“Sui ua fa'atu mai e fai iai le palota” i lona uiga o so o se tagata o ia lea ua filifilia e avea o se sui ua fa'atu mai mo le palotaina e avea o se Sui Usufono o le Palemene ma, i totonu o Vaega IX ma le X o le Tulafono lenei, e aofia ai so o se tagata o ia lea ua na ta'utinoina lona fa'amoemoe e avea o se sui e fa'atu mai e fai iai le palota:

“Ali'i Ofisa Sili Fai-Palota” o lona uiga o le Ali'i Ofisa Sili Fai-Palota na tofia i lalo o le fuaiupu e 3 o le Tulafono lenei; ma e aofia ai so o se tagata ua fa'atagaina na te fa'ataunu'uina pule, tiute ma galuega a le Ali'i Ofisa Sili Fai-Palota:

“Fa'avae” o lona uiga o le Fa'avae o le Malo Tuto'atasi o Samoa i Sisifo:

“Itumalo” o lona uiga o se itumalo fa'a-alaalafaga na fa'avaeina i lalo o le Tulafono o Itumalo Fa'aAlaalafaga 1963:

“Faiga ta’uvala” o lona uiga o so o se gaoioiga ua ta’utinoia e lenei Tulafono e avea o se faiga ta’uvala:

“Totogi” e aofia ai totogi ma tupe-alu:

“Sui-Resitara” o lona uiga o se Sui Resitara na tofia i lalo o le Tulafono lenei; ma e aofia ai so o se tagata ua fa’atagaina na te fa’ataunu’uina pule, tiute ma galuega a se Sui Resitara:

“Sui Ali’i Ofisa Fai-Palota” o lona uiga o se Sui Ali’i Ofisa Fai-Palota na tofia i lalo o le Tulafono lenei; ma e aofia ai so o se tagata ua fa’atagaina na te fa’ataunu’uina pule, tiute ma galuega a se Sui Ali’i Ofisa Fai-Palota:

“Faiga-Palota” o lona uiga o se faiga-palota mo se Sui Usufono o le Palemene:

“Tagata palota”, i le itu i so o se itumalo fa’a-alaalafaga o lona uiga o se tagata ua fa’amauiina, po ua agava’a ina ia fa’amauiina, e avea o se tagata palota o lea itumalo fa’a-alaalafaga:

“Pepa o le Fa’asologa o Igoa o le Au-Palota” o lona uiga o le pepa o lo’o tausia e le Resitara o le au-palota o lea itumalo fa’a-alaalafaga:

“Atunu’u ‘ese” o lona uiga o so o se atunu’u e ‘ese ai nai lo Samoa i Sisifo:

“Kaseti” o lona uiga o le Western Samoa Gazette:

“Faiga-Palota Aoao” o lona uiga o se faiga-palota e faia a ua tuana’i le fa’ata’apeina po o le fa’amutaina o le Fono Aoao Faitulafono:

“Malo” o lona uiga o le Malo o Samoa i Sisifo:

“Faiga e lē tusa ai ma le tulafono” o lona uiga o se gaoioiga ua ta’utinoia e lenei Tulafono e avea o se faiga e le tusa ai ma le tulafono:

“Pepa o le Fa’asologa o Igoa o le Au-Palota Ta’ito’atasi” o lona uiga o le pepa o le fa’asologa o igoa o lo’o tausia e le Resitara e tusa ma le Vaega IV o le Tulafono lenei:

“Pepa Autu o le Fa’asologa o Igoa”, i le itu i so o se itumalo fa’a-alaalafaga po o tagata ta’ito’atasi, o lona uiga o le pepa autu o le fa’asologa o igoa na lomia mo le itumalo fa’a-alaalafaga po o tagata palota ta’ito’atasi ma o lo’o fa’amamaluina i le taimi nei:

“Suafa Matai” o lona uiga o se suafa matai o lo’o tusa i totonu o le Tusi e Fa’amaui ai Matai na fa’avaeina ma o lo’o tausia e tusa ma le Tulafono Fa’amamalu o Fanua 1934, e ‘ese ai na i lo se suafa matai o lo’o uūia ona o se itu fa’aaloalo:

“Sui Usufono” o lona uiga o se Sui Usufono o le Palemene:

“Aso o filifiliga”, i le itu i so o se faiga-palota, o lona uiga o le aso ua atofaina i se fa’aaliga mo tagata uma e ave’a o le aso mulimuli mo le filifilia o sui e fa’atutu mai e fai ai le palota:

“Fa’afoliga pepelo i se tasi tagata” ua iai le uiga ua tu’uina atu i lea fuaitau e le fuaiupu e 95 o lenei Tulafono:

“Aso e fai ai palota”, i le itu i so’o se faiga-palota, o lona uiga o le aso ua atofaina i se fa’aaliga mo tagata uma mo lea faiga-palota mo le faiga o palota pe afai e mana’omia se palota:

“Fuafuaina” o lona uiga ua fuafuaina e lenei Tulafono po’o; e ni tulafono fa’atonutonu na faia e tusa ma lenei lava tulafono po o (mo mataupu tau le Vaega X o le Tulafono lenei) e tulafono e puipui a’i a le Fa’amasinoga:

“Ali’i Ofisa Ta’ita’i” o lona uiga o le Ali’i Ofisa Fai-Palota po o so o se Sui Ali’i Ofisa Fai-Palota na tofia i lalo o le fuaiupu e 3 o le Tulafono lenei ma o lo’o ta’ita’i i so o se nofoaga e fai ai palota po o se fale-palota i le aso e fai ai palota:

“Fa’aaliga mo tagata uma” o lona uiga o se fa’asalalauga fa’alaua’itele -

(a) I totonu o le Kaseti; ma

(b) I totonu o le Savali; ma

(c) I totonu o se nusipepa ua lomina ma fa’asalalauina i totonu o Samoa i Sisifo, po o le ui atu i ni fa’aaliga e fa’apipi’i ma fa’atutu i ni nofoaga iloa gofie i Apia ma i se tasi lava nofoaga po o nisi nofoaga i totonu o Samoa i Sisifo e pei ona ua manatu le Ali’i Ofisa Sili Fai-Palota ma le Resitara ua tatau ai, po o le ui atu i ni fa’aaliga e fa’asalalauina i le uaealesi; ma o le “logoina o tagata uma” ua iai lava lona uiga e talafeagai ai:

“Nofoaga faitele” ua iai lava le uiga e tasi e pei ona iai i le fuaiupu e 2 o le Tulafono o Solitulafono tau Leo-leo 1961:

“Tagata faigaluega o le Malo” o lona uiga o se tagata o lo’o fa’afaigaluega i le galuega a le Malo, e le o se galuega ua tu’uina atu ona o le tulaga mamalu a e le togia; ae le aofia ai so o se tagata e fa’asino iai le puipui (2) o le fuaiupu lenei; ma e le aofia ai -

(a) So o se tagata e tatau ona totogi atu iai se totogi i lalo o le Tulafono o le Faa’sologa o Totogi 1961 ona o lo’o ‘unia e ia se tofi; po o

(b) So o se tagata o lō'o totogi i ni totgi fuapau po o se komisi ae le o se totogi-aso po o se totogi-masina:

"Resitara" o lona uiga o so o se tagata na tofia e avea ma Resitara i lalo o le fuaiupu e 3 o le Tulafono lenei; ma e aofia ai so o se tagata ua fa'atagaina na te fa'atau-nu'uina pule, tiute, ma galuega a le Resitara:

"Ali'i Ofisa Fai-Palota" o lona uiga o se Ali'i Ofisa Fai-Palota na tofia i lalo o le Tulafono lenei; ma e aofia ai so o se tagata ua fa'atagaina na te fa'atau-nu'uina pule, tiute, ma galuega a se Ali'i Ofisa Fai-Palota:

"Pepa o le Fa'asologa o Igoa" o lona uiga o se pepa o le fa'asologa o igoa o le au-palota, le pepa o le fa'asologa o igoa o tagata-palota ta'ito'atasi, se pepa autū o le fa'asologa o igoa, po o se pepa fa'aopoopo o le fa'asologa o igoa, so o se tasi o ia pepa e a'afia ai:

"Fofoga Fetalai" o lona uiga o le Fofoga Fetalai o le Fono Aaoa Faitulafono:

"Fa'amatalaga" e aofia ai e le gata i upu ae fa'apea fo'i ma ata, foliga va'aia, fa'aaloga tino mai, ma nisi lava auala e fa'aalia ai le uiga o se mea:

"Pepa fa'aopoopo o le Fa'asologa o Igoa", i le itu i so o se itumalo fa'a-alaalafaga po o tagata-palota ta'ito'atasi, o lona uiga o se pepa fa'aopoopo o le fa'asologa o igoa ua lomia mo le itumalo fa'a-alaalafaga po o tagata-palota ta'ito'atasi ma o lō'o fa'amamaluina i le taimi nei:

"Itumalo fa'aalaalafaga" o lona uiga o se itumalo ua fa'avaeina i lalo o le Tulafono o Itumalo Fa'a-alaalafaga 1963:

"Faiga sesē e fa'atosina ai" ua iai lava le uiga ua tu'uina atu i lea fuaitau e le fuaiupu e 97 o le Tulafono lenei:

"Fa'atosina i ala e lē tataui ai" ua iai lava le uiga ua tu'uina atu i lea fuaitau e le fuaiupu e 98 o le Tulafono lenei:

"Tagata palota ta'ito'atasi" o lona uiga o se tagata ua fa'amauiina, p ouaagava i ina ia fa'amauiina, e avea o se tagata palota i le pepa o le fa'asologa o igoa o tagata palota ta'ito'atasi:

O se fuaitau e fa'asino i se pepa ua fa'anumeraina o se fuaitau lava lea e fa'asino i le pepa ua fa'apea ona fa'anumeraina i totonu o le Fa'amatalaga Muamua i le Tulafono lenei.

(2) Afai o so o se tagata -

(a) Ua tofia e le Malo, po o so o se Matagaluega po o se ofisa so'o'upu o le Malo ina ia avea o se tasi e auai i

so o se Komisi, Fono, Komiti, po o se tasi lava fa'alapotopotoga; po o

- (b) O ia o se tasi e auai i so o se Komisi, Fono, Komiti Fa'atino, Komiti, po o se tasi lava fa'alapotopotoga o lo'o maua ai e so o se sui e auai so o se tupe e totogi atu mai tupe a le malo,

o le a lē avea lona auai fa'apena ma mafua'aga e fa'atatauina ai o ia e avea o se tagata faigaluega o le malo, tusa lava po o lo'o maua e ia pe leai so o se alauni malaga, po o ni tupe e alu i le femalaga'i.

Cf. 1956. Nu. 107, f. 2 (N.Z.); S.R. 1957/223, r. 3 (N.Z.); S.R. 1961/6, fuaiupu 2 (N.Z.).

Ali'i Ofisa

3. Ali'i Ofisa Sili Fai-Palota, Resitara ma isi ali'i ofisa—

(1) O le a tofia e le Komisi o Galuega a le Malo se Ali'i Ofisa Sili Fai-Palota ma se Resitara o le au-palota ma tagata palota ta'ito'atasi, i la'ua ia o le a iai ma fa'ataunu'uina pule ma tiute ua fa'ae'e atu ia i la'ua e le Tulafono lenei.

(2) O le a avea le Ali'i Ofisa Sili Fai-Palota ma le Resitara ma tagata faigaluega o le Aufaigaluega o Galuega a le Malo o Samoa i Sisifo.

(3) E mafai ona tofia mai lea taimi i lea taimi e le Ali'i Ofisa Sili Fai-Palota, ina ua iai fa'atasi ma le fa'amaoniga a le Komisi o Galuega a le Malo:-

- (a) Ni Ali'i Ofisa Fai-Palota. Sui Ali'i Ofisa Fai-Palota, ali'i ofisa mo le faiga o palota ma nisi lava ali'i ofisa e pei ona ua mana'omia e fa'ataunu'uina tu'utu'uga o le Tulafono lenei; ma

- (b) Se sui mo so o sea ali'i ofisa ina ia galue e avea ma sui pe afai e gasegase, to'esea, maluu po ua ave'eseina lea ali'i ofisa.

(4) E mafai ona tofia mai lea taimi i lea taimi e le Resitara, ina ua iai fa'atasi ma le fa'amaoniga a le Komisi o Galuega a le Malo:-

- (a) Ni Sui Resitara ma ni failautusi e pei ona ua mana'omia e fesoasoani i le Resitara i le tau'aveina o tu'utu'uga o lenei Tulafono; ma

- (b) Se sui mo so o sea ali'i ofisa ina ia galue e avea ma sui pe faai e gasegase, to'esea, maluu po ua ave'eseina lea ali'i ofisa.

(5) A o fa'apena ona galue so o sea sui, o le a iai lava ia te ia tiute, pule ma pule fa'atagaina uma a le ali'i ofisa o lo'o avea ai o ia ma sui.

(6) O le mea moni e fa'apea ua fa'apea ona galue so o se sui, o le a avea lava lea ma molinau e lava e fa'apea ua alia'i mai se uiga o lo'o fa'atagaina ai o ia ina ia fa'apea ona galue.

(7) O le a iai ma e mafai e Sui Ali'i Ofisa Fai-Palota ta'itasi uma ona fa'ataunu'uina i totonu ma tafatafa ane o le nofoaga i tofia iai o ia pule ma tiute uma o se Ali'i Ofisa Fai-Palota, ma o le a noatia ma fai fuafua i le pule fa'ataga ma le pule'aga a le Ali'i Ofisa Sili Fai-Palota.

(8) O le a iai ma e mafai e Sui Ali'i Ofisa Fai-Palota ta'itasi uma ona fa'ataunu'uina pule ma tiute uma o le Resitara, ma o le a noatia ma fai fuafua i le pule fa'ataga ma le pule'aga a le Resitara.

(9) E leai se sui ua fa'atu mai e fai iai le palota ma e leai se tagata o lo'o ona umia so o se tofi i totonu po o lo'o avea o se tasi e auai i so o se fa'alapotopotoga tau upu fai o malo o le a tatau ona avea o se ali'i ofisa na tofia i lalo o lenei fuaiupu.

Cf. S.R. 1961 6, fuaiupu e 7 (N.Z.).

4. *Ia faia e Ali'i Ofisa Fai-Palota se ta'utinoga*—O le a tatau i Ali'i Fai-Palota ta'itasi uma ma so o se Sui Ali'i Ofisa Fai-Palota, a o le'i tagofia e ia tiute o lona tofi, ona na faia se ta'utinoga i totonu o le pepa Nu. 1 i luma o le Ali'i Ofisa Sili Fai-Palota, se tasi Ali'i Ofisa Fai-Palota, se tasi Sui Ali'i Ofisa Fai-Palota po o se tagata ua fa'atagaina e le tulafono na te faia ta'utinoga fa'ale-tulafono.

Cf. 1956. Nu. 107. f. 10 (N.Z.).

VAEGA II

UIGA AGAVA'A O SUI USUFONO

5. *O e e mafai ona fa'atutū mai mo le palotaina e avea ma Sui Usufono*—(1) I le noatia ma fai fuafua i tu'utu'uga o le Fa'avae ma o lenei Tulafono, so o se tagata o ia lea ua fa'amauiina e avea o se tagata palota o o se itumalo, e avanoa o ia e avea o se sui e fa'atu mai ma ina ia filifilia e avea o se Sui Usufono o le Palemene mo lea itumalo, ma o so o se tagata o ia lea ua fa'amauiina e avea o se tagata palota i le pepa o le fa'asologa o igoa o tagata palota ta'ito'atasi, e avanoa ma agava'a o ia e avea o se sui e fa'atu mai ma filifilia e avea ma Sui Usufono o le Palemene e fai ma sui o le au-palota ta'ito'atasi pe afai, i so o se tasi o ia itu e lua, e pei ona mana'omia e le Mataupu e 45 o le Fa'avae, o ia

(a) O se tagatanu'u o Samoa i Sisifo; ma

(b) E le'i fa'aleaogaina o ia i lalo o tu'utu'uga o le Fa'avae po o o se tasi lava Tulafono.

(2) O le a fa'aleaogaina so o se tasi lava tagata mo le avea ma sui e fa'atu mai po o mo le filifilia e avea ma Sui Usufono o le Palemene.

(3) O le a fa'aleaogaina se tagata mai le avea o se sui e fa'atu mai mo, po o le filifilia e avea o se Sui Usufono o le Palemene e fai ma sui o se itumalo pe afai ua le maua e ia so o se uiga agava'a e mana'omia ina ia mafai ai ona fa'amauiina o ia e avea o se tagata palota o lea itumalo.

(4) O le a fa'aleaogaina se tagata mai le avea o se sui e fa'atu mai mo, po o le filifilia e avea o se Sui Usufono o le Palemene e fai ma sui o tagata palota ta'ito'atasi, pe afai ua le maua e ia so o se uiga agava'a e mana'omia ina ia mafai ai ona fa'amauiina o ia e avea o se tagata palota ta'ito'atasi.

(5) O le a fa'aleaogaina se tagata mai le avea o se sui e fa'atu mai po o le filifilia e avea o se Sui Usufono o le Palemene pe afai o ia -

(a) O se tagata ua le mafai ona totogi ana aitalafu; po o

(b) Ua fa'amaonia lona nofosala i totonu o Samoa i Sisifo po o totonu o Amerika Samoa i se solitulafono e ono mafai ona fa'asalaina ai i le oti po o le nofo i le falepuipui mo se vaitaimi e lua tausaga po o le sili a'e, po ua fa'amaonia lona nofosala i totonu o Samoa i Sisifo i se faiga ta'uvala, ae se'ia vagana ona ua na maua se fa'amagaloga e tu'usaunoaina ai po ua uma ona faia e ia le nofo i le falepuipui po o se fa'asalaga na fa'asalaina ai o ia ona o le solitulafono; po o

(c) E le maopopo le mafaufau ma ua noatia ai ma fai fua-fua i se poloa'oga e taofia ai i se puipuiga fa'afomati na faia i lalo o le Tulafono tau le Tulaga Maloloina o le Mafaufau 1961.

Cf. 1956, Nu. 107, f. 25 (N.Z.); S.R. 1957/223, r. 5 (N.Z.).

6. *Ave'escina o le igoa mai le pepa o le fa'asologa o igoa e a'unoa ma se mafuaga*—So o se tagata ua agava'a i le tulaga e tatau ai e avea o se tagata palota po o se tagata palota ta'ito'atasi o ia lea na uma ona fa'amauiina i so o se pepa o le fa'asologa o igoa o le au-palota po o le pepa o le fa'asologa o igoa o tagata palota ta'ito'atasi a ua ave'escina lona igoa mai so o se pepa o le fa'asologa o igoa ona e le o sona lava sesē, o le a le tatau ona fa'aleaogaina o ia ona o le mafuaga e tasi e fa'apea ua le o fa'amauiina o ia e avea o se tagata palota po o se tagata palota ta'ito'atasi, mai le avea o se sui e fa'atu mai e fai iai le palota ma le filifilia; ae peita'i, o le a tatau ia te ia i so o se itu fa'apena ona fa'ao'o atu i le Ali'i Ofisa Sili Fai-Palota, i le taimi pe a

o'o ina ua na auina atu lona filifiliga po o le maliega i le filifiliga, se ta'utinoga fa'ale-tulafono ia fa'aalia ai e fa'apea e le'i fa'alcaogaina o ia mai le avea o se tagata palota po o se tagata palota ta'ito'atasi, so o se itu e a'afia ai, i lalo o tu'utu'uga o lenei po o so o se tasi lava Tulafono, ma o lo'o tunau pea ia te ia lea uiga agava'a, ma ua ave'eseina lona igoa mai le pepa o le fa'asologa o igoa ona e lē o sona lava sese.

Cf. 1956, Nu. 107, f. 27 (N.Z.).

7. *Taunu'uga o le fa'amauiina i se pepa sesē o le fa'asologa o igoa*—O le filifilia o so o se tagata e avea o se sui e fa'atu mai mo le faiga-palota, po o lona filifilia e avea o se Sui Usufono o le mafua'aga e fa'apea, e ui lava ina ua filifilia e ia ma e avanoa o ia ina ia fa'amanina e avea o se tagata palota o lea itumalo, a o le mea moni sa le'i fa'amauiina o ia e avea o se tagata palota o lea itumalo a e na fa'amanina sesē e avea o se tagata palota o se tasi itumalo.

Cf. 1956, Nu. 107, f. 28 (N.Z.).

8. *E mafai ona avea Tagata Faigaluega o le Malo ma sui e fa'atutu mai po o le filifilia*—(1) So o se tagata faigaluega o le malo o ia lea e mana'omia ina ia avea o se sui e fa'atu mai mo le palotaina e avea o se Sui Usufono o le Palemene o le a tatau i luga o se talosaga. ona fa'atagaina iai se malologa fa'apitoa e to'esea ai mo le mataupu tau le avea o ia o se sui e fa'atu mai e fai iai le palota.

(2) O le a tatau ona amata lea malologa fa'apitoa i se aso o le a filifilia e ia, a ia le tuai nai lo le aso o le filifiliga, ma a o'o ina ua filifilia o ia e avea o sesui e fa'atu mai, o le a fa'aauau pea lava se'ia o'o i lona fitu o aso a ua tuana'i le aso e fai ai le palota. ae vagana ona ua fa'au'ese e ia lona filifilia.

(3) A o fa'agasolo le vaitaimi o lea malologa fa'apitoa, o le a le mana'omia pe fa'atagaina o ia na te tau'aveina so o se tasi o ona tiute fa'a-ofisa, ma e le tatau fo'i ona avanoa o ia na te maua i le itu i lea vaitaimi so o se totogi po o se totogi fa'ale-tofi e avea o se tagata faigaluega o le malo ae vagana ai le tulaga e o'o iai so o se malologa ae maua le totogi e tatau ona maua e ia a o savalia lea vaitaimi.

(4) Se'ia vagana e pei ona aiaia i tu'utu'uga ua ta'ua i luga o lenei fuaiupu, o le a le afaina ana aia tatau e avea ai o se tagata faigaluega o le malo ona o le avea o ia ma sui e fa'atu mai e fai iai le palota.

Cf. 1956, Nu. 107, f. 30 (N.Z.); S.R. 1957/223, r. 94 (N.Z.)

9. *Sui Usufono ua fa'alcaogaina mai le avea ma tagata faigaluega o le malo*—Afai ua filifilia so o se tagata faigaluega o le

malo e avea ma Sui Usufono o le Palemene, o le a fa'atatauina loa lava, e afua atu i le aso ua fa'aalia manino ai e fa'apea ua fa'apena ona filifilia o ia, ua le nofoia e ia lona tofi e avea o se tagata faigaluega o le Malo.

Cf. 1956, Nu. 107, f. 31 (N.Z.); S.R. 1957/223, r. 93 (N.Z.)

Avanoa

10. *Mafuaga e pogai ai ni Avanoa*—O le a avanoa le nofoa o se Sui Usufono o le Palemene pe a o'o ina ua tupu mai so o se tasi o mea o lo'o fa'aalia i totonu o fa'afuaitupu (a) (b) ma le (c) o le Fuaitupu (2) o le Mataupu e 46 o le Fa'avae, ma e fa'apopopo atu iai, o le a fa'aleaogaina o ia mai le umia o lona nofoa.

“(j) Pe afai a o avea o ia o se Sui Usufono o le Palemene ua na faia se faiga-aiga ma so o se tasi lava tagata e 'ese ai nai lo lona to'alua i se fa'aipoipoga ua fa'amaonia fa'ale-tulafono; po o

(k) Pe afai a o avea o ia o se Sui Usufono o le Palemene ua nofosala o ia i se amioga e le tusa ai i se Sui Usufono o le Palemene.”

Cf. 1956, Nu. 107, s. 32 (N.Z.); S.R. 1957/223 r. 6 (N.Z.).

11. *Mafuaga e fa'amaonia ai ua lē ta'uagava'aina se sui*—(1) Afai, mai le taimi aupito vave ua maua ai e le Fofoga Fetalai se mafuaga e talitonu ai pe masalomia ai e iai so o se Sui Usufono o le Palemene ua o'o ina ua le agava'a mai le umia o lona nofoa ona o so o se tasi o mafuaga o lo'o fa'aalia i totonu o parakarafa (j) ma le (k) o le fuaitupu e 10 o lenei Tulafono o le a molia loa e ia lea Sui Usufono ona o sea uiga le agava'a ma afai o lo'o tauaofia le Fono Aoao Faitulafono i lea taimi o le a fa'apea lava ona na fofogaina ai lea moliga i totonu o le Fono Aoao.

(2) Afai e molia mai e so o se Sui Usufono o le Palemene e 'ese ai nai lo le Fofoga Fetalai so o se tasi lava Sui Usufono e fa'apea ua le agava'a mai le umia o lona nofoa ona o so o se tasi o mafuaga o lo'o fa'aalia i totonu o parakarafa (j) ma le (k) ua ta'ua i luga, e 'ese ai i lo totonu o se fonotaga a le Fono Aoao Faitulafono, o le a tatau lava ia te ia ona vave fa'ailoa atu i le Fofoga Fetalai lea moliga.

(3) Afai e molia e le Fofoga Fetalai po o so o se tasi lava Sui Usufono o le Palemene so o se tasi Sui Usufono e fa'apea ua le agava'a mai le umia o lona nofoa ona o so o se tasi o mafuaga o lo'o fa'aalia i totonu o parakarafa (j) ma le (k) ua ta'ua i luga ma afai e le ioe le isi lea Sui Usufono i le moliga i se tasi (po o se fa'au fa'a-uealesi pe afai e le o iai o ia i totonu o Samoa i

Sisifo) i totonu o aso e fitu talu ona faa'iloa atu ia te ia lea itu, o le a tu'uina atu loa e le Fofoga Fetalai le moliga i le Fa'amasinoga Sili i se talosaga, ma o le a fuafuaina ai se fa'ai'uga o le mataupu e lea Fa'amasinoga e tusa ma le Mataupu e 47 o le Fa'avae.

(4) O le a tu'uina atu e le Fofoga Fetalai se fa'aaliga e niga i lona talosaga i le Sui Usufono ua molia, ma i le tagata ua tu'u'a'iina e fa'apea na fai-aiga ma le Sui Usufono ua molia, po o so o se tagata ua tu'u'a'iina e fa'apea ua faia iai e le Sui Usufono lava ia ua molia se amioga e le tusa ai, ae vagana ai i so o se itu e fa'amagaloina ai o ia e le Fa'amasinoga i luga o ni mafuaga fa'apitoa mai le faia o lea itu.

(5) O le tagata ua tu'u'a'iina e fa'apea ua fai-aiga ma le Sui Usufono ua molia, po o so o se tagata ua tu'u'a'iina e fa'apea ua fai iai e le Sui Usufono lava ia ua molia se amioga e le tusa ai, so o se itu e a'afia ai, o le a tatau lava ona fa'atatauina e avea o se itu e auai i le talosaga ma o le a tatau ona fa'afogaina ai o fa'atatau i lea itu.

(6) A o'o ina ua tu'uina atu e le Fofoga Fetalai se moliga i le Fa'amasinoga Sili i se talosaga i lalo o lenei fuaiupu, e mafai e le Fono Aao i se i'ugafono ona taofia ma tu'u'eseina le Sui Usufono ua molia se'ia o'o ina ua uma ona faia se fa'ai'uga o le talosaga.

(7) O se Sui Usufono ua taofia ma tu'u'eseina i lalo o lenei fuaiupu o le a le tatau ia te ia, a o fa'agasolo le vaitaimi e taofia ma tu'u'eseina ai o ia, ona nofo ai i totonu pe auai i so o se tasi lava faiga e se ai i tauaunaga a le Fono Aao po o so o se Komiti o le Fono Aao, na te faia so o se tasi galuega po o pulega a se Sui Usufono pe maua e ia so o se tasi o tulaga aloaia po o puipuiga malu e tu'usaunoina ai se Sui Usufono.

(8) O se Sui Usufono ua taofia ma tu'u'eseina i lalo o le fuaiupu lenei o le a le avanoa o ia na te maua so o se tofogi po o se alauni mo le vaitaimi o lona taofia ma le tu'u'eseina ae se'ia vagana ona ua iai i le sinagalo o le Fa'amasinoga Sili e fa'apea e le'i fa'aleogaina o ia mai ona uiga agava'a.

(9) Afai e molia le Fofoga Fetalai e so o se tasi lava Sui Usufono e fa'apea ua le agava'a o ia mai le umia o lona nofoa e avea ai o se Sui Usufono i luga o so o se tasi o mafuaga o lo'o fa'aalia i totonu o parakarafa (j) ma le (k) ua ta'ua i luga, o le a faia lava ma fa'ataunū'uino e le Sui Fofoga Fetalai galuega ma tiute o le Fofoga Fetalai i lalo o tu'utu'uga o lenei fuaiupu.

(a) Pe afai ua tolu ni aso o fonotaga e soso'o ua le o auai o ia, e aunoa ma se fa'atagaina a le Fofoga Fetalai, po o le Fono Aao Faitulafono i totonu o le Fono Aao; po o

- (b) Pe afai ua na faia so o se tautoga po ua na faia so o se ta'utinoga po o se fa'amaoniga tau le loto fa'amaoni po o le pipi'i atu i so o se atunu'u 'ese; po o
- (c) Pe afai ua na faia po ua malie iai po ua na talia so o se gaoioiga e ono mafai ona avea ai o ia o se tagata po o se tagatanu'u o so o se atunu'u 'ese, po ua avanoa o ia na te maua aia tatau, tulaga aloa'ia, po o uiga e malu pui-puia ai se tagata po o se tagatanu'u o so o se atunu'u 'ese; po o
- (d) Pe afai ua avea o ia o se tagata ua le mafai ona totogi ana aitalafu; po o
- (e) Pe afai ua fa'amaonia lona nofosala i totonu o Samoa i Sisifo po o totonu o Amerika Samoa i se agasala e ono mafai ona fa'asalaina ai i le oti po o le nofo i le falepuipui mo se vaitaimi e lua tausaga po o le sili atu, po ua fa'amaonia lona nofosala i totonu o Samoa i Sisifo i se faiga ta'uvalea, ae se'ia vagana ona ua na maua se fa'amaga-loga e tu'usaunoaina ai; po o
- (f) Pe afai ua avea o ia o se tagata faigaluega o le malo; po o
- (g) Pe afai ua fa'alia manino e le Fa'amasinoga, i luga o se talosaga e uiga i faiga-palota, ua fa'aleaogaina fa'ale-tulafono lona filifilia; po
- (h) Pe afai ua o'o ina le maopoopo lona mafaufau ma o lo'o noatia ma fai fuafua i se poloa'iga e taofia ai i se pui-puiga fa'afoma'i na faia i lalo o le Tulafono tau le Tulaga Maloloina o le Mafaufau 1961; po o
- (i) Pe afai o se Sui Usufono o lo'o avea ma sui o se itumalo ua fa'amutaina lona uiga agava'a e avea ai o se sui e fa'atu mai ina ia avea ma sui o lea itumalo, po o pe afai o ia o se Sui Usufono o lo'o avea ma sui o tagata palota ta'ito'atasi ua fa'amutaina lona uiga agava'a e avea ai o se tasi e fa'atu mai e avea ma o latou sui; po o

12. *Ia fa'ailoga mai e le Resitara o le Fa'amasinoga le mafua-ga o se avanoa i nisi itu*—O le a tatau i le Resitara o le Fa'amasinoga Sili, i totonu o itula e fasefulu-valu a ua uma ona fa'amasinoina e avea o se tagata ua le mafai ona totogi ana aitalafu se Sui Usufono o le Palemene, po o, ina ua uma ona fa'amaonia lona nofosala i se solitulafono e ono mafai ona fa'asalaina ai i le oti po o le nofo-falepuipui mo se vaitaimi e lua tausaga po o le sili atu, po o, ina ua uma ona fa'amaonia lona nofosala i se faiga leaga ma le ta'uvalea, ona fa'aalia le mea moni i le Fofoga Fetalai.

Cf. 1956, Nu. 107; f. 34 (N.Z.); S.R. 1957/223, r. 95 (N.Z.)

13. *Ia logo e le Resitara o le Malilii le Fofoga Fetalai e uiga i*

le maliu o se Sui—O le a tatau i le Resitara o ē Maliliu o lo'o fa'amauiina ai le maliu o so o se Sui Usufono o le Palemene, i totonu o itula e luasemulu-fa talu ona faia lea fa'amauga, ona logo atu le mea moni i le Fofoga Fetala'i.

Cf. 1956, Nu. 107, f. 35 (N.Z.); S.R. 1957/223, r. 96 (N.Z.)

14. *O le Solitulafono le auai i se fonotaga o se sui usufono ua fa'aleaogaina*—So o se Sui Usufono o le Palemene o ia lea ua auai i se fonotaga po ua palota ai i totonu a ua uma ona fa'aleaogaina e tusa ma tu'utu'uga o le Tulafono lenei ma ua na silafia lelei ua fa'apea ona fa'aleaogaina o ia, po o, a ua avanoa lona nofoa e tusa ma lenei Vaega o le Tulafono lenei, o le a mafai ona faa'salaina o ia i se sala e le silia le tolusefulu pauni mo aso ta'itasi uma e fa'apea ona fono pe palota ai o ia.

Cf. 1956, Nu. 107, f. 26 (N.Z.); S.R. 1957/223, r. 92 (N.Z.)

15. *E leai se tagata e tatau ona filifilia mo ni itumalo e sili atu i lo le tasi*—(1) Afai o se Sui Usufono o le Palemene mo so o se itumalo ua filifilia fo'i e avea ma Sui Usufono o le Palemene mo so o se tasi itumalo, o lona filifilia mo le isi lea itumalo o le a fa'aleaogaina fa'aletulafono.

(2) Afai ua filifilia so o se tagata i ni faiga-palota na faia i le aso lava e tasi na fai ai palota e avea o se Sui Usufono o le Palemene mo ni itumalo se lua po o le sili atu, o le a fa'aleaogaina lava fa'ale-tulafono lona filifilia i so o se itu.

Cf. 1956, Nu. 107, f. 36 (N.Z.).

VAEGA III

FA'AMAUINA O AU-PALOTA

16. *Uiga agava'a o tagata palota*—(1) I le noatia ma fai fuafua i tu'utu'uga o le Fa'avae fa'apea fo'i ma le Tulafono lenei o le a avanoa ma agava'a so o se tasi ina ia fa'amauiina e avea o se tagata palota o se itumalo pe afai -

(a) O lo'o ona umia se suafa matai

(b) O lo'o fa'aalia lona suafa i le taimi nei i totonu o le Tusi e Fa'amaui ai Matai na fa'avacina ma tusia e tusa ma le Tulafono Fa'amamala o Fanua ma Suafa 1934; ma

(c) E le'i fa'aleaogaina o ia mai le avea o se sui e fa'atu mai mo le faiga-palota e le tulaga aloa'ia o so o se tasi o tu'utu'uga o le fuaiupu e 5 o le Tulafono lenei.

(2) So o se tagata o lo'o fa'aalia lona igoa i luga o le pepa o le fa'asologa o igoa o tagata palota ta'ito'atasi o le a le avanoa ma agava'a o ia ina ia fa'amauiina e avea o se tagata palota o so o se itumalo.

Cl. 1956, Nu. 107, f. 39 (N.Z.); S.R. 1957/223, r. 10 (N.Z.)

17. *Fa'amaopoopoina o pepa o le fa'asologa o igoa*—(1) O le a fa'amaopoopoina mai lea taimi i lea taimi e le Resitara se pepa o l o le fa'asologa o igoa o le au-palota mo itumalo ta'itasi, lea o le a faia ma tausia e ia e avea o se mea ua maopoopo atoa-toa ma sa'o lelei e tusa ma le tulaga e ono mafaia.

(2) I le noatia ma fai fuafua i le Vaega V o le Tulafono leni, o le a tatau ona faia e le Resitara ni fa'aopoopoga i, ni soloiga mai, ma nisi lava toe teuteuga i pepa ta'itasi o le fa'asologa o igoa o le au-palota e pei ona ua aliali atu ia te ia e tatau ai a o maua mai e ia se fa'amatalaga e uiga i ni saofa'i po o le fa'ae'eina atu o ni suafa; maljut o ē sa suafa matai, nisi ua ave'escina o latou suafa, poloa'iga a le Fa'amasinoga e uiga i e tonu e tatau ona latou umia se suafa, nisi uiga le agava'a ua fa'alea-aogaina ai, finagalo o itumalo e fa'ao'o mai e le to'atele o matai ma ni sesē tau le fa'amauiina.

(3) I le noatia ma fai fuafua i leni Tulafono, o tagata ta'itasi ua agava'a ina ia fa'amauiina e avea o se tagata palota o le a tatau lava ona avanoa ina ia fa'amauiina e avea o se tagata palota o le a tatau lava ona avanoa ina ia tusia lona suafa i luga o le pepa o le fa'asologa o igoa o le au-palota mo le itumalo e fa'asino iai lona suafa po o se tasi o ona suafa.

(4) E le tatau ona avanoa se tagata ina ia fa'amauiina e avea o se tagata palota i totonu o ni itumalo e sili atu i lo le tasi po o le fa'amauiina e sili atu i lo le fa'a-tasi i totonu o le itumalo e tasi, tusa lava pe tele ni suafa matai o lo'o umia e ia.

(5) E mafai e se tagata e tele ni suafa matai o lo'o umia e ia i so o se taimi ona filifili pe mata o ai lona igoa-matai o le a fa'amauiina ai o ia e avea o se tagata palota, ma ia logoina le Resitara i se tasi e uiga i lea lava itu. I le noatia ma fai fuafua i le Vaega V o le Tulafono leni, o se filifiliga na faia ma fa'ailoa atu i le Resitara e mafai lava ona toe soloia, ma e mafai ona fai ma fa'ailoa atu se filifiliga fou i le Resitara, i so o se taimi.

Cf. 1956, Nù 107, f. 40 (N.Z.); S.R. 1957/223, r. 11 (N.Z.)

18. *Taualumaga*—(1) I le fatuina a'e ma le fa'amaopoopoina o se pepa o le fa'asologa o igoa mo se itumalo, o le a avanoa ai lava le Resitara ina ia fa'alagolago atu muamua i le pepa talu ai o le fa'asologa o suafa mo lea itumalo ma le Tusi e Fa'amau ai Matai, ae o le a lē aofia ai se tagata o lo'o ona umia se suafa matai ona o se fa'aalologa.

(2) I le taimi aupito vave e ono mafai ai a ua uma ona tu'uina atu e le Ali'i Ofisa Sili Fai-Palota se fa'aaliga mo tagata

uma e uiga i se faiga-palota aoao e tusa ma le fuaiupu e 45 o le Tulafono lenei po o se palota-la'itiiti e tusa ma le fuaiupu e 47 o le Tulafono lenei ma a o le'i tapunia le pepa o le fa'asologa o igoa mo so o se itumalo mo aiaiga o lea faiga-palota:

- (a) O le a tu'uina atu e le Resitara se fa'aaliga fa'alaua'itele e fa'atuatusi atu i e uma e sili atu i lo le tasi ni suafa matai o lo'o latou umia, i latou ia e agava'a ina ia fa'amauina e avea ma tagata palota ma e le'i faia ma logoina mai e i latou se filifiliga e tusa ma le puipui (5) o le fuaiupu e 17 o le Tulafono lenei;
- (b) E mafai fo'i e le Resitara ona tu'uina atu ni fa'aaliga tusia ta'ito'atasi i tagata uma po o so o se tasi o tagata ma silafia e ia, tusa pe mai le Resitara o Matai po o se tasi lava auala e 'ese ai, e faa'pea o ē e sili atu i lo le ta'itasi ni suafa matai o lo'o latou umia, i latou ia e agava'a ina ia fa'amauina e avea ma tagata palota ma e le'i faia ma logoina mai e i latou se filifiliga e tusa ma le puipui (5) o le fuaiupu e 17 o le Tulafono lenei a o le a lē avea le lē tu'uina atu o so o se fa'aaliga i tagata ta'ito'atasi ma ala o fa'aleaogaina ai fa'ale-tulafono so o se pepa o le fa'asologa o suafa po o so o se faiga-palota;
- (c) O sea fa'aaliga mo tagata uma ma ni fa'aaliga fa'apena i tagata ta'ito'atasi o le a tapaina ai tagata ta'itasi ua fa'atuatusi atu iai ia fa'aaliga ina ia faia ma fa'ailoa mai se filifiliga e tusa ma le puipui (5) o le fuaiupu e 17 o le Tulafono lenei i totonu o aso e sefulu ma le fa'talu mai le aso na fai ai sea fa'aaliga;
- (d) Afai ua le faia ma fa'ailoa mai e se tagata e tele ni ona igoa-matai se fa'aaliga i le taimi e fa'amutaina ai sea vaitaimi e sefulu ma le fa aso, ma ua malie le Resitara e fa'apea e agava'a o ia ina ia fa'amauina e avea o se tagata palota, o le a faia loa e le Resitara se filifiliga mo ia ma fa'amauina ai loa o ia fa'apea;
- (e) E mafai e le Resitara ona feutaga'i ma so o se matai po o se pulenu'u o so o se itumalo, po o le vala'auina ma auai i se fonotaga i totonu o so o se itumalo a matai ma pulenu'u o sea lava itumalo. mo le mataupu tau le ilo-iloina ma le fa'asa'oina (pe afai e tatau ai) o le pepa o le fa'asologa o igoa o le au-palota mo lea itumalo.

VAEGA IV

TAGATA PALOTA TA'ITO'ATASI

19. *Uiga agava'a o tagata palota*—(1) I le noatia ma fai fua-fua i tu'utu'uga o le Fa'avae ma o lenei Tulafono, o le a agava'a lava so o se tagata ina ia avea o se tagata palota ta'ito'atasi ma

tusia lona igoa i le pepa o le fa'asologa o igoa o tagata palota tai'to'atasi pe afai o ia o se tagatanu'u o Samoa i Sisifo ua na aulia po ua sili atu i lo le luasefulu-tasi tausaga o lona olaga ma e le'i fa'aleaogaina o ia mai le avea o se sui ua fa'atu mai mo le faiga-palota e le tulaga aloa'ia o so o se tasi o tu'utu'uga o le fuaiupu e 5 o le Tulafono lenei, ma afai -

(a) Na tusia lona igoa i le pepa o le fa'asologa o igoa o le aupalota Papalagi i le aso 30 o Novema 1963; po o

(b) O ia -

(i) O se tamaitiiti a se tamā o ia lea e ona le igoa na tusia i luga, po o ia lea a na fai e soifua pea e o'o atu i le aso 30 o Novema 1963 semanū e agava'a ina ia tusia lona igoa i luga o le pepa o le fa'asologa o igoa o le aupalota Papalagi i le aso 30 o Novema 1963; ma

(ii) E le'i o'o ina fanau mai po o le le'i aulia e ia le 21 tausaga o lona olaga i le aso 30 o Novema 1963; po o

(c) Ua maua lona tulaga fa'a-tagatanu'u o Samoa i Sisifo i lona fanau mai ma o ia o se tamaitiiti a se tamā o ia lea e le o se tagatanu'u o Samoa i Sisifo po o, a se tamā o ia lea a na fai e soifua pea e o'o mai i le aso na amata ona fa'amamaluina ai le Tulafono o le Tulaga o Tagatanu'u o Samoa i Sisifo 1959 semanū na te le maua ai loa lava le tulaga agava'a e avea ai o se tagatanu'u o Samoa i Sisifo e tusa ma le tulaga aloa'ia o so o se tu'utu'uga o lea Tulafono.

(2) E ui lava i tu'utu'uga o le puipui (1) o le fuaiupu lenei, ae leai se tagata o le a tatau ona agava'a ina ia tusia lona igoa i luga o le pepa o le fa'asologa o igoa o tagata palota tai'to'atasi pe afai o ia -

(a) O lo'o umia se suafa matai po o lo'o fa'ataunu'uina e ia so o se aiā tatau fa'ale-aganu'u po o se tulaga aloa'ia i 'ele'ele fa'ale-aganu'u; po o

(b) Ua fa'aipoipo i se tagata o lo'o umia e ia se suafa matai po o lo'o fa'ataunu'uina e ia so o se aiā tatau fa'ale-aganu'u po o se tulaga aloa'ia i le itu i 'ele'ele fa'ale-aganu'u.

20. *Fa'amauiina o tagata palota o lo'o to'esea*—E ui lava i so o se mea e 'ese ai o i totonu o lenei po o so o se tasi lava Tulafono, ae afai o so o se tagata e ono mafai ona agava'a ina ia tusia lona igoa i luga o le pepa o le fa'asologa o igoa o le aupalota Papalagi i le aso 30 o Novema 1963 i luga o se talosaga, a ua le ono mafai po ua faigata mo ia ona talosagaina sea tusitusiga a o lumana'i le aso 30 o Novema 1963 ona o le mafuaga e fa'a-pea lo'o to'esea o ia mai Samoa i Sisifo i so o se taimi a o fa'a-

gasolo le vaitaimi e i le va o le faitauga muamua o lenei Tulafono i totonu o le Fono A'ao Faitulafono ma le aso 30 o Novema 1963, e mafai e ia, i so o se taimi i totonu o le ono masina talu ona toe fo'i mai i Samoa i Sisifo, ona talosaga ina ia tusia lona igoa i luga o le pepa o le fa'asologa o igoa o le au-palota Papa-lagi, ma e mafai e le Resitara ona tusia lona igoa i luga o lea pepa o le fa'asologa o igoa, ma o le a fa'atatauina lava so o se tusitusiga e peisea'i na faia i le aso 30 o Novema 1963.

21. *Fa'amauina o tagata palota*—So o se tasi e mana'omia ina ia tusia lona igoa i le pepa o le fa'asologa o igoa o tagata palota ta'ito'atasi, o le a tatau lava ia te ia (ae se'ia vagana ona ua uma ona iai lona igoa i le pepa o le fa'asologa o igoa) ona fa'ao'o mai ue auina mai i le meli i le Resitara se talosaga ma se ta'utinoga i totonu o le pepa Nu. 2.

Cf. S.R. 1957/223, r. 13 (N.Z.).

22. *O le tumau ai pea i luga o le pepa o le fa'asologa o igoa*—So o se tasi o ia lea o lo'o tusia lona igoa i luga o le pepa o le fa'asologa o igoa o tagata palota ta'ito'atasi, o le a tatau lava ona avanoa ina ia tumau ai pea lona igoa i luga o lea pepa o le fa'asologa o igoa i taimi uma lava e tumau ai pea ona agava'a o ia e ave'a o se tagata palota ta'ito'atsi.

Cf. S.R. 1957/223, r. 13 (N.Z.).

23. *Taulumaga e soso'o ma se talosaga mo le fa'amauina*—(1) Afai ua malie le Resitara e fa'apea e agava'a mo le fa'amauina so o se tagata palota o ia lea ua talosaga mai ina ia fa'amauina e ave'a o se tagata palota, o le a tatau loa lava ona tusia lona igoa i luga o le pepa o le fa'asologa o igoa.

(2) Afai, ina ua uma ona faia ni su'esu'ega e pei ona ua manatu o ia e tatau ai, e le matua fa'amalieina le Resitara, o le a tu'uina atu loa e ia i totonu o aso e lima talu ona maua mai le talosaga se fa'aaliga tusia i le ua talosaga mai ia fa'aalia ai itu auiliili o lo'o mana'omia ai se fa'amaoni.

(3) Afai e le tu'uina mai e le na talosaga se fa'amaoni o ona uiga agava'a i auala e lelei ma tatau ai i le Resitara i totonu o aso e sefulu talu ona tu'uina atu le fa'aaliga ia te ia e tusa ma le puipui (2) o le fuaiupu lenei, o le a te'ena loa e le Resitara le talosaga ma logoina atu loa lea itu i le na talosaga.

(4) I totonu o aso e sefulu ma le fa talu ona tu'uina atu i le na talosaga se fa'aaliga o le te'ena e tusa ma le puipui (3) o le fuaiupu lenei, e mafai e le na talosaga ona tapaina le Resitara ina ia tu'uina atu lana talosaga i se Fa'amasinoga Maulalo.

(5) O le a logoina e le Resitara le na talosaga e uiga i le tai-

mi ma le nofoaga ua atofaina mo le fa'afogaina o le talosaga e sea Fa'amasinoga Maulalo.

Cf. 1956, Nu. 107, f. 49 (N.Z.); S.R. 1957/223, r. 14 (N.Z.)

24. *E mana'omia le tagata palota ina ia na logoina le Resitara e uiga i nisi mea e tutupu mai—*(1) So o se tasi o ia lea o lo'o tusia lona igoa i luga o le pepa o le fa'asologa o igoa o le au-palota ta'ito'atasi ma ua na aveina se suafa matai po ua amata ona na fa'ataunu'uina so o se aiā tatau po o se tulaga aloa'ia fa'ale-aganu'u i le itu i fanua fa'ale-aganu'u po ua fa'aipoipo i se tagata o lo'o umia e ia sea suafa po ua fa'ataunu'uina e ia so o sea aiā tatau po o sea tulaga aloa'ia, o le a tatau lava ona na logoina le Resitara i se tasi e uiga i lea mea ua tupu ma alia'i mai i totonu o le masina e tasi talu ona tupu mai sea mea, ma afai e le usita'i na te le faia lea itu, o le a mafai ona fa'asalaina o ia i se sala e le silia le luasefulu pauni.

(2) A o'o ina ua iloa ua tupu mai sea mea, o le a soloia loa e le Resitara le igoa o lea tagata mai le pepa o le fa'asologa o igoa o le au-palota ta'ito'atasi.

(3) Afai e fai se faiga-Palota a ua uma ona tupu sea mea ma a o le'i soloia le igoa o lea tagata mai le pepa o le fa'asologa o igoa o le au-palota ta'ito'atasi, o le a le avanoa o ia e palota i lea faiga-palota ma o so o se palota e mata na faia e ia o le a fa'aleaogaina lava ma o le a le fa'aleaogaina ai fa'ale-tulafono le faiga-palota.

25. *Igoa o le tagata palota na tusia po ua toe tusia—*(1) E leai se tasi o ia lea ua soloia lona igoa mai le pepa o le fa'asologa o igoa o le au-palota ta'ito'atasi e tusa ma le puipui (2) o le fuaiupu e 23 o le Tulafono lenei ona ua na aveina se suafa matai po ua amata ona na fa'ataunu'uina so o se aiā tatau fa'ale-aganu'u po o se tulaga aloa'ia i le itu i 'ele'ele fa'ale-aganu'u o le a avanoa ina ia toe tusia lona igoa i le pepa o le fa'asologa o igoa o le au-palota ta'ito'atasi pe afai ua fa'amutaina ma ua le toe umia e ia se suafa matai po o le fa'ataunu'uina o so o se aiā tatau fa'ale-aganu'u po o se tulaga aloa'ia i le itu i 'ele'ele fa'ale-aganu'u.

(2) E leai se tagata o ia lea ua soloia lona igoa mai le pepa o le fa'asologa o igoa o le au-palota ta'ito'atasi e tusa ma le puipui (2) o le fuaiupu e 23 o le Tulafono lenei ona ua fa'aipoipo ma se tagata o lo'o umia e ia se suafa matai po o lo'o fa'ataunu'uina e ia so o se aiā tatau fa'ale-aganu'u po o se tulaga aloa'ia i le itu i 'ele'ele fa'ale-aganu'u o le a tatau ona avanoa ina ia toe tusia lona igoa i le pepa o le fa'asologa o igoa o le au-palota ta'ito'atasi pe afai ua maliu lona to'alua po ua tete'a i

la'ua po o pe afai ua fa'amutaina ma ua le toe umia e lona to'a-lua se suafa po o le fa'ataunu'uina o so o sea aiā tatau po o se tulaga aloa'ia:

Ae vagana ai ona o se fafine sa iai lona igoa i le pepa o le fa'asologa o igoa o le au-palota Papalagi i le aso, po o, a o luma-na'i le aso 30 o Novema 1963, pe sa iai pea lava po ua agava'a ina ia iai i le pepa o le fa'asologa o igoa o le au-palota ta'ito'atasi, ma o ia lea na faa'to'a le maua e ia lona tulaga agava'a e iai i le pepa o le fa'asologa o igoa ua ta'ua mulimuli ona o lana fa'aipoipoga,, ma o ia fo'i lea e le'i fa'aleaogaina mulimuli ane lona iai i le pepa o le fa'asologa o igoa ua ta'ua mulimuli ona o so o se tasi lava mafua'aga, o le a tatau lava ona avanoa o ia, ina ua maliu lana tane po ua tete'a o ia ma lana tane, ina ia tusia po o le toe tusia lona igoa i le pepa o le fa'asologa a igoa o le au-palota ta'ito'atasi.

VAEGA V

PEPA O LE TALOSAGA O IGOA FA'ATU'IESE MA SUIGA

26. *Fa'atu'iese a se tagata palota po o tagata palota ta'ito'atasi*—(1) E mafai e so o se tagata palota po o se tagata palota ta'ito'atasi i so o se taimi ona fa'atu'iese ma tete'e i le igoa o so o se tagata ua iai i luga o le pepa o le fa'asologa o igoa mo se itumalo, po o tagata palota ta'ito'atasi, i luga o le mafuaga e fa'apea -

- (a) E le agava'a lea tagata e ayva o se tagata palota e tusa ma tu'utu'uga o le fuaiupu e 16 o le Tulafono lenci; po o
- (b) E le agava'a lea tagata e ayva o se tagata palota ta'ito'atasi e tusa ma tu'utu'uga o le fuaiupu e 19 o le Tulafono lenci; po o
- (c) O le igoa e tatau ona fa'aalia i luga o se tasi pepa o le fa'asologa o igoa; po o
- (d) O le tagata e ona le igoa ua tete'ena o lo'o fa'amauiina fo'i e ayva o se tagata palota po o se tagata palota ta'ito'atasi i lalo o lea lava igoa po o se tasi igoa, tusa po o luga o lea lava pepa po o se tasi pepa o le fa'asologa o igoa.

(2) So o se tasi e tete'e, o le a tatau lava ona fai lana fa'atu'iese i se tasi o lo'o fa'aalia ai itu auiliili o le fa'atu'iese ma mafuaga o lea lava fa'atu'iese, ma o le a tatau ona fa'uoo mai lana fa'atu'iese i le Resitara ma auina atu se ata po o se kopi o lea fa'atu'iese i le tagata e fa'asaga iai le fa'atu'iese.

(3) Seia vagana ona ua malilie fa'atasi, i totonu o aso e sefulu talu ona tu'uina atu le fa'atu'iese, le tagata e fa'asaga iai le fa'atu'iese ona tu'uina atu le fa'atu'iese, le tagata e fa'asaga

iai le fa'atu'i'ese ma le Resitara e fa'apea ua mafai e le ua ta'ua mulimuli ona soloi 'ese le igoa ua tusia e fa'asaga iai le fa'atu'i'ese, po ua ia fa'amalieina le Resitara e fa'apea ua tatau ona ia tumau pea le fa'amauiina o lea suafa ua fa'atu'i'ese iai i totonu o le pepa o le fa'asologa o igoa, po ua toe tatala i tua le fa'atu'i'ese, o le a tu'uina atu lava e le Resitara le fa'atu'i'ese i se Fa'amasinoga Maulalo, ma o le a na logoina vaega po o itu e auai e uiga i le taimi ma le nofoaga ua atofaina mo le su'esu'ega.

Cf. 1956, Nu. 107, f. 52 (N.Z.); S.R. 1957/223, rr. 16, 16 (2), 17 (a) e o'o i le (c) (N.Z.).

27. *Fa'atu'i'ese a le Resitara*—(1) E mafai e le Resitara i so o se taimi ona tete'e i le igoa o so o se tagata o lo'o iai i se pepa o le fa'asologa o igoa i luga o le mafuaga e fa'apea o lea tagata e le agava'a ina ia fa'amauiina e avea o se tagata palota po o se tagata palota tai'to'atasi, so o se itu e a'afia ai.

(2) O le a tu'uina atu loa lava e le Resitara se fa'aaliga tusia i le tagata e fa'asaga iai le tete'e e uiga i le fa'atu'i'ese ma fa'amatalaga auiliili ma mafuaga o lea lava fa'atu'i'ese.

(3) Se'ia vagana ona ua malilie fa'atasi, i totonu o aso e sefulu talu ona tu'uina atu le fa'aaliga e uiga i le fa'atu'i'ese, le tagata e fa'asaga iai le fa'atu'i'ese ma le Resitara e fa'apea e mafau e le ua ta'ua mulimuli ona soloi 'ese le tusitusiga e fa'asaga iai le tete'e, po ua malie le Resitara e fa'apea ua tatau ona avanoa o ia ina ia tumau pea le tusitusiga e fa'asaga iai le fa'atu'i'ese i luga o le pepa o le fa'asologa o igoa, po ua toe tatala i tua le fa'atu'i'ese, o le a tu'uina atu lava e le Resitara le fa'atu'i'ese i se Fa'amasinoga Maulalo, ma o le a na logoina le tagata e fa'asaga iai le tete'e e uiga i le taimi ma le nofoaga ua atofaina mo le su'esu'ega.

(4) E leai se mea o i totonu o lenei fuaiupu o le a afaina ai tu'utu'uga o lenei Tulafono e uiga i le ave'escina e le Resitara o ni igoa mai so o se pepa o le fa'asologa o igoa.

Cf. 1956, Nu. 107, f. 53 (N.Z.); S.R. 1957-223, r. 18 (a) (N.Z.).

28. *Taimi fa'atapu'aina mo fa'atu'i'ese ma su'esu'ega a le Fa'amasinoga Maulalo a ua uma ona tapuni pea o fa'asologa o igoa*—A o'o ina ua tapuni le pepa o le fa'asologa o igoa mo so i se itumalo po o le au-palota tai'to'atasi e tusa ma le puipui (1) o le fuaiupu e 34 o le Tulafono lenei -

(a) E leai se fa'atu'i'ese o le a tatau ona faia i lalo o le fuaiupu e 26 po o le fuaiupu e 27 o le Tulafono lenei i le itu i so o se pepa o le fa'asologa o igoa ae se'ia vagana

ona o lo'o totoe ni aso atoatoa se tolusefulu-lima a o lumana'i le aso e fai ai le palota:

- (b) E leai se talosaga po o se fa'atu'i'ese na tu'uina atu i se Fa'amasinoga Maulalo e tusa ma le fuaiupu e 23, fuaiupu e 26 po o le fuaiupu e 27 o le Tulafono lenei o le a tatau ona su'esu'eina e le Fa'amasinoga i totonu o le vaitaimi e sefulu ma le fa aso atoatoa a o lumana'i le aso e fai ai le palota.

Cf. 1956. Nu. 107, f. 54 (N.Z.).

29. *Taualumaga tau le tu'uina atu o se talosaga po o se fa'atu'i'ese i le Fa'amasinoga Maulalo*—(1) O tu'utu'uga ua tu'uina atu i lalo o lenei fuaiupu o le a fa'aaogaina lava ia i le itu i taualumaga e fa'atatau i le tu'uina atu i se Fa'amasinoga Maulalo o se talosaga e tusa ma le fuaiupu e 23 o le Tulafono lenei po o se fa'atu'i'ese e tusa ma le fuaiupu e 26 po o le fuaiupu e 29 o le Tulafono lenei.

(2) E mafai e le Resitara, so o se tagata e talosaga, so o se tagata e fa'atu'i'ese, ma le tagata e fa'asaga iai le fa'atu'i'ese ona o'o mai lava ia i luma o le Fa'amasinoga, po o le avea ma ona sui o se tagata e tofia e ia i se tusi, po o le avea ma ona sui o se ali'i loia po o se loia-fautua.

(3) I le itu i se fa'atu'i'ese, e mafai e le tagata e fa'asaga iai le tete'e ona auina atu i le Resitara o le Fa'amasinoga se fa'amatalaga ua sainia e ia o lo'o tu'uina atu ai mafuaga e ala ai ona tatau ona tumau pea le tusitusiga e fa'asaga iai le tete'e i luga o le pepa o le fa'asologa o goa, ma o le a aloa'ia e le Fa'amasinoga so o se fa'amatalaga i le iloiloaga o le fa'atu'i'ese.

(4) Afai e le o'o mai so o se tagata e fa'asaga iai le tete'e, pe na te le auina mai se fa'amatalaga e pei ona ta'ua muamua i luga, o le a faia loa e le Fa'amasinoga se poloa'iga e fa'apea ua tatau ona ave'ese le tusitusiga e fa'asaga iai le fa'atu'i'ese inai le pepa o le fa'asologa o goa.

(5) Se'ia vagana se faiga e 'ese ai e pei ona aiaia i totonu o lenei Tulafono, o le a le ave'eseina lava le tusitusiga e fa'asaga iai le tete'e mai le pepa o le fa'asologa o goa ae se'ia vagana ona ua una ona iloiloina ma maua se fa'ai'uga o le fa'atu'i'ese.

(6) I le su'esu'eina o se fa'atu'i'ese, e leai ni mafuaga o le tete'e o le a tatau ona aloa'ia ae se'ia vagana ai lava mea o lo'o fa'aalia i totonu o le fa'atu'i'ese tusia.

(7) I so o se su'esu'ega e fa'asino iai le fuaiupu lenei, e mafai e le Fa'amasinoga ona faia se poloa'iga e uiga i tofogi o le fa'amasinoga e pei ona ua manatu o ia e tatau ai.

(8) I le noatia ma fai fuafua i tu'utu'uga o lenei fuaiupu, o le a fa'asogaina lava tulafono epuipui'a i taualumaga e masani ai a le Fa'amasinoga.

(9) O le a faia e le Resitara so o se fa'aopoopoga, soloiga, ma ni suiga i le pepa o le fa'asologa o igoa e ono tataui ai ina ia tu'uina atu ai le fa'amamaluga i poloa'iga a le Fa'amasinoga.

Cf. 1956, Nu. 107, f. 55 (N.Z.); S.R. 1957/223, rr. 17 (e) e o'o i le (i) ma le (m), 18 (j) (N.Z.).

Fa'asagatonuina o Pepa o le Fa'asologa o Igoa

30. *Ia fa'a'iloa mai e le Resitara o ē Maliliu tagata matutua e maliliu*—O le a tataui i le Resitara o ē Maliliu, i totonu o itula e fasefulufasefulu-valu talu ona fa'amauiina le maliu o so o se tagata matua, ona logo le Resitara ina ia mafai ai e ia ona toe teuteu so o se pepa o le fa'asologa o igoa pe afai e tataui ai.

Cf. 1956, Nu. 107, f. 46 (N.Z.).

31. *Ia fa'a'iloa mai e le Resitara o Fa'aipoipoga fafine e fa'aipoipo*—(1) O le a tataui i le Resitara o Fa'aipoipoga i totonu o itula e fasefulu-valu talu ona fa'aipoipo so o se fafine ua avea ma tagata palota po o se tagata palota ta'ito'atasi ona auina mai se fa'aaliga e uiga i lea itu i le Resitara.

(2) A o'o ina ua maua mai so o se fa'aaliga o le a faia loa e le Resitara la'asaga uma e tataui ai, ina ua uma ona fa'amaonia fa'amatalaga auiliili o lo'o aofia ai i totonu o le fa'aaliga, e toe teuteu u'i so o se pepa o le fa'asologa o igoa pe afai e tataui ai.

(3) Afai e iai so o se mafuaga ua le faia ai le suiga i totonu o le pepa e tataui ai o le fa'asologa o igoa a o lumanu'i le aso o le faiga-palota, o le a avanoa lava le tagata palota po o le tagata palota ta'ito'atasi, pe afai e agava'a i se tasi niga e 'ese ai, e palota i lea faiga-palota i le itu i lona igoa muamua e pei ona fa'aalia ai i luga o le pepa o le fa'asologa o igoa.

Cf. 1956, Nu. 107, f. 47 (N.Z.).

32. *Ave'escina o igoa mai le pepa o le fa'asologa o igoa e le Resitara*—(1) O le a ave'escina e le Resitara, i so o se taimi ae se'ia vagana e pei ona aiua i totonu o le puipui (3) o lenei fusiupu, mai so o se pepa o le fa'asologa o igoa

(a) Le igoa o so o se tagata ua le agava'a ina ia fa'amauiina e avea o se tagata palota po o se tagata palota ta'ito'atasi o ia lea ua talosaga mai i se tasi e fa'apea ia ave'ese lona igoa mai le pepa o le fa'asologa o igoa; ma

(b) Le igoa o so o se tagata o ia lea e fa'asino iai le fa'amatalaga e iloa gofie ai ua malie iai le Resitara ma ua logo

mai lona maliu ia te ia e le Resitara o ē Fananau.

(2) E ui lava i so o se mea o i totonu o lēnei Tulafono ae mafai e le Resitara, ina ua fa'amalieina o ia, e fa'apea ua pa'ū po ua ave'eseina le igoa o so o se tagata mai so o se pepa o le fa'asologa o igoa ona o se sesē po o se sese fa'a-failautusi, po ona o se fa'aaliga sesē, ona toe tu'uina atu le igoa o lea tagata i le pepa o le fa'asologa o igoa i so o se taimi e le tuai nai lo le seful una le fa'aso atoatoa a o lumana'i le aso e fai ai le palota.

(3) Se'ia vagana ai e pei ona aiaia i totonu o le pūipui (2) o lēnei fuaiupu, o le a le tusa ai ma ala o le tulafono mo le Resitara le tusia i luga, po o le ave'eseina mai so o se pepa o le fa'asologa o igoa o le igoa o so o se tagata a ua tuana'i le aso na atofaina mo le tapunia o le pepa o le fa'asologa o igoa ma a o lumana'i le aso e soso'o ma le aso e fai ai le palota e fa'asino iai le Pepa o le fa'asologa o igoa ua tapunia.

(4) Afai ua faia e le Resitara se mea e soli ai tu'utu'uga o lēnei fuaiupu, o le a mafai ona fa'asalaina o ia i se sala e le silia le luasefulu pauni mo igoa ta'itasi una na tusia i se ala e le tatau ai pe na ave'eseina mai le pepa o le fa'asologa o igoa.

Cf. 1956, Nu. 107, f. 57 (N.Z.); S.R. 1957/223, rr. 19, 20 (N.Z.); S.R. 1961/6, f. 19 (N.Z.).

33. *Fesoasoani e ao ina tu'uina atu i le Resitara*—(1) O le a tatau i tagata uma o le Vasega o Leoleo ina ua talosagaina e le Resitara ona fesoasoani ia te ia i le logologoina mai ia te ia o le igoa o so o se tagata o ia lea ua talitonu i latou o lo'o fa'amauiina e avea o se tagata palota ta'ito'atasi a e le agava'a ina ia fa'apea ona fa'amauiina, ma ole a tatau lava ona tu'uina mai i le Resitara so o se fa'amatalaga na te talosagaina e fa'asino i uiga agava'a o so o se tagata mo le fa'amauiina e avea ai o se tagata palota ta'ito'atasi.

(2) O le a tatau fo'i i tagata uma o le Vasega o Leoleo ona fesoasoani i le Resitara i le faiga o ni su'esu'ega ma le sailia ia maua mai ni fa'amatalaga e pei ona talosaga e ia.

Cf. 1956, Nu. 107, f. 51 (N.Z.).

Tapunia ma le Lolomiina o Pepa o le Fa'asologa o Igoa

31. *Oyepa o le fa'asologa o igoa e tapunia e le Ali'i Ofisa Sili Fai-Palota*—(1) I totonu o so o se tausaga o le a fai ai se faiga-palota aoao po o se palota-la'itiiti, o le a tapunia ai pepa uma po o le pepa o le fa'asologa o igoa, so o se itu e a'afia ai, i se aso o le a atofaina e le Ali'i Ofisa Sili Fai-Palota, ma a tuana'i sea aso, e leai se igoa o le a tatau ona fa'aopoopo i le pepa o le fa'a-

sologā o igoa e fa'asino iai sea igoa se'ia o'o, ina ua tuana'i lea faiga-palota.

(2) A itiiti mai e sefulu-lima aso a o lumana'i le aso ua fa'a'pea ona atofaina, o le a tu'uina atu ai e le Ali'i Ofisa Sili Fai-Palota se fa'aaliga fa'alana'itele mo tagata uma e uiga i lea itu.

S.R. 1957/223, r. 21 (1) ma le (2) (N.Z.); S.R. 1960/60, r. 6 (N.Z.).

35. *Pepa autū o le fa'asologa o igoa ia lomia*—(1) I le taimi aupito vave e ono mafai ai a ua uma ona tapunia pepa uma o fa'asologa o igoa o le au-palota, o le a faia ai e le Resitara la'asaga ina ia lomia pepa o le fa'asologa o igoa mo itumalo ta'itasi, o lo'o aofia ai suafa, e fa'anumeraina fa'asolo i le fa'asologa o mata'itusi e tusa ma le Pi Samoa, o tagata uma o lo'o iai e tusa ma ala o le tulafono o latou suafa i luga o le pepa o le fa'asologa o igoa. O le fa'asologa o igoa mo itumalo ta'itasi o le a tatau lava ona faia i le pepa Nu. 3 ma o le a tatau ona tu'uina atu i lalo o le a'ao o le Resitara.

(2) I le taimi aupito vave e ono mafai a ua uma ona tapunia le pepa o le fa'asologa o igoa o le au-palota ta'ito'atasi, o le a faia ai e le Resitara la'asaga ina'ia lomia le pepa o le fa'asologa o igoa, o lo'o aofia ai igoa, e fa'anumeraina fa'asolo i le fa'asologa o mata'itusi e tusa ma le Pi Papalagi o tagata uma o lo'o iai o latou igoa e tusa ma ala ole tulafono i luga o le pepa o le fa'asologa o igoa. O le pepa o le fa'asologa o igoa o le a tatau ona faia i le pepa Nu. 4, ma o le a tatau ona tu'uina atu i lalo o le a'ao o le Resitara.

(3) O pepa lolomi o le fa'asologa o igoa ua fa'a'pea ona fa'atulagaina, sainia, fa'aopoopo iai, po ua toe suia mai lea taimi i lea taimi e pei ona aiaia nei l'inei, o le a avea lava ma pepa o fa'asologa o igoa i lea taimi o au-palota ma tagata palota ta'ito'atasi mo Samoa i Sisifo.

Cf. S.R. 1957/223, rr. 21 (3) e o'o i le (5), 22 (N.Z.).

36. *Pepa fa'aopoopo o fa'asologa o igoa ia lomia*—(1) E mafai e le Resitara mai lea taimi i lea taimi ona sauni ni pepa fa'aopoopo o fa'asologa o igoa o lo'o aofia ai suafa po o igoa e fa'aopoopo atu i so o se pepa o le fa'asologa o igoa a ua tuana'i le lolomiina o le pepa autū o le fa'asologa o igoa ma se fa'aaloga o igoa ua ave'escina mai le pepa autū o le fa'asologa o igoa, ma e mafai ona faia la'asaga ina ia lomia sea lava pepa, ma o pepa fa'aopoopo ta'itasi uma o le fa'asologa o igoa o le a fa'atatauina lava e avea o se vaega o le pepa autū o le fa'asologa o igoa e fa'asino iai sea pepa fa'aopoopo.

(2) O igoa i totonu o so o sea pepa fa'aopoopo o le fa'asologa o igoa o le a tatau lava ona fa'anumeraina fa'asolo, e amata i le fuainumera e soso'o ai e maua luga a'e nai lo le fuainumera talu ai o lo'o i le pepa lolomi mulimuli o le fa'asologa o igoa mo au-palota po o tagata ta'ito'atasi, tusa lava po o le pepa autū po o le pepa fa'aopoopo.

Cf. 1956, Nu. 107, f. 63 (3) (N.Z.); S.R. 1957/223, r. (N.Z.).

37. *Aiaiga tau le lolomiina o pepa o fa'asologa o igoa*—O le aiaiga tau le lolomiina o pepa o fa'asologa o igoa e mafai lava, mo mataupu tau lenei Vaega o le Tulafono lenei, ona fa'amalieina i le lolomiina i le la'au-lomitusi ma so o se fa'agasologa tau masini e toe fai a'i ni ata o kopi ua taina i le la'au-lomitusi, ma o le fuaitau "lolomi" i so o se mea o lo'o fa'aogaina ai i totonu o lenei Vaega o le a tatau lava, pe afai ai e tatau ai, ona fa'auigaina fa'apena.

Cf. S.R. 1957/223, r. 28 (N.Z.).

38. *Asiasiga o pepa autū po o pepa fa'aopoopo o fa'asologa o igoa*—(1) O ata po o kopi o pepa autū ma pepa fa'aopoopo o fa'asologa o igoa o le a tatau lava ona teuina mo le asiasia e tagata uma i le ofisa o le Resitara i Apia, i le Fale Meli i Apia ma i nisi lava nofoaga e faigofie ona avanoa e pei ona fa'atonuina e le Resitara mai lea taimi i lea taimi.

(2) E mafai e so o se tagata ona asiasia i le ofisa o le Resitara e aunoa ma se totogi i soo' se taimi pe a o'o ina ua tatala le ofisa mo le faiga o galuega -

(a) Pepa autū ma pepa fa'aopoopo o fa'asologa o igoa o lo'o fa'apea ona teuina ai;

(b) Talosaga a so o se tagata ua talosaga po ua tagi ina ia fa'amanina e ave'a ma tagata palota po o tagata palota ta'ito'atasi ae le o iai o latou igoa i luga o le pepa o le fa'asologa o igoa e fa'asino iai.

(3) O se ata lolomi o le pepa o le fa'asologa o igoa mo itumalo ta'itasi o le a tatau lava ona tausia mo le asiasia e tagata uma e aunoa ma se totogi i ni taimi e avanoa ma taugamalie ai i le fale e mau ai Pulenu'u ta'itasi o lo'o tutu i le tofi i totonu o le itumalo e a'afia ai.

Cf. 1956, Nu. 107, f. 64 (1) ma le (2) (N.Z.); S.R. 1957/223, r. 25 (N.Z.).

39. *Ata po o kopi o pepa o fa'asologa o igoa mo le Ali'i Ofisa Fai-Palota*—O ata lolomi o pepa autū ma pepa fa'aopoopo o fa'asologa o igoa, ua fa'amaonia ua sa'o e le Resitara, o le a tatau lava ona tu'uina mai e ia i le Ali'i Ofisa Sili Fai-Palota, aua o le a mana'omia lava ia pepa mai lea taimi i lea taimi mo le

mataupu tau le ta'ita'iga o so o se faiga-palota.

Cf. 1956, Nu. 107, f. 65 (N.Z.); S.R. 1957/223, r. 26 (N.Z.)

VAEGA VI SOLITULAFONO

40. *Fa'amatalaga po o ta'utinoga pepelo*—So o se tasi o ia lea ua na faia ma lona iloa ma le loto iai se fa'amatalaga pepelo i so o se tagi, talosaga, ta'utinoga po o se fa'atu'i'ese mo mataupu tau le Vaega III, Vaega IV po o le Vaega V o le Tulafono lenei o le a mafai ona fa'asalaina o ia i se sala e le silia le limasefulu pauni po o le nofo i le falepuipui mo se vaitaimi e le silia le ono masina.

Cf. 1956, Nu. 107, f. 66 (N.Z.); S.R. 1957/223, r. 29 (N.Z.)

41. *Ta'ita'una sesē ma le loto iai o le Resitara*—(1) O le a mafai ona fa'asalaina so o se tasi mo solitulafono ta'itasi i se sala e le silia le limasefulu pauni po o le nofo i le falepuipui mo se vaitaimi e le silia le ono masina, o ia lea -

- (a) Ua na ta'ita'iina sesē ma le loto iai so o se Resitara i le fatuina a'e ma le fa'amaopoopoga a so'o se pepa o le fa'asologa o igoa po ua na tusia ma le loto iai po ua na faia se faiga ina ia tusia ai i luga, so o se igoa pepelo po o se igoa fatu-fua po o se uiga ugava'a po o le igoa o so o se tagata ua na iloa ua malii; po o
- (b) Ua na sainia le igoa o so o se tasi tagata, tusa lava pe na talosagaina o ia ina ia na faia lea itu pe leai, po o so o se igoa pepelo po o se igoa fatu-fua, so o se pepa o se tagi, talosaga, ta'utinoga po o se fa'atu'i'ese mo mataupu tau le Vaega III, Vaega IV po o le Vaega V o le Tulafono lenei, tusa lava po o ia o lē na tagi, le na talosaga le na ta'utino. le na tete e po o le na molimau; po o
- (c) Ua na sainia lona igoa e avea ma molimau i so o se sainiga o se igoa i luga o so o se pepa o le tagi, talosaga, ta'utinoga po o se fa'atu'i'ese e aunoa ma le va'ai o tusia ai le sainiga o le igoa, pe fa'alogo i le tagata o lo'o saili ai o ona ta'utinoina mai e fa'apea o lea saili o lo'o faia lava i lana lava tusilima ma e fa'apea o le igoa ua fa'apea ona sainia o lona lava lea igoa sa'o.

(2) O le a avea ma tiute o le Resitara le fa'auluina o se moliga fa'aletulafono e faa'saga i so o se tagata o ia lea na talitonu o ia ua na faia so o se solitulafono e fa'asaga i lenei fuaiupu, po o le solitulafono o le fesoasoani, lagolago atu, taupulepule leaga, po ua na sailia ina ia faia ma fa'ataunu'uina so o se solitulafono e so'o se tasi tagata.

Cf. 1956, Nu. 107, f. 67 (N.Z.); S.R. 1957/223, r. 30 (N.Z.)

42. *O le lē fa'ao'oina o se tagi po o se talosaga*—O le a mafai ona fa'asalaina so o se tasi i se sala e le silia le luasefulu pauni o ia lea, ina ua uma ona maua e ia se tagi po o se talosaga mo le fa'amauiina na sainia e so o se tasi tagata mo le mataupu tau le fa'ao'oina atu i le Resitara mo le fa'amauiina, ua na faia ma le loto iai po o le fa'atamala le lē tu'uina atu o sea mea ina ia lle tusia ai le igoa o le na tagi po o le na talosaga i luga o le pepa o le fa'asologa o igoa e a'afia ai.

Cf. 1956, Nu. 107, f. 68 (N.Z.); S.R. 1957/223, r. 31 (N.Z.)

43. *Faiga sesē a le Resitara*—So o se Resitara o ia lea ua na faia ma lona iloa ma le loto iai so o se mea e le tusa ai ma tu'u-tu'uga o le Vaega III, Vaega IV ma le Vaega V o le Tulafono lenei po o ia lea ua na faia so o se mea e le tusa ai ma tu'u-tu'uga o le Vaega III, Vaega IV ma le Vaega V o le Tulafono lenei e tatau ona fai e ia, o le a mafai ona fa'asalaina o ia pe afai e leai se tasi fa'asalaga ua aiaia i se tasi mea i totonu o le Tulafono lenei, i se sala e le silia le luasefulu pauni.

Cf. 1956, Nu. 107, f. 69 (N.Z.).

VAEGA VII

FAIGA-PALOTA AOA MA PALOTA-LAITI

Faiga-Palota Aoao

44. *E tu'uina atu e le Ao o le Malo le fa'aaliga i le Ali'i Ofisa Sili Fai-Palota*—Mo faiga-palota aoao ta'itasi uma mo Sui Usufono o le Palemene ina so o se palota-la'itiiti, o le a tu'uina atu lava e le Ao o le Malo se fa'aaliga tusia i le Ali'i Ofisa Sili Fai-Palota e le itiiti mai i lo le ivasefulu-lima aso atoatoa a o lumana'i le aso e fai ai palota ua atofaina mo lea faiga-palota.

Cf. 1956, Nu. 107, f. 70 (N.Z.); S.R. 1957/223, r. 34 (N.Z.); S.R. 1960/60, r. 9 (N.Z.).

45. *Ia tu'uina atu e le Ali'i Ofisa Sili Fai-Palota se fa'aaliga mo tagata uma e uiga i le faiga-palota ma le aso o filifiliga*—O le a tatau i le Ali'i Ofisa Sili Fai-Palota, e le itiiti ifo i lo le ivasefulu aso atoatoa a o lumana'i le aso e fai ai palota, ona tu'uina atu se fa'aaliga fa'alaua'itele mo tagata uma e uiga i lea aso, ma o le a atofaina ai i totonu o le fa'aaliga se nofoaga i totonu o Apia ma le aso, e le itiiti ifo i lo le tolusefulu aso (e le aafia ai le aso e fai ai palota) a o lumana'i le aso e fai ai palota, mo le taliina ma fa'ataunu'u mai iai filifiliga o sui e fa'atutū mai e fai iai le palota:

Ae vagana ai ona, ina na uma ona tu'uina atu so o se fa'aaliga mo tagata uma, o le a tatau lava i le Ali'i Ofisa Sili Fai-Palota ona ja matua malie o ia lava e fa'apea o aiaiga o le fa'aaliga, o le mea moni, ua matua fausilafia lelei i totonu o itumalo uma

e a'afi ai.

Cf. 1956, Nu. 107, f. 79 (N.Z.); S.R. 1957/223, r. 35 (N.Z.)

Palota-Laiti

46. *Taualumaga i se palota-la'itiiti*—Se'ia vagana ai e pei ona aiaia e le Tulafono lenei, o taualumaga i se palota-lai'tiiti o le a tutusa lava e pei ona faia i le itu i se faiga-palota aoao.

Cf. S.R. 1957/223, r. 33 (N.Z.).

47. *Ia tu'uina atu e le Ali'i Ofisa Sili Fai-Palota se fa'aaliga mo tagata uma e uiga i se palota-la'itiiti ma le aso o filifiliga*—

(1) Afai ua avanoa ma ua le nofoia le nofoa o se Sui Usufono o le Palemene i le ono masina po o le sili atu a o le'i fa'ai'uina le tolu tausaga talu mai le aso o le faiga-palota aoao talu ai na muamua atu, o le a tatau loa i le Ali'i Ofisa Sili Fai-Palota ina ua na maua se fa'aaliga tusia mai le Ao o le Malo e tusa ma le fuaiupu e 43 o le Tulafono lenei, i se fa'aaliga fa'alaua'itele mo tagata uma, ona atofa se aso e le itiiti mai i lo le ivasefulu aso atoatoa talu mai le aso o le fa'asalalauga fa'alaua'itele e ave'a ma aso e fai ai palota mo se palota-la'itiiti e fa'anofoia a'i lea lava avanoa, ma o le a atofaina ai i totonu o le fa'aaliga se nofoaga i totonu o Apia ma se aso, e le itiiti ifo i lo le tolusefulu aso (e le aofia ai le aso e fai ai palota) a o lumanai le aso e fai ai palota, mo le taliaina ma fa'ataunu'u mai iai filifiliga o sui e fa'atutu mai e fai iai le palota.

(2) Afai ua avanoa ma ua le nofoia le nofoa o se Sui Usufono o le Palemene i se taimi e itiiti ifo i lo le ono masina a o le'i fa'ai'uina le tolu tausaga talu mai le aso o le faiga-palota aoao talu ai na muamua atu, o le a tumau pea lava ona le nofoia ma avanoa lea nofoa se'ia o'o i le faiga-palota aoao e soso'o ai o lo'o lumanai.

Cf. S.R. 1957/223, r. 32 (2) ma le (3) (N.Z.).

Filifiliga

48. *Filifiliga o sui e fa'atutu mai*—(1) So o se tagata ua agava'a e tusa ma le Vaega II o le Tulafono lenei, e mafai ona filifilia, ina ua malie iai o ia, e ave'a o se sui e fa'atu mai mo le faiga-palota mo so o se itumalo po o mo tagata palota tai'to'atasi, e ni tagata palota ua fa'amauiina e le itiiti ifo i lo le to'alua o lea lava itumalo, po o, e ni tagata palota tai'to'atasi ua fa'amauiina se to'alua, so o se itu e a'afia ai, i se pepa o filifiliga i totonu o le pepa Nu. 5.

(2) O le maliega i le filifilia o so o se tagata o le a tatau lava ona tu'uina mai e lea tagata i se tusi po o se fa'au fa'u-uaealesi, ae le mana'omia ina ia tu'uina mai loa i le taimi e fa'aui mai ai le pepa o le filifiliga.

(3) O pepa o filifiliga ta'itasi uma ma maliega ta'itasi uma o le a tatau lava ona fa'ao'o atu po o le tu'uina atu i le Ali'i Ofisa Sili Fai-Palota ia le tuai nai lo le tutonu o le la i le aso o filifiliga. O le a tatau i le Ali'i Ofisa Sili Fai-Palota ona tu'uina atu se lisiti tusia mo filifiliga ta'itasi uma na talia e ia.

(4) O sui usufono ta'itasi e fa'atutu mai o le a tatau lava ona filifilia i se pepa o filifiliga e 'ese'ese i se faiga e pei ona ua iai i le taofi o le Ali'i Ofisa Sili Fai-Palota ua lava lelei e iloa gofie ai le sui ua fa'atu mai.

(5) E leai se tagata palota po o se tagata palota ta'ito'atasi e mafai ona na filifilia ni sui e fa'atutu mai e sili atu i lo le to'atasi.

(6) E mafai e so o se tagata palota ua fa'amauiina po o se tagata palota ta'ito'atasi ona asiasia so o se pepa o le filifiliga po o se maliega i le ofisa o le Ali'i Ofisa Sili Fai-Palota e aumoa ma se tologi i so o se taimi pe a o'o ina tatala le ofisa mo le faiga o galuega.

(Cf. 1956, Nu. 107, f. 80 (N.Z.); S.R. 1957/223, r. 36 (N.Z.))

49. *Tupe e tu'uina mai e se sui e fa'atu mai*—(1) O sui ta'itasi uma e fa'atutu mai, po o se tasi lava tagata e avea ma ona sui, o le a tatau lava ona na tu'uina mai i le Ali'i Ofisa Sili Fai-Palota le tupe e sefulu pauni ia le silia le tutonu o le la i le aso o filifiliga.

(2) Afai o le aofa'iga atoa o palota na maua e so o se sui na fa'atu mai ua le fa'amauiina e itiiti ifo i lo le tasi-o-vae-fa o le aofa'iga atoa o palota na maua e le sui na fa'atu mai ua fa'amauiina, o le a taofia loa le tupe na tologi mai e le sui na fa'atu mai ua le fa'amauiina ma o le a tologi atu i totonu o le Fa'aputuga-Tupe a le Ofisa o Tupe a Samoa i Sisifo a o isi itu ta'itasi uma, o le a toe fa'afu'i atu lava le tupe na tu'uina mai i le tagata na ia tologiina mai lea tupe.

(3) Afai ua toe tatala i tua e se sui na fa'atu mai lona filifilia i se taimi e le silia i lo le fitu aso atoatoa a o lumana'i le aso e fai ai palota, o le a toe fa'afu'i atu lava lana tupe na tu'uina mai i le tagata na ia tologiina mai lea tupe.

(Cf. 1956, Nu. 107, ss. 81 (1) ma le (3), 83 (3), (N.Z.); S.R. 1960/60, r. 12 (N.Z.).)

50. *O le talia po o le te'ena o le filifiliga*—(1) O le a te'ena e le Ali'i Ofisa Sili Fai-Palota le filifiliga o so o se sui e fa'atu mai.

(a) Pe afai ua le'i fa'ao'oina mai ia te ia le pepa o le filifiliga ma le maliega o le sui na fa'atu mai i se taimi a'o le'i

- tuana'i le tutonu o le la i le aso o le filifiliga; po o
- (b) Pe afai e le o fa'aalia i le pepa o le filifiliga e fa'apea o lē ua fa'atu mai o se tagata palota ua fa'amauina o se itumalo fa'apitoa, po o, ua fa'amauina e avea o se tagata palota ta'ito'atasi; po o
- (c) Pe afai ua le o sainia lē pepa o le filifiliga e ni tagata palota ua fa'amauina e le itiiti ifo i lo le to'a lua o le itumalo e fa'asino iai le filifiliga ua faia, po o, i le itu i se tagata palota ta'ito'atasi, e ni tagata palota ta'ito'atasi ua fa'amauina e le itiiti ifo i lo le to'a lua; po o
- (d) Pe afai e le'i totogiina le tupe-teu e pei ona mana'omia e lenei Tulafono.

(2) I isi itu ta'itasi uma, o le a talia lava e le Ali'i Ofisa Sili Fai-Palota le filifiliga:

Ae vagana ai ona e leai se mea o i totonu o lenei puipui o le a fa'atapula'aina ai le pule'aga a le Fa'amasinoga na te faa'foga'aina ai se talosaga e uiga i se faiga-palota.

Cf. 1956, Nu. 107, f. 82 (N.Z.).

51. *Fa'asalaina o filifiliga*—I le itula ua tutonu ai le la i le aso na atofaina mo le filifiliga o sui e faa'tutu mai, po o se taimi e aupito vave mulimuli ane ai e ono mafai, o le a faia ai e le Ali'i Ofisa Sili Fai-Palota la'asaga ina ia fa'atutuina ma fa'aalia i se nofoaga e iloa gofie ai i fafo atu o le nofoaga na ta'ua le igoa i le fa'aaliga mo tagata uma ua ta'ua i luga, igoa o sui uma na fa'atutu mai ua fa'apea ona filifilia, ma o le a tatau ona tu'uina atu i totonu o itumalo ta'itasi se fa'aaliga e uiga i filifiliga mo sea itumalo.

Cf. 1956, Nu. 107, f. 84 (N.Z.); S.R. 1957/223, r. 37 (N.Z.)

52. *Toe tatalaina i tua o se filifiliga*—(1) E mafai e so o se sui na fa'atu mai ona saini ma fa'ao'o mai i le Ali'i Ofisa Sili Fai-Palota, ia le silia i lo le fitu aso atoatoa a o humana'i le aso e fai ai palota, se pepa i le pepa Nu. 6 ia fa'aalia ai e fa'apea ua toe tatala i tua e le na fa'atu mai lona filifilia. O le a tu'uina atu lava e le Ali'i Ofisa Sili Fai-Palota se fa'aaliga fa'alaua'itele mo tagata uma e uiga i lea itu.

(2) E leai se tatalaga i tua o se filifiliga e le tulaseagai ai ma le puipui (1) o le fuaiupu lenei o le a tatau ona iai so o se woga po o se fa'amamaluga.

(3) Afai ua toe tatala i tua e so o se sui na fa'atu mai lona filifilia e tusa ma le puipui (1) o le fuaiupu lenei, o le a le tatau ona avanoa o ia ina ia filifilia i so o se palota e mata o lo'o ono tatau pea ona faia.

Cf. 1956, Nu. 107, f. 83 (N.Z.); S.R. 1957/223, r. 42 (N.Z.)

53. *Taualumaga pe afai e le lava filifiliga*—(1) Afai e na o le toa'tasi le sui usufono o le a filifilia mo so o se itumalo, po o, e tagata palota ta'ito'atasi, ma afai e leai se sui e fa'atu mai ua filifilia, po o, pe afai e na o le to'atasi le sui na fa'atu mai ua filifilia na o le ua na toe tatala i tua lona filifilia, o le a tatau loa i le Ali'i Ofisa Sili Fai-Palota, ina ua tuana'i masina e tolu talu mai le aso e fai ai palota, ona fa'aalia manino e fa'apea o le a avanoa pea le nofoa ma o le a fa'aaogaina loa iai tu'utu'uga o le fuaiupu e 46 o le Tulafono lenei.

(2) Afai e sili atu i lo le to'atasi le sui usufono o le a filifilia mo so o se itumalo, po o, e tagata palota ta'ito'atasi, ma afai e leai se sui e fa'atu mai ua filifilia, po o, pe afai o le aofa'iga o sui usufono e tatau ona filifilia, po o, pe afai e iai so o se sui po ni sui na fa'atutu mai ua toe tatala i tua le filifilia o ia po o i latou, ma o lo'o tumau pea (pe afai e iai) ona itiiti ifo le aofa'i o sui na fa'atutu mai i lo le aofa'iga o sui usufono e tatau ona filifilia, o le a fa'alia manino loa e le Ali'i Ofisa Sili Fai-Palota, a ua tuana'i le tolu masina talu mai le aso e fai ai palota, e fa'apea o lo'o avanoa pea so o se nofoa e sili atu i lo le aofa'iga o filifiliga o lo'o totoe, ma o le a fa'aaogaina ai lava tu'utu'uga o le fuaiupu e 46 o le Tulafono lenei i nofoa ta'itasi fa'apena o lo'o avanoa.

Cf. S.R. 1957/223, rr. 39, 40 (b), 42 (N.Z.).

54. *Taualumaga pe afai e le fete'ena'i le filifiliga*—(1) O le a tatau i le Ali'i Ofisa Sili Fai-Palota, i se fa'aaliga mo tagata uma i le aso po o. a o lumana'i le aso e fai ai palota, i le itu i so se itumalo po o ni tagata palota ta'ito'atasi, ona fa'aalia manino e fa'apea o le a fa'atatauina le sui po o ni sui na fa'atutu mai e fa'apea ua filifilia, ma o le a lipotia loa lea itu i le Ao o le Malo.

(a) Pe afai e na o le to'atasi le sui usufono e tatau ona filifilia ma pe afai e na o le to'atasi le sui ua fa'atu mai na filifilia, po o, pe afai ua toe tatala i tua e so o se sui na fa'atu mai ua filifilia lona filifiliga ma ua totoe ai na o le to'atasi le sui na fa'atu mai; po o

(b) Pe afai e sili atu i lo le to'atasi le sui usufono e ao ina filifilia ma pe afai o le aofa'iga o sui na fa'atutu mai na filifilia e tutusa pe itiiti ifo i lo le aofa'iga o Sui Usufono e tatau ona filifilia, po o, pe afai e iai so o se sui po o ni sui na fa'atutu mai na filifilia a ua toe tatala i tua le filifilia o ia po o i latou, ma o lo'o tumau pea le aofa'iga o sui na fa'atutu mai e tutusa ma, pe itiiti ifo i lo le aofa'iga o Sui Usufono e tatau ona filifilia:

(2) O le a fa'aalia manino loa e le Ao o le Malo, i se tusi

fa'amaoni e rai ai lona a'ao, e fa'apea ua filifilia sea sui po o ni sui na fa'atutu mai.

Cf. 1956, Nu. 107, f. 85 (N.Z.); S.R. 1957/223, rr. 38, 40 (N.Z.); S.R. 1960/60, r. 10 (N.Z.).

FILIFILIGA FETE'ENA'I

55. *Fa'aaliga mo tagata uma e uiga i le aso e fai ai palota ma sui e fa'atutu mai*—Afai ua sili atu le aofa'iga o sui e fa'atutu mai i lo le aofa'iga o Sui Usufono e tatau ona filifilia, o le a tu'uina atu loa e le Ali'i Ofisa Sili Fai-Palota lona lua o fa'aaliga mo tagata uma e uiga i le aso e fai ai palota, ma le fa'aaliga mo tagata uma e uiga i sui ua fa'atutu mai.

Cf. S.R. 1957/223, r. 41 (N.Z.)

56. *Foliga tino mai o pepa palota*—(1). A tuana'i le aso o filifiliga o le a poloa'iina loa e le Ali'i Ofisa Sili Fai-Palota ina ia lomua pepa palota i le foliga tino mai o le pepa Nu. 7 i se aofa'iga ia lava mo le faiga-palota. O fa'atonuga o lo'o i luga o pepa palota o le a i le gagana Samoa ma le gagana Peretania.

(2) O le a aofia i pepa palota se fa'asologa o tagata uma ua filifilia e avea o ē e fa'atutu mai, i latou ia e le'i toe tataluina i tua o latou filifiliga (o igoa ta'itasi e na o le fa'a-tasi lava ona tusia, tusa lava pe na filifilia i totonu o se pepa e tasi po o le sili atu o ni pepa o filifiliga), ma e le o se filifiliga a nisi lava tagata, e fa'atulagaina i le fa'asologa o o latou igoa fa'ai'u i ni mata'itusi tetele e tusa ma le Pi Samoa mo itumalo ta'itasi, ma e tusa ma le Pi Papalagi mo tagata palota ta'ito'atasi, ma afai e to'alua pe sili atu ni sui ua fa'atutu mai e tutusa o latou igoa fa'ai'u, po ua lagona e le Ali'i Ofisa Sili Fai-Palota e iai so o se tasi lava mafuaga e ono alia'i mai ai se fenumia'iga, o le a tatau loa ona faia ina ia iloga lelei sui ua fa'atutu mai i luga o pepa palota i le fa'aopoopoina i ni mata'itusi e laiti ifo o latou igoa Papatiso ma so o se tasi lava mea e tatau ai ina ia iloa lelei ai le 'ese'ese o i latou.

(3) Afai ua toe tatala i tua e se sui na fa'atu mai lona filifili aa ua uma ona lolomi pepa palota, o le a tatau lava i le Ali'i Ofisa Sili Fai-Palota, a o lumana'i le faiga o palota, ona solo'i 'ese lona igoa mai pepa palota ta'itasi uma.

(4) O pepa palota o le a fa'aogaina i so o se faiga-palota o le a tatau lava ona lolomi i luga o se pepa e tasi le lanu e laugatasia ai mo itumalo uma ma se isi lanu e laugatasia ai mo tagata palota ta'ito'atasi.

(5) E tatau i pepa palota ta'itasi uma ona iai se pito pepa tumau e pei ona fa'aalia i le pepa Nu. 8.

(6) Afai ua fa'apea ona tonu i le Ali'i Ofisa Sili Fai-Palota, e mafai fo'i ona lolomi i le tulimanu i luga i le itu taumatau o le itu i tua o pepa palota ta'itasi uma na totonu o le avanoa ua aiaia i totonu o le pito pepa teu-mau ua fa'apipi'i atu iai, se fuainumera (e ta'ua o se numera fa'asolo) e amataina mo itumalo ta'itasi ma mo tagata palota ta'ito'atasi i le numera tasi i le tasi i le itu i le pepa palota muamua e lomina, ma o luga o pepa palota uma e lolomi mulimuli ane ai o le a iai lava i numera fa'asolosolo, ina ia leai ni pepa palota se lua mo le itumalo lava e tasi po o tagata palota ta'ito'atasi o le a tau'aveina ai le numera lava e tasi.

Cf. 1956, Nu. 107, f. 87 (N.Z.); S.R. 1957/223, rr. 43, 45 (N.Z.).

Maliu o se Sui na fa'atu mai

57. *Maliu a o le'i tapunia filifiliga*—(1) Afai ua maliu se sui na fa'atu mai o ia lea ua filifilia ma ua le'i toe tatalaina i tua lona filifilia a o le'i tapunia filifiliga, o le a fa'atatauina lava lona filifilia i itu 'ese'ese uma e peisea'i e le'i faia, ma o le a tatau lava ona toe fa'afai atu i ona sui totino lana tupe-teu na tu'uina mai, po o, i so o se itu e a'afia ai, i le tagata o ia lea na ia totogiina mai lea tupe.

(2) I so o se itu fa'apena, afai ua maliu le sui na fa'atu mai i le aso o filifiliga po o le aso a o lumana'i le aso o filifiliga, o le a fa'atatauina lava le taimi mo le tapunia o filifiliga i totonu o lea itumalo, po o, mo tagata palota ta'ito'atasi (pe afai o le na fa'atu mai o se tagata palota ta'ito'atasi), e fa'apea ua tolopo'ina i aso e lima.

Cf. 1956, Nu. 107, f. 88 (N.Z.).

58. *Maliu a ua uma ona tapunia filifiliga*—(1) Afai ua maliu so o se sui na fa'atu mai a ua uma ona tapunia filifiliga ma, a o le'i tapunia le faiga o palota po o, pe afai ua maliu le sui na fa'atu mai ua fa'amanuiaina a ua uma ona tapunia le faiga o palota ma, a o le'i fa'aalia manino le taunu'uga o le palota, o le a fa'aogaina lava i ai tu'utu'uga o le fuaiupu lena.

(2) O le a fa'atatauina lava le faiga-palota e fa'apea ua le taunu'u ma o le a fa'atatauina ai le nofoa e fa'apea ua avanoa ma ua le o nofoa.

(3) Afai e maliu le sui na fa'atu mai a o lumana'i le aso e fai ai le palota, o le a tatau i le Ali'i Ofisa Sili Fai-Palota, ina ua matua ma'utinoa lelei e ia le mea moni e uiga i le maliu, ona soloia ma vavao le mea na mui'i poloa'ina i le fa'aaliga tau le palota i totonu o lea itumalo fa'apitoa, po o, mo tagata palota ta'ito'atasi, so o se itu e a'afia ai.

(4) Afai e maliu le sui ma fa'atu mai i le aso e fai ai le palota a o le'i tapunia le faiga o palota, o le a tatau i le Ali'i Ofisa Sili Fai-Palota po o le Ali'i Ofisa Ta'ita'i, ina ua matua mautinoa lelei e ia le mea moni e uiga i le maliu, ona tapunia loa le faiga o palota ma fa'aalia manino lea faiga-palota e fa'apea ua le fa'aaogaina fa'ale-tulafono ma ua leai se taunu'uga.

(5) Afai e maliu le sui na fa'atu mai a ua uma ona tapuni le faiga o palota ma, a o le'i fa'aalia manino le taunu'uga o le palota, ma ua maua ina ua uma ona faitauina palota po o se toe faitauga o palota e fa'apea, ana fai e soifua pea le sui na fa'atu mai, semanu e filifilia o ia o le a tatau i le Ali'i Ofisa Sili Fai-Palota, ina ua matua mautinoa lelei e ia le mea moni e uiga i le maliu, ona tusia i luga o le lipoti i le Ao o le Malo le mea moni e uiga i le maliu ma e fa'apea ana fai e soifua pea le sui na fa'atu mai, semanu e filifilia o ia.

(6) O tu'utu'uga o le Tulafono lenei e fa'asino i le tutusa o palota i le va o sui na fa'atutu mai, o le a fa'aaogaina lava e ui ina ua maliu se tasi o ia sui na fa'atutu mai a ua uma ona tapuni le faiga o palota.

(7) Afai ua fa'alavelavea le faiga o palota ona o le maliu o se sui na fa'atu mai, o pepa palota uma lava na tu'uina i totonu o pusa palota 'ese'ese o le a tatau lava ona 'ave'ese i fafo e Ali'i Ofisa Ta'ita'i 'ese'ese ma, ina ua uma ona faia i ni afifi maopoopo, o le a tatau loa ona auina mai e le tatalaina i le Ali'i Ofisa Sili Fai-Palota. o ia lea o le a na fa'atama'ia loa ia pepa a o auai se Fa'amasino Maulalo po o se tasi lava ali'i ofisa tau le fa'amasinoga.

(8) O le a tu'uina atu loa lava se fa'aaliga fou mo tagata uma e le Ali'i Ofisa Sili Fai-Palota mo se faiga-palota fou ma, se'ia vagana ai ona ua aiaia se tasi faiga e 'ese ai, o taualumaga uma lava i le fa'afeagai ai ma se faiga-palota fou o le a tatau lava ona iai ma faia e avea o se mea fou.

(9) O pepa autu ma pepa fa'aopoopo o le fa'asologa o igoa ia na fa'apea o le a fa'aaogaina i le faiga-palota lea ua le taunu'u, o le a fa'aaogaina lava i le faiga-palota fou e aunoa ma so o se toe teuteuga po o se fa'aopoopoga e fai iai.

(10) O le a le tatau ona toe fa'afou le filifilia o so o se sui na fa'atu mai o ia lea ua uma ona filifilia i auale e tatau ai e avea ma sui e fa'atu mai i le taimi na vaoia ai le mea na mua'i poloa'iina, po o le tapunia o le faiga o palota:

(11) O nofoaga uma e fai ai palota na atofaina i le itu i le faiga-palota ua le taunu'u, o le a fa'aauau pea lava i le itu i se

faiga-palota fou.

Cf. 1956, Nu. 107, f. 89 (N.Z.)

O le Faiga o Palota i Faiga-Palota

59. *Nofoaga e fai ai palota*—O le a tataui i le Ali'i Ofisa Sili Fai-Palota i se fa'aaliga mo tagata uma, e tu'uina atu i se taimi e le itiiti ifo i lo le fitu aso a o lumana'i le aso e fai ai palota, ona atofaina se aofa'iga ia lava o nofoaga e fai ai palota i totonu o itumalo ta'itasi o le a fai ai se faiga-palota ma, mo tagata palota ta'ito'atasi, mo le faiga o le palota.

Cf. S.R. 1957/223, r. 41 (N.Z.); S.R. 1960/60, r. 11 (N.Z.); S.R. 1961/6, f. 30 (N.Z.).

60. *Fale palota, pusa palota, pepa palota, ma isi mea*—O le a tataui i le Ali'i Ofisa Sili Fai-Palota ona tu'uina atu mea nei ua ta'ua i lalo mo le faiga o le palota:

- (a) Tasi po o le sili atu ni potu mo fale palota i nofoaga ta'itasi e fai ai palota, ma o totonu o fale palota ta'itasi ia iai ni potu i totonu e tasi po o le sili atu, e tu'u'ese'ese le tasi mai le isi ae vagana ai le avanoa aga'i i totonu o le fale palota ae leai se tasi lava avanoa;
- (b) I totonu o potu ta'itasi i totonu, e iai ni penitala mo le fa'aalogaina e tagata palota po o tagata palota ta'ito'atasi po o nisi lava mea e talafeagai ai mo le faa'ilogaina o pepa palota;
- (c) I totonu o fale palota ta'itasi, e tasi po o le sili atu ni pusa palota o lo'o iai se loka ma se ki ma se avanoa tua-iti i le itu i luga e mafai ona tu'uina atu ai pepa palota i totonu o le pusa;
- (d) I totonu o le fale palota, e tasi po o le sili atu ni kopi o le pepa autu ma le pepa fa'aopoopo o le fa'asologa o igoa mo le itumalo po o tagata palota ta'ito'atasi so o se itu e a'afia ai, ma se aofa'iga ia lava o pepa palota.

Cf. 1956, Nu. 107, f. 92 (N.Z.); S.R. 1957/223, r. 44 (N.Z.)

61. *Fa'asasaoina o Ali'i Ofisa*—(1) O le a fuafuaina e le Ali'i Ofisa Sili Fai-Palota le itumalo po o itumalo ma, i le itu i tagata palota ta'ito'atasi, o le a fa'ataunu'uina ai e Ali'i Ofisa Fai-Palota, Sui Ali'i Ofisa Fai-Palota, failautusi o palota ma fa'amatala'upu a latou galuega.

(2) O le a iai i se Ali'i Ofisa Fai-Palota le pule ma e mafai ona na fa'ataunu'uina so o se tasi o tiute o le Ali'i Ofisa Sili Fai-Palota i totonu o le itumalo po o ni itumalo, po o i le itu i tagata palota ta'ito'atasi ua tofia iai o ia ma o le a noatia ma fai fuafua i le pule fa'ataga ma le pule'aga a le Ali'i Ofisa Sili Fai-Palota.

(3) O le a fa'ataunu'uina e le Ali'i Ofisa Sili Fai-Palota le va'ava'aiga o galuega a Ali'i Ofisa Fai-Palota, Sui Ali'i Ofisa Fai-Palota, failautusi o palota ma fa'amatala'upu, ma e mafai ona na tu'uina atu i so o sea ali'i ofisa ni fa'atonuga e uiga i le faiga o o latou tiute.

Cf. S.R. 1961/6, f. 29 (N.Z.)

62. *Sui Ali'i Ofisa Fai-Palota, failautusi o palota, ma fa'amatala'upu*—(1) O le a tofia e le Ali'i Ofisa Sili Fai-Palota mo fale palota ta'itasi se Sui Ali'i Ofisa Fai-Palota na te ta'ita'i ina le faiga o palota i lea fale palota ma se to'atasi po o le sili atu o ni failautusi o palota e fesoasoani i le Sui Ali'i Ofisa Fai-Palota, ma e mafai ona tofia ni Sui Ali'i Ofisa fa'aopoopo ma nisi failautusi o palota ma ni fa'amatala'upu e pei ona manatu o ia ua tatau ai.

(2) E mafai e se Ali'i Ofisa Fai-Palota lava ia ona fa'ataunu'uina pule, tiute ma galuega uma a se Sui Ali'i Fai-Palota i le itu i so o se fale palota e tasi.

(3) E mafai e so o se Ali'i Ofisa Fai-Palota po o se Sui Ali'i Ofisa Fai-Palota i so o se taimi i le aso, po o, a o lumana'i le aso e fai ai le palota ona tofia i se tusi se sui e galue e avea ma sui i le itu i lea faiga-palota, pe afai e to'esea o ia mai lona tiute.

(4) Afai ua le tatalaina e le Sui Ali'i Ofisa Fai-Palota le faiga o palota i so o se fale palota, po o, pe afai ua to'esea o ia mai lona tiute ma ua na le tofia se sui, e mafai e so o se failautusi mo ia ma o le itu lea o le a fa'atatauina i lava e avea ma ona sui.

(5) A o galue so o se tasi e avea ma sui o le Ali'i Ofisa Fai-Palota po o se Sui Ali'i Ofisa Fai-Palota o le a ia te ia lava pule, tiute, ma galuega a lea lava Ali'i Ofisa Fai-Palota po o se Sui Ali'i Ofisa Fai-Palota.

Cf. 1956, Nu. 107, f. 93 (N.Z.)

63. *Ia faia e failautusi o palota ma fa'amatala'upu se ta'utinoga*—O le a tatau i so o se failautusi o palota ma se fa'amatala'upu a o le'i faia le palota, ma so o se sui mo se Sui Ali'i Ofisa Fai-Palota a o le'i galue o ia, ona na faia se ta'utinoga i le pepa Nu. 1 i luma o le Ali'i Ofisa Sili Fai-Palota. Ali'i Ofisa Fai-Palota, so o se tasi Ali'i Ofisa Fai-Palota po o se tagata ua fa'atagaina na te faia ta'utinoga fa'ale-tulafono e le fuaiupu e 21 o le Tulafono o Tautoga, Fa'amatalaga-Tauto ma Ta'utinoga 1963.

Cf. 1956 Nu. 107, f. 94 (N.Z.; S.R. 157/223 r. 47 (N.Z.))

64. *Tagata e va'ava'aia le faiga o palota*—(1) E mafai e sui

ta'itasi ua fa'atu mai, i se tusi e sainsi ai lona lima, ona tofia se tagata e to'atasi e va'ava'aia le faiga-palota ta'itasi i so o se faiga-palota.

(2) O le a tatau i so o se tagata e va'ava'aia le faiga o palota, a o le'i fa'atagaina o ia e galue, ona na faia se ta'utinoga i le pepa Nu. 1 i luma o se Ali'i Ofisa Fai-Palota, se Sui Ali'i Ofisa Fai-Palota po o se tagata ua fa'atagaina na te faia ta'utinoga fa'ale-tulafono e le fuaiupu e 21 o le Tulafono o Tautoga, Fa'amatalaga Tauto ma Ta'utinoga 1963.

(3) So o se tagata e va'ava'aia le faiga o palota ua na tu'ua le fale palota na tofia iai o ia a o fa'agasolo itula e fai ai palota, e aunoa ma le mua'i maua o le fa'atagaina a le Ali'i Ofisa Ta'itasi i lea fale palota, o le a le avanoa o ia e toe ulufale mai i le fale palota pe na te toe faia lana va'ava'aiga o le palota.

(4) E leai se mea o i totonu o lenei Tulafono o le a avea ai o se faiga e le tusa ai ma le tulafono mo se tagata e va'ava'aia le faiga o palota le fa'ailoa atu i so o se tagata o se fa'aliga e uiga i igoa o tagata ua uma ona palota.

(5) E leai se sui na fa'atu mai e tatau ona avea o se tagata e va'ava'aia le faiga o palota i lalo o le Tulafono lenei.

Cf. 1956, Nu. 107, f. 95. (N.Z.); S.R. 1957/223, rr. 4, (N.Z.)

65. *Itula e fai ai palota*—(1) O le faiga o palota i so o se faiga-palota o le a tatau lava ona amata i le itula e iva i le taeao o le aso e fai ai le palota, ma, se'ia vagana e pei ona aiaia se tasi faiga e 'ese ai i totonu o le Tulafono lenei, o le a tapunia lava mulimuli ane i le itula e ono i le afiafi o lea lava aso.

(2) So o se tagata palota po o se tagata palota ta'ito'atasi o ia lea e o'o atu i le taimi e tapuni ai le faiga o palota a o lo'o auai i totonu o se fale palota mo le tu'uina mai o lana palota, o le a tatau lava ona avanoa na te maua se pepa palota ma fa'ailoga ina ma tu'uina atu i totonu lea pepa i le faiga lava e tasi e peisea'i na palota o ia a o le'i tapunia le faiga o palota.

Cf. 1965, Nu. 107, f. 96 (N.Z.); S.R. 1957/223, r. 48 (N.Z.)

O le Palota

66. *Ia loka tumau le pusa palota a o fa'agasolo le faiga o palota*—O le a tatau i le Ali'i Ofisa Ta'itasi i fale palota ta'itasi, a o le'i amataina le faiga o palota, ma a o va'aia e so o se tasi o tagata e va'ava'aia le faiga o palota o lo'o auai, ona ia na iloa e leai se mea o i totonu o le pusa palota, ma o le a tatau ona tapuni ma loka le pusa, ma tofia le ki e ia; ma o le a le toe tatalaina le pusa palota se'ia o'o ina ua uma ona tapunia le faiga o palota;

Ae vagana ai ona, afai ua leaga po ua le lelei le loka o le pusa palota ma ua le mafai ai ona loka le pusa, o le a tatau loa i le Ali'i Ofisa Ta'ita'i ona matua fa'amau ia mau'atoatoa le pusa ae le o le lokaina.

Cf. 1956, Nu. 107, f. 101 (N.Z.); S.R. 1957/223, r. 49 (N.Z.)

67. *Ia le iai tumau tagata i totonu o le fale palota*—E le sili i lo le to'a ono ni tagata palota po o ni tagata ta'ito'atasi o le a tatau ona fa'atagaina i totonu o se fale palota, pe sili atu i lo le to'atasi le tagata palota po o le tagata palota ta'ito'atasi i totonu o so o se potu i totonu i le taimi e tasi ma lea lava taimi, ma e leai se tagata o le a tatau ona fa'atagaina ina ia iai pea i totonu o so o se fale palota ae vagana ai le Ali'i Ofisa Ta'ita'i ma ana failautusi, so o se tagata e va'ava'aia le faiga o palota, se fa'amatala'upu, ma so o se to'atele o leoleo e pei ona ua manatu Ali'i Ofisa Ta'ita'i e tatau ai e tausia le filemu.

Cf. 1956, Nu. 107, f. 102 (N.Z.); Cf. 1957/223, r. 50 (N.Z.)

68. *Ia le tautala atu i tagata i totonu o le fale palota*—(1) E leai se palota e va'ava'aia le faiga o palota po o se tasi lava tagata maufofi pe le o se maufofi o le a tatau ona tautala atu i so o se tagata palota po o se tagata palota ta'ito'atasi i totonu o se fale palota, tusa lava po o le taimi a o le'i tu'uina atu po ua uma ona tu'uina atu e le tagata palota po o le tagata palota ta'ito'atasi lana palota, ae se'ia vagana ai lava le Ali'i Ofisa Ta'ita'i po o le failautusi o palota (fa'atasi ai ma se fa'amatala'upu pe afai e tatau ai), o ia lea e mafai ona na tu'uina atu fesili ua fa'atagaina o ia na te tu'uina atu, ma tu'uina atu ni fa'atonuga 'ese'ese e ono mafai ona fesoasoani i so o se tagata palota po o se tagata palota ta'ito'atasi i le tu'uina mai o lana palota, ma e mafai ae maise lava pe a o'o ina ua talosagaina, ona logo atu tau-fofoga i le tagata palota po o se tagata palota ta'ito'atasi igoa o tagata uma ua fa'atutu mai i le fa'asologa o mata'itusi o le pi.

(2) So o se tasi o ia lea ua na faia se solitulafono e fa'asaga i lenei fuaiupu, o le a mafai ona fa'asalaina o ia e fa'atatau i le tu'ufa'atasiga o lona nofosala i se sala e le silia le luasefulu pauni, ma e mafai loa lava ona ave'eseina mai le fale palota i se poloa'iga a le Ali'i Ofisa Ta'ita'i.

Cf. 1956, Nu. 107, f. 103 (N.Z.); S.R. 1957/223, r. 51 (N.Z.)

69. *Fesili e mafai ona tu'uina atu i tagata palota po o tagata palota ta'ito'atasi*—(1) E mafai e le Ali'i Ofisa Ta'ita'i, ma o a tatau pe afai e fa'apea ona mana'omia e so o se tagata e va'ava'aia le faiga o palota, a o le'i fa'atagaina so o se tagata e palota, ona tu'uina atu ia te ia fesili nei ua ta'ua i lalo:

(a) O oe ea o le tagata lea o lo'o fa'aalia lona suafa e avea o A.B. i le pepa o igoa o le au-palota lea o lo'o fa'amama-

luina nei mo le itumalo o (Igoa), po o le pepa o igoa o tagata palota ta'ito'atasi, so o se itu e a'afia ai?

(b) O tumau pea ia te oe uiga agava'a na mafai ai ona tusia oe i le pepa o le fa'asologa o suafa?

(c) Ua uma ona e palota i le faiga-palota lenei?

(2) I so o se itu fa'apenei, o le a tapaina ai lava e le Ali'i Ofisa Ta'ita'i fesili ina ia tali mai i se faiga tusia e sainia e le tagata na tu'u atu iai fesili.

(3) So o se tagata o ia lea na tu'u atu iai fesili ia ae le tali mai iai, po ua le tali mai i fesili muamua ma lona lua ile ioe ma lona tolu o fesili i le leai, o le a le fa'atagaina o ia e palota.

(4) So o se tasi o ia lea ua na faia ma le loto iai ma lona iloa lelei se tali pepelo i so o se tasi o fesili e mata na tu'uina atu ia te ia e le Ali'i Ofisa Ta'ita'i i lalo o lenei fuaiupu, o le a mafai ona fa'asalaina o ia i se sala e le silia le luasefulu pauni.

Cf. 1956, Nu. 107, f. 104 (N.Z.); S.R. 1957/223, r. 53 ma le 54 (N.Z.)

70. *Tu'uina atu o pepa palota*—(1) O le a tatau i so o se Ali'i Ofisa Ta'ita'i e tusa ma tu'utu'uga o lenei fuaiupu, ona tu'uina atu pepa palota i tagata palota uma po o tagata palota ta'ito'atasi, o ia lea ua talosaga mai ina ia palota i le fale palota ua tofia iai o ia.

(2) O le a tatau i le tagata palota po o se tagata palota ta'ito'atasi ona fa'ailoa atu lona igoa i le Ali'i Ofisa Ta'ita'i ma o le a tatau ona tu'uina atu ni fa'amatalaga auiliili e ono tatau ai ina ia iloa gofie ai le mea o lo'o tusia ai o ia i totonu o pepa lolomi o le fa'asologa o igoa e fa'asino i le tagata palota po o le tagata palota ta'ito'atasi.

(3) Afai o fa'aalia le igoa o le tagata palota po o le tagata palota ta'ito'atasi i totonu o pepa o le fa'asologa o igoa, o le a tusia loa se laina fa'alava'i lona igoa ma le numera.

(4) Afai o lo'o fa'aalia le igoa o le tagata palota po o le tagata palota ta'ito'atasi i totonu o pepa o le fa'asologa o igoa, o le a tu'uina atu loa e le Ali'i Ofisa Ta'ita'i i le tagata palota po o le tagata palota ta'ito'atasi se pepa palota ina ua uma ona saunia e ia i le faiga lenei ua fa'aalia i lalo.

(a) Se'ia vagana ona ua uma ona lolomi se numera fa'asolo i luga o le pepa palota ma luga o le pito pepa teu-mau, o le a tatau lava ona tusia e ia i luga o le pito pepa teu-mau ma le itu i tua o le pepa palota i totonu o avanoa ua aiaia se numera (e ta'ua o se numera fa'asolo), e ama-

ta i le numerā 1 i le itu i le pepa palota muamua e tu'uina atu e ia, ma luga o pepa palota uma mulimuli ane e tu'uina atu e ia mulimuli ane fuainumera o le a tatau ona fa'asolosolo, ina ia leai ni pepa palota se lua na tu'uina atu i totonu o lea lava fale palota o lo'o tau'aveina ai le numerā lava e tasi;

- (b) O le a tatau loa ia te ia ona afe a'e le tulimanu o le pepa palota o lo'o fa'aalia ai le numerā fa'asolo ma o le a tatau ona fa'apipi'i ia mau se fasi-pepa ua iai le mea fa'apipi'i i luga a'e o lea tulimanu ina ia mafai ai ona natia lelei le numerā fa'asolo;
- (c) O luga o le pito pepa teu-mau o le pepa palota o le a tatau ona tusia ai e ia mata'itusi-amata o lona igoa, ma le numerā o lo'o fa'aalia i totonu o le pepa o le fa'asologa o igoa e fa'a-feagai tonu ma le igoa o le tagata palota po o le tagata palota ta'ito'atasi;
- (d) O le a tatau ia te ia ona o'omi lana fa'aailoga fa'amaonia o le fale palota i luga o le mea ua fa'apūpū i le va o le pito pepa teu-mau ma le itu i tua o le pepa palota.

(5) So o se Ali'i Ofisa Ta'ita'i o ia lea ua na le faia ma le fa'amaoni so o se tiute ua tu'uina atu ia te ia e lenei fuaiupu, ona e iai so o se aiaiga o lenei fuaiupu ua na le fa'ataunuuina lelei, o le a mafai ona fa'asalaina o ia i se sala e le silia le sefulu pauni.

Ae vagana ai ona afai e fa'asino le mea ua le faia, i le tiute tau le fa'apipi'ina o se fasi-pepa ua iai le mea fa'apipi'i i luga o se numerā fa'asolo ina ia matua natia ai lea numerā, o le a lava e avea ma puipuiga e malutia ai o ia pe afai na te fa'amalieina le Fa'amasinoga e fa'apea na faia e ia aiaiga uma e tatau ai in ia fa'amautuina lea lava itu.

Cf. 1956, Nu. 107, f. 105 (N.Z.: S.R. 1957/223, rr. 52, 55 N.Z.); S.R. 1961/6, f. 42 (N.Z.)

71. *Faiga e fai a'i palota*—(1) Ina ua maua e le tagata palota po o le tagata palota ta'ito'atasi se pepa palota, o le a tatau ona solomuli atu loa lava o ia i totonu o se tasi o potu i totonu ua tu'uina atu mo lea itu, ma o i'ina o le a na fa'ailogaina ai na o ia lava i le faiga fa'alilolilo i luga o le pepa palota le sui po o ni sui na fa'atutu mai ua mana'o o ia e palota iai i le fa'aailoga ina o se fa'a-koluse i totonu o se fa'atafafa o lo'o fa'aalia e feagai tonu ma le igoa o sui ta'itasi:

Ae vagana ai ona e leai se pepa palota o le a tatau ona te'ena e fa'apea ua le aoga a o lo'o fa'aalia manino ai le sui po o ni sui na fa'atutu mai na fa'amoemoe le tagata palota po o le tagata palota ta'ito'atasi e palota iai tusa lava po o faia lea fa'aailoga i le faiga ua suafuaina e lenei fuaiupu pe leai.

(2) E tatau i le tagata palota po o tagata palota ta'ito'atasi uma, a o le'i tu'ua e ia le potu i totonu, ona gaugau lana pepa palota ina ia le mafai ai ona va'aia mea o lo'o iai i totonu, ma o le a tu'uina atu loa le pepa ua fa'apea ona gaugau i totonu o le pusa palota.

Cf. 1956, Nu. 107, f. 106 (N.Z.); S.R. 1957/223, r. 56 (N.Z.); S.R. 1961/6, f. 43 (N.Z.)

72. *Pepa palota ua fa'aleagaina*—(1) So o se tagata po o se tagata palota ta'ito'atasi o ia lea, a o le'i tu'uina atu lana pepa palota i totonu o le pusa palota, ua na fa'amalieina le Ali'i Ofisa Ta'ita'i e fa'apea ua na fa'aleagaina lea pepa i se faiga e le'i fa'amoemoeina, e mafai ona tu'uina atu iai se pepa palota fou, a e fa'ato'a faia lea itu ina ua uma ona toe fa'afo'i mai le pepa palota ua fa'aleagaina i le Ali'i Ofisa Ta'ita'i.

(2) O le a tatau i le Ali'i Ofisa Ta'ita'i -

(a) Ona soloia pepa palota ta'itasi uma ua ia'apea ona fa'aleagaina i le tusia fa'alava ai i lona itu i luga o upu "Na fa'aleagaina e le tagata palota po o le tagata palota ta'ito'atasi, ma ua tu'uina atu iai se pepa palota fou" ma ia tusia ai i luga i'ina mata'itusi amata o lona igoa;

(b) Pe afai ua fa'aleagaina so o se pepa palota i se faiga e le'i fa'amoemoeina e le Ali'i Ofisa Ta'ita'i po o so o se tasi tasi lava ali'i ofisa, ona soloia lea pepa palota i le tusia fa'alava ai i lona itu i luga o upu "Na fa'aleagaina e le ali'i ofisa" ma isi fo'i upu e fa'apea "ma ua tu'uina atu se pepa palota fou" pe afai e fa'apea ona faia, ma ia tusia ai i luga i'ina mata'itusi amata o lona igoa;

(c) Ona taofia pepa palota uma ua fa'aleagaina io te ia se'ia o'o ina ua tapuni le faiga o palota.

(3) O le a tatau i le Ali'i Ofisa Ta'ita'i ona faia i ni ofisi 'ese-ese ma o le a tatau ona fa'ao'o mai i le Ali'i Ofisa Sili Fofi-Palota i le taimi aupito vave e ono mafaia a ua uma ona tapuni le faiga o palota, pepa palota uma ua fa'aleagaina i le fale palota uma ua fa'aleagaina i le fale palota na ta'ita'ia ai o ia.

(4) O tu'utu'uga o le puipui (1) o le fuaiupu e 83 o le Tulafono lena o lo'o faia ai tu'utu'uga mo le tu'u'eseina atu o pepa palota o le a fa'aaogaina lava i le itu i le tu'u'eseina atu o pepa palota ua fa'aleagaina.

Cf. 1956, Nu. 107, f. 107 (N.Z.); S.R. 1957/223, r. 57 (N.Z.); S.R. 1961/6, f. 44 (N.Z.)

73. *Tagata palota e tauaso pe le mafai ona fa'atatau pe tusi-tusi*—(1) So'o se tagata palota po o se tagata palota ta'ito'atasi o ia lea e tauaso atoatoa pe fai sina sulu, po o, e le mafai ona fai.

tau-tusi pe tusitusi (tusa lava po ona o se uiga e le atoatoa o le tino pe leai), po ua lē lava lona malamalama i le gāgana Peretania e palota ai e aunoa ma se fesoasoani, e mafai ona palota o ia e tusa ma tu'utu'uga o le fuaiupu lenei.

(2) I luga o le talosaga a so o sea tagata palota po o se tagata palota ta'ito'atasi ua na maua se pepa palota, o le a tatau ona o atu fa'atasi o ia ma le Ali'i Ofisa Ta'ita'i i totonu o se tasi o potu i totonu ua aiaia mo le fa'ailogaina o pepa, ma o le a mafai ona fa'ailogaina ai i'ina le pepa palota e le tagata palota po o le tagata palota ta'ito'atasi, ae fesoasoani iai le Ali'i Ofisa Ta'ita'i, po o, e mafai ona fa'ailogaina e le Ali'i Ofisa Ta'ita'i e tusa ma fa'atonuga a le tagata palota po o le tagata palota ta'ito'atasi.

(3) O le tagata o lo'o fesoasoani i le tagata palota po o le tagata palota ta'ito'atasi, o le a tatau lava on asaini lona igoa i luga o le itu i tua o le pepa palota ma o le a tatau ona fa'aopoopo i ai upu "Molimau mo le tagata tauaso po o le e fai sina sulu" po o le "Molimau mo le tagata e le mafai ona faitau-tusi pe tusitusi" po o le "Molimau mo le tagata e le mafai ona faitautusi pe tusitusi" po o le "Molimau mo le tagata e le masani i le gāgana Peretania", so o se itu e a'afia ai, ma o le a tatau ona gau-gau le pepa palota ina ia le mafai ai ona va'aia le itu i luga o le'i tu'uina atu i totonu o le pusa palota.

(4) E mafai fo'i e le faitautusi o le palota po o se tasi lava tagata e filifilia e le tagata palota po o le tagata palota ta'ito'atasi ona o atu fa'atasi ma ia i totonu o le potu i totonu ma e mafai, pe afai e fa'apea ona mana'omia e le tagata palota po o le tagata palota ta'ito'atasi, ona iloiloina le pepa palota a o le'i tu'uina atu i totonu o le pusa palota.

(5) So o se tasi o ia lea o lo'o auai e tusa ma lenei fuaiupu po o so o se tulafono fa'atonutonu i le taimi na palota ai le tagata palota po o le tagata palota ta'ito'atasi ma o ia lea ua na fa'ailogaina atu i so o se taimi i so o se tagata so o se fa'amatalaga na maua e ia uiga i le sui na fa'atu mai o le a palota po ua palota iai le tagata palota po o le tagata palota ta'ito'atasi, po o le itu i le numera o lo'o i luga o le pepa palota na tu'uina atu i le tagata palota po o le tagata palota ta'ito'atasi, ua faia e ia se solitulafono, ma o le a mafai ona fa'asalaina i le nofo i le falepuipui mo se vaitaimi e le silia le tolu masina.

Cf. 1956, Nu. 107, Nu. 108 (N.Z.); S.R. 1957/223, r. 58 (N.Z.)

74. *Taualumaga pe a o'o ina tu'uina atu sona lua o palota i le igoa lava e tasi*—Afai o so o se tagata o lo'o fa'amoemoe e palota i so o se faiga-palota ua na tu'uina mai e avea o lona igoa le

igoa, o so o se tagata ua uma ona tu'uina atu iai se pepa palota i lea lava faiga-palota, o le a tatau ona fa'afoeina o ia i itu 'ese-ese uma i le faiga lava e tasi e pei ona faia i so o se tasi tagata palota po o se tagata palota ta'ito'atasi:

Ae vagana ai ona e le tatau ona tu'uina le pepa palota a so o sea tagata i totonu o le pusa palota pe tatau ona fa'atagaina e le Ali'i Ofisa Ta'ita'i, a o le a tatau ona fa'ata'atia'e se mo le pui-puiga e taofia 'ese ai.

CE 1956, Nu. 107, f. 109, f. 109 (N.Z.); S.R. 1961/6, f. 46 (N.Z.)

Faitauga Muamua o Palota

75. *Tauulumaga a ua uma ona tapuni le palota*—(1) O le a tatau i le Ali'i Ofisa-Ta'ita'i i fale palota ta'itasi, i le taimi aupito vave e ono mafai ai a ua uma ona tapuni le faiga o palota, a o afa'atasi ai ni tagata e va'ava'ia le faiga o palota e pei ona ua filifilia ina ia auai ma failautusi tau le faiga o palota, ae le o se tasi lava tagata, ona na faia tiute nei ua ta'ua i lalo:

(a) O le a tatau ona faia i ni afifi 'ese'ese

(i) O ata po o kopi autu po o pepa fa'aopoopo o le fa'a-sologa o igoa ua fa'ailogaina ai i luga le mea moni e uiga i so o se tagata ua na maua se pepa palota; ma

(ii) O pito pepa teu-mau uma o pepa palota na tu'uina atu i tagata palota po o tagata palota ta'ito'atasi; ma

(iii) O pepa palota uma ua fa'aleagaina; ma

(iv) O pepa palota uma e le'i fa'aaogaina.

(b) O le a tatau loa ia te ia ona tatala pusa palota ma, aumai ai i fafo pepa palota uma o lo'o iai i totonu, ona sagai atu loa lea e sailia ia ma'utinoa le aofa'iga o palota ua maua e sui ta'itasi na fa'atutu mai:

(c) O le a tatau ona fa'ata'atia'ese e ia e avea o mea ua le aoga pepa palota uma e le o fa'aalia manino ai le sui na fa'atu mai e mana'o le tagata palota po o le tagata palota ta'ito'atasi e palota iai:

(d) O le a tatau ia te ia ona fa'asilasila atu le taunu'uga o le palota i le fale palota o lo'o ta'itu'uai o ia ma faia fa'atauga mo le fa'ao'oina atu o le taunu'uga o le palota i le taimi vave e mafai ai i le Ali'i Ofisa Sili Fai-Palota:

(e) O le a tatau ia te ia ona faia i ni afifi 'ese'ese

(i) Pepa palota na fa'aaogaina, fa'atasi ai (ae 'ese'ese mea e fafao ai pepa palota na fa'ata'atia'ese e avea o mea ua le aoga, ma pepa palota na fa'ata'atia'ese e tusa ma le fuaiupu e 74 o le Tulafono lenei; ma

(ii) Se pepa fa'amaoni e sainia e ia lava e uiga i le aofa'iga o palota ua maua e sui ta'itasi na fa'atutu

mai, le aofa'iga o pepa palota ua fa'ata'atia'ese e tusa ma le fuaiupu e 74 o lenei Tulafono, le aofa'i o pepa palota ua fa'aleagaina, le aofa'i o pepa palota e le'i fa'aogaina, ma le aofa'i o pepa palota na mua'i tu'uina atu ia te ia.

(2) O afifi ta'itasi uma e faia e tusa ma le fuaiupu lenei o le a tatau lava ona tusia ai i luga e le Ali'i Ofisa Ta'ita'i se fa'a-matalaga e uiga i mea o lo'o iai i totonu, le igoa o le itumalo, po o le igoa o le nofoaga na fai ai palota a tagata palota ta'ito'atasi le numera o le fale palota ma le aso o le palota; ma o le fa'a-matalaga e tusia ai i luga o le a tatau lava ona sainia e le Ali'i Ofisa Ta'ita'i; ma o le a tatau ona malutia lelei le afifi i se pepa po o se tasi mea fa'apena ma o le a tatau lava ona matua fa'a-mau lelei.

(3) O le a tatau lava i le Ali'i Ofisa Ta'ita'i ona auina atu loa afifi uma o lo'o ta'ua i totonu o lenei fuaiupu i le Ali'i Ofisa Sili Fai-Palota.

Cf. 1956, Nu. 107, f. 111 (N.Z.); S.R. 1957/223, rr. 59, 60 (N.Z.)

VAEGA VIII

TAUALUMAGA INA UA TUANA'I LE ASO O LE PALOTA

Iloiloina o Pepa o le Fa'asologa o Igoa

75. *Fa'atatau mo le iloiloina o pepa o le fa'asologa o igoa*—(1) O le a tatau i le Ali'i Ofisa Sili Fai-Palota ona na faiu fa'atatau mo se iloiloga o pepa o le fa'asologa o igoa i le taimi aupito vave e ono mafai ai a ua tapunia le faiga o palota, ma o le a tu'uina atu se fa'aaliga tusia a itiiti mai e tolu aso atoatoa i sui ta'itasi na fa'atutu mai e uiga i le taimi ma le nofoaga o le a amataina ai e ia iloiloga.

(2) E leai se tasi e 'ese ai nai lo le Ali'i Ofisa Sili Fai-Palota ma ona fecaoasani, ma se tagata e to'atasi na tofia mai e avea o le e va'ava'aia le faiga o palota e sui ta'itasi na fa'atutu mai mo lea ita, o le a tatau ona auai i le iloiloga.

(3) E leai se sui na fa'atu mai e fai i le palota e tatau ona avea o se tagata e va'ava'aia le faiga o le palota i lalo o le fuaiupu lenei.

(4) E mafai ona e fa'atatau mo se tagata e va'ava'aia le faiga o le palota e le fuaiupu lenei e fa'atatau mo se tagata e va'ava'aia le faiga o le palota e le fuaiupu lenei.

Cf. 1956, Nu. 107, f. 112 (N.Z.); S.R. 1957/223, r. 61 (N.Z.)

76. *Ia fa'atatau mo le kopi o pepa o le fa'asologa o igoa na ona fa'atatau*—(1) Ole a tatau i le Ali'i Ofisa Sili Fai-

Palota, a o aufa'atasi ai ma fa'afofoga iai ona fesoasoani (pe afai e iai) ma ni tagata e va'ava'aia le faiga o palota e pei ona filifilia ina ia auai, ae le o se tasi lava tagata, ona fefa'atusatusa-a'i le tasi ma le isi o kopi fa'amaonia uma o pepa autu ma pepa fa'aopoopo o le fa'asologa o igoa ua fa'amauiina ai i luga le mea moni e uiga i so o se tagata ua uma ona maua e ia se pepa palota, ma o le a tatau i luga o se kopi e le'i fa'ailogaina o le pepa autu ma so o se pepa fa'aopoopo o le fa'asologa o igoa (e ta'ua o le pepa e fa'a-autu iai) ona vase ai se laina fa'alava i luga o le numera ma le igoa o so o se tagata palota po o se tagata palota ta'ito'atasi o ia lea o lo'o fa'aalia i luga o so o se kopi fa'amaonia o pepa o le fa'asologa o igoa e fa'apea ua uma ona maua e ia se pepa palota.

(2) Afai e aliali mai i lea fefa'atusatusaa'iga, po o, mai le lipoti a se Ali'i Ofisa Ta'ita'i e uiga i pepa palota na fa'ata'atia-'ese e tusa ma le fuaiupu e 74 o le Tulafono lenei, ma ina ua uma se su'esu'ega e pei ona ua manatu le Ali'i Ofisa Sili Fai-Palota e tatau ai, na mana e lea lava tagata palota po o se tagata palota ta'ito'atasi se pepa palota e sili atu i lo le tasi, o le a tatau loa i le Ali'i Ofisa Sili Fai-Palota, a o aufa'atasi ai ona fesoasoani (pe afai e iai) ma ni tagata e va'ava'aia le faiga o palota e pei ona filifilia ina ia auai, ae leai se tasi lava tagata, ona tatala le afifi po ni afifi o pepa palota na fa'aaogaina i le fale palota po o ni fale palota ua aliali mai na maua ai e lea tagata palota po o se tagata palota ta'ito'atasi se pepa palota, ma o le a filifili mai ai pepa palota ua aliali mai i o latou numera fa'asolo ma o latou pito pepa teu-mau ua uma ona tu'uina atu i lea tagata palota po o le tagata palota ta'ito'atasi, ma o le a fa'aleaogaina palota ta'ito'atasi uma ua aliali mai na tu'uina atu ona o pepa palota ua fa'apea ona filifilia:

Ae vagana ai ona, afai ua malie le Ali'i Ofisa Sili Fai-Palota e fa'apea e tasi ma e na o se tasi lava o pepa palota na maua e tusa ma ala o le tulafono e le tagata palota po o le tagata palota ta'ito'atasi e tatau ona avanoa iai, ma e fa'apea e leai so o se auga na a'afia ai o ia i le tu'uina atu o le isi pepa palota po o nisi pepa palota, o le a le fa'aleaogaina loa e le Ali'i Ofisa Sili Fai-Palota le palota a lea tagata palota po o se tagata palota ta'ito'atasi i lalo o lenei fuaiupu a o le a fa'aleaogaina lava na o le isi po o isi palota.

(3) Seia vagana ai le itu i pepa palota ua fa'apea ona filifilia mai ai, o le a asiasia lava e le Ali'i Ofisa Sili Fai-Palota na o numera fa'asolo i luga o pepa palota i totonu o afifi 'ese'ese na fa'apea ona tatala, ma o le a fa'apea lava ona ufitia pepa palota ina ia leai se tagata o lo'o auai o le a na maua se avanoa na te iloa ai le sui na fa'atu mai ua palota iai so o se tagata palota

po o se tagata palota ta'ito'atasi fa'apitoo.

Cf. 1956, Nu. 107, f. 113 (1), (2) ma le (4) (N.Z.); S.R. 1957/223; r. 62 (N.Z.)

78. *Ia matua fa'amaui lelei afifi ina ua uma le iloiloga*—(1) A o'o ina ua uma ona filifilia e le Ali'i Ofisa Sili Fai-Palota mai so o se afifi pepa palota uma e mana'o o ia e filifilia mai ai, o le a tatau loa ia te ia, a o aufa'atasi ai ona fesoasoani (pe afai e iai) ma ni tagata o va'ava'aia le faiga o palota e pei ona filifilia ina ia auai, ae leai so o se tasi lava tagata, ona tapunia ma nonoa ia mau le afifi, ma o le a tusia ai i luga se fa'amatalaga o le mea moni e uiga i pepa palota ua uma ona filifilia mai lea afifi, ia fa'ailogaina ai fa'apitoo ia lava pepa i le igoa o le tagata ua aliali mai na fa'ao'o atu iai ia pepa, ma o le a sainia le fa'amatalaga e tusia ai i luga i lona lava igoa.

(2) O le a fa'atu'atia 'ese e le Ali'i Ofisa Sili Fai-Palota pepa palota uma na filifilia e ia mai so o se afifi e pei ona aiaia i'inei, ma o le a tatau a o aufa'atasi ai ona fesoasoani (pe afai e iai) ma ni tagata e va'ava'aia le faiga o palota e pei ona filifilia ina ia auai, ae le o so o se tasi lava tagata, ona tu'uina atu ia mautu ia pepa palota i totonu o se afifi e 'ese ai. ma o le a tusia ai i luga o le afifi se fa'amatalaga e uiga i mea o lo'o iai i totonu o lea lava afifi. ma o le a sainia le fa'amatalaga ua tusia ai i luga i lona lava igoa.

Cf. 1956, Nu. 107, 114 (N.Z.); S.R. 1957/223, r. 63 (N.Z.)

Faitauga Fa'amaonia ma le Ta'utinoga o le Palota

79. *Faitauina o palota*—(1) A o'o ina ua mae'a le iloiloga ua ta'ua muamua nei i luga o le a tatau loa i le Ali'i Ofisa Sili Fai-Palota, fa'atasi ai ma ni fesoasoani e pei ona manatu o ia e tatau ai, ma a o aufa'atasi ai ni tagata e va'ava'aia le faiga o palota na tofia i lalo o le fuaiupu e 76 o lenei Tulafono e pei ona filifilia ina ia auai, ae le o so o se tasi lava tagata, ona filifilia ma tatala se tasi o afifi o pepa palota na fa'aaogaina o lo'o ta'ua i le parakarafa (e) o le puipui (1) o le fuaiupu e 71 o lenei Tulafono ma o le a fa'ailogaina pepa palota ta'itasi o lo'o iai i totonu i se fuainumera fa'asolo, e amata i le numera tasi. ina ia leai ni pepa palota se lua o lo'o i totonu o lea afifi e tauaveina ai le numera lava e tasi:

Ae yagana ai ona e le tatau ona fa'atuai le taualumaga o lo'o fa'aalia i totonu o lenei puipui se'ia o'o ina ua mae'a ni su'esu'ega e tusa ma le puipui (2) o le fuaiupu e 71 o lenei Tulafono, ae le tatau ona faitauina pepa palota mai o so o se fale palota fa'apitoo se'ia o'o ina ua mae'a so o se su'esu'ega i le itu i pepa palota mai lea fale palota.

(2) Afai ua uma ona fa'ailogaina pepa palota mai le afifi na fa'apea ona filifilia e pei ona ta'ua i luga, o le a tatau i le Ali'i Ofisa Sili Fai-Palota ona faia se fa'amatalaga fa'amauiina e uiga i le numera mulimuli na fa'ailogaina, ma o le a tatau i lea taimi, a o afa'atasi ai ona fesoasoani (pe afai e iai) ma ni tagata e va'ava'aia le faiga o palota e pei ona filifilia ina ia uai, ae le o se tasi lava tagata, ona tagofia pepa palota e pei ona fa'aalia i lalo:

- (a) O le a te'ena e ia e avea o se mea e lē aogā so o se pepa palota -
 - (i) E le o tau'aveina ai le fa'ailoga fa'amaonia pe afai o lo'o iai se mafuaga tatau e talitonu ai e le'i tu'uina atu lea pepa i se tagata palota po o se tagata palota ta'ito'atasi e so o se Ali'i Ofisa Ta'ita'i; po o
 - (ii) E le o fa'aalia manino ai le sui na fa'atu mai na mana'o le tagata palota po o le tagata palota ta'ito'atasi e palota i ai; po
 - (iii) E iai so o se mea e le'i fa'atagaina e lenei Tulafono ua tusia pe fa'ailogaina ai i luga e mafai ona iloa gofie ai le tagata palota po o se tagata palota ta'ito'atasi; po o
 - (iv) Ua fa'auigaina e palota ai i ni sui na fa'atu ma: e sili atu i lo le aofa'iga o sui na fa'atutu mai e tatau ona filifilia:

Ae vagana ai ona e leai se pepa palota o le a tatau ona te'ena e avea o se mea ua lē aogā ona o le mafuaga e tasi e fa'apea o lo'o iai se uiga fa'aletonu i le faiga ua tagofia a'i e le tagata palota po o le tagata palota ta'ito'atasi pe afai o lo'o sagatonu pea i nisi itu, ma pe afai ua iai i le taofi e le Ali'i Ofisa Sili Fai-Palota o lo'o manino ona fa'aalia le fa'amoe moe o le tagata palota po o le tagata palota ta'ito'atasi:

Ae vagana ai foi ona e leai se pepa palota o le a tatau ona te'ena e avea o se mea ua lē aogā ona o le mafuaga e tasi e fa'apea o lo'o iai se sesē po o se mea ua pa'ū ma ua le'i faia i le itu i se ali'i ofisa, pe afai ua malie le Ali'i Ofisa Sili Fai-Palota e fa'apea ua agava'a le tagata palota po o le tagata palota ta'ito'atasi e palota i le faiga-palota:

- (b) O le a tatau loa i le Ali'i Ofisa Sili Fai-Palota ona faitauina le aofa'iga o palota na maua e sui ta'itasi na fa'atutu mai, ma le aofa'iga o palota na te'ena e avea o mea ua lē aogā, ma fefa'atusatusaa'i le taunu'uga o lea faitauga ma le pepa fa'amaoni a le Ali'i Ofisa Ta'ita'i i le itu i le ulua'i faitauga, ma o le a tatau, pe afai e tatau ai, ona toe teuteu lea pepa fa'amaoni, ma o le a tatau lava ona tusia ai mata'itusi-amata o le igoa o le Ali'i

Ofisa Sili Fai-Palota i pepa fa'amaoni ta'itasi uma fa'a-pena:

(c) O le a tatau loa i le Ali'i Ofisa Sili Fai-Palota ona faia ma fa'amautuina le afifi ia fou, ma tusia ai i luga se fa'amatalaga o lo'o fa'aalia ai le aofa'i o pepa palota o lo'o aofia ai i totonu o le afifi, le aofa'i o palota na maua e sui ta'itasi na fa'atutu mai, le aofa'i o pepa palota ua le aoga, le igoa o le nofoaga na fai ai le palota, ma le numera o le fale palota na fa'amauiina ai palota; ma o le a tatau ona sainia lea fa'amatalaga ua tusia ai i luga e le Ali'i Ofisa Sili Fai-Palota.

(3) A o'o ina ua uma ona tagofia pepa palota mai se tasi afifi i le faiga ua ta'ua muamua i luga, o le a fa'apena lava ona tagofie auaua'i afifi o lo'o totoe i lea lava faiga e tasi, ma o le fa'ailogaina o pepa palota ia amata lava i le numera tasi i le itu i afifi ta'itasi.

Cf. 1956, Nu. 107, f. 115, (1), (2) ma le (3) (N.Z.); S.R. 1957/223, r. 64 (N.Z.)

80. *Ta'utinoga o le taunu'uina o le palota*—(1) A o'o ina ua uma ona tagofia pepa palota uma e pei ona ta'ua i luga, o le a tatau i le Ali'i Ofisa Sili Fai-Palota, ina ua uma ona sailia ia mautinoa le aofa'iga atoa o palota na maua e sui ta'itasi na fa'atutu mai, ona ta'utino atu le taunu'uga o le palota e aofia ai le aofa'iga o palota na maua e sui ta'itasi na fa'atutu mai i le tu'uina atu o se fa'aaliga fa'alaua'itele mo tagata uma e uiga i lea itu i le pepa Nu. 9. ma lipoti atu le taunu'uga o le palota i le Ao o le Malo. O le taimi lea o le a fa'aalia manino ai loa e le Ao o le Malo, i se tasi fa'amaoni e saini ai lona a'ao, le sui po o ni sui ua fa'amanuiaina e fa'apea ua filifilia.

(2) Afai o lo'o iai se tulaga e tutusa ai palota i le va o sui na fa'atutu mai ma o le fa'aopoopoina o se palota o le a mafai ai ona fa'aalia se tasi o ia sui na fa'atutu mai e fa'apea ua filifilia, o le a talosaga atu loa le Ali'i Ofisa Sili Fai-Palota i se Fa'amasino Maulalo mo se toe faitauga i lalo o le fuaiupu e 81 o le Tulafono lenei, ma o le a fa'apea lava ona fa'aaoga iai tu'utu'uga uma o lea fuaiupu, ae vagana ai ona e leai se tupe-teu o le a tatau ona totogi.

Cf. 1956, Nu. 107, f. 116 (N.Z.; S.R. 1957/223, r. 65 (N.Z.)

Toe Faitauga

81. *Talosaga i se Fa'amasino Maulalo ma se toe faitauga*—(1) Afai e iai se mafuaga e talitonu ai so o se sui na fa'atutu mai e fa'apea ua le o sa'o le ta'utinoga a le Ali'i Ofisa Sili Fai-Palota e uiga i le aofa'iga o palota na maua e sui ta'itasi na fa'atutu...

mai, ma o luga o se toe faitauga o palota a sui ia ua ta'ua mua-mua i luga atonu o le a maua ai se sui na fa'atu mai e ao ina filifilia, e mafai e ia, i totonu o aso e tolu talu ona tu'uina atu le fa'asilasilaga mo tagata uma e uiga i le taunu'uga o le faiga-palota, ona talosaga i se Fa'amasino Maulalo mo se toe faitauga o palota.

(2) O le a tatau i so o sea talosaga ona tu'uina mai fa'atasi ma se tupe-teu e sefulu ma le lima pauni.

(3) O le a poloa'iina loa e le Fa'amasino Maulalo se toe faitauga o palota ina ia amataina i totonu o aso e tolu talu ona maua mai le talosaga, ma o le a tatau ona tu'uina atu se fa'alaliga tusia i le Ali'i Ofisa Sili Fai-Palota ma isi sui ta'itasi na fa'atutu mai po o a latou tagata e va'ava'aia le faiga o palota e uiga i le taimi ma le nofoaga o le a fai ai le toe faitauga.

(4) O le a tatau ona fai le toe faitauga a o aufa'atasi ai le Fa'amasino Maulalo po o se ali'i ofisa na tofia e ia mo lea mataupu. Ma o le a tatau e tusa ma le tulaga e ono mafai ona o'o iai ona faia i le faiga o lo'o ajia i le itu i le ulua'i faitauga:

Ae vagana ai ona e leai se tagata o le a tatau ona auai i le toe faitauga se'ia vagana ai le Fa'amasino Maulalo po o le ali'i ofisa na tofia e ia, ona fesoasoani (pe afai e iai), le Ali'i Ofisa Sili Fai-Palota ma ona fesoasoani (pe afai e iai), ma tagata e va'ava'aia le faiga o palota na tofia i lalo o le fuaiupu e 76 o le Tulafono lena.

(5) I so o se mataupu pe afai o lo'o iai se tulaga tutusa o palota i luga o so o se toe faitauga e tusa ma le fuaiupu lena i le va o sui na fa'atutu mai ma o le fa'aopoopoina o se palota o le a ono mafai ona fa'ualia manino ai se to'atasi o ia sui na fa'atutu mai e fa'ape ua filifilia, o le a sa'ilia ai se tonu e le Ali'i Ofisa Sili Fai-Palota i se se'i po o se faiga fa'apena ia iloa ai po o ai le sui na fa'atu mai o le a tatau ona filifilia.

(6) O le a iai i le Fa'amasino Maulalo pule uma sa iai i le Ali'i Ofisa Sili Fai-Palota i le ulua'i faitauga, ma e mafai ona na toe felua'iina so o se fa'ai'uga na faia e le Ali'i Ofisa Sili Fai-Palota i le fa'ataunu'uina o ia pule.

(7) Afai e maua e le Fa'amasino Maulalo i le toe faitauga e fa'apea na le sa'o le ta'utinoga o le taunu'uga o le palota, o le a poloa'iina loa e ia le Ali'i Ofisa Sili Fai-Palota ina ia faia se ta'utinoga toe teuteuina o le taunu'uga o le palota i le tu'uina atu o se fa'aaliga fa'alaua'itele mo tagata uma e uiga i lea itu i le pepa Nu. 9 ma ia tu'uina atu se lipoti toe teuteuina o le taunu'uga o le palota i le Ao o le Malo. O le a soloia loa e le Ao o le Malo, i se tusi fa'amaoni e saina ai lona a'ao, lana tusi fa'a-

maoni talu ai ma fa'aalia manino sui na fa'atutu mai ua fa'a-manuiaina e fa'apea ua filifilia.

(8) E mafai e le Fa'amasino Maulalo ona fai se poloa'iga e uiga i totogi o, ma mea e ono alia'i mai i le toe faitauga e pei ona ua manatu o ia e tatau ai, ma, ae noatia ma fai fuafua i so o sea poloa'iga o le a fa'atonuina le tupe na totogi mai e tusa ma lenei fuaiupu ina ia toe fa'afo'i atu i le tagata na ia totogiina mai lea tupe.

Cf. 1956, Nu. 107, f. 117 (N.Z.); S.R. 1957/223, r. 66 (N.Z.)

82. *Iaf efa'atusatusaa'i pepa palota ma le pepa fa'amaoni i le toe faitauga*—(1) I so o se toe faitauga e faia e pei ona ta'ua muamua i luga, o le a tatau lava i le Ali'i Ofisa Sili Fai-Palota ona na tu'uina atu i le Fa'amasino Maulalo pepa palota uma na fa'aaogaina, fa'atasi ai ma le pepa fa'amon'i o lo'o fa'aalia ai le aofa'iga o pepa palota na fa'aaogaina i le faiga-palota.

(2) Afai e maua e le Fa'amasino Maulalo ina ua fefa'atusatusaa'i le aofa'iga o pepa palota o lo'o fa'aalia i totonu o le pepa fa'amaoni ma pepa palota na fa'aaogaina i le faiga-palota e fa'apea ua iai so o se pepa palota ua leiloa, gaoia, po ua aiaina i so o se auala a o fa'agasolo le vaitaimi e i le va o le faitauga fa'amaoni ma le toe faitauga, o le a fa'atatauina loa e fa'apea ua sa'o le faitauga fa'amaoni na faia e le Ali'i Ofisa Sili Fai-Palota, ma o le a fa'apea lava ona fa'aalia manino le taunu'uga o le palota. Afai ua aliali mai i so o sea mataupu o lo'o iai se tulaga tutusa o palota i le va o sui na fa'atutu mai ma o le fa'aopoopoina o se palota o le a mafai ai ona maua se to'atasi o ia sui na fa'atutu mai e ao ina fa'aalia manino e fa'apea ua filifilia. o le a sailia loa i se se'i po o se faiga fa'apena e le Ali'i Ofisa Sili Fai-Palota se tonu pe mata o ai le sui na fa'atu mai o le a tatau ona filifilia.

Cf. 1956, Nu. 107, f. 118 (N.Z.); S.R. 1957/223, r. 66 (N.Z.)

O le Tu'u'eseina atu o Pepa Palota

83. *O le tu'u'eseina atu o pepa palota, pepa o le fa'asologa o igoa, ma isi mea*—(1) I le taimi aupito vave e ono mafai ai a ua tu'ana'i le aso o le palota o le a tatau ona fafaoina ai e le Ali'i Ofisa Sili Fai-Palota i ni ta'ui 'ese'ese i le faiga lenei ua ta'ua 'ese'ese po o le faia ma fa'amautuina e ia lava. o lona uiga:

(a) O le a tatau ia te ona fafao i totonu o se ta'ui e tasi po o ni ta'ui 'ese'ese e sili atu afifi uma o pepa palota na fa'aaogaina, ma pito pepa teu-mau uma e talafeagai tonu ma ia pepa palota; i totonu o se ta'ui e tasi po o nisi ta'ui 'ese'ese e sili atu afifi uma o pepa palota e le'i fa'aaogaina ma pepa palota ua fa'aleagaina; i totonu o se tasi

ta'ui afifi uma o pepa palota na fa'ata'atia'ese e tusa ma le fuaiupu e 74 ma le fuaiupu e 78 o le Tulafono lenei; ma totonu o se ta'ui e tasi po o nisi ta'ui 'ese'ese e sili atu afifi uma o lo'o aofia ai fa'amatalaga e uiga i pepa palota, kopi o pepa o fa'asologa o igoa (ae vagana ai le pepa e fa'a-autu iai le fa'asologa o igoa), tusi, po o nisi lava pepa, e pei ona aiaia i totonu o le Tulafono lenei.

- (b) O le a tatau ia te ia ona fa'amaopopo lelei ia ta'ui 'ese'ese, ma ia tusia ai i o latou luga se fa'amatalaga e uiga i mea o lo'o iai i totonu o ia ta'ua ta'itasi: ma le igoa o le itumalo po o tagata palota ta'ito'atasi, le igoa o le nofoaga na fai ai le palota ma le numera o le fale palota; ma le aso o le palota; ma e tatau ona sainia le fa'amatalaga ua tusia ai i luga; ma o le a tatau loa ona auina atu ia po ua na poloa'ina ina ia totogi atu so o se tupe i, po o, ta'ui ua ta'ua i luga i le Resitara o le Fa'amasinoga Sili.
- (c) O le a tatau fo'i i lea lava taimi ona fa'amaopopo lelei ma auina atu i le Resitara o le Fa'amasinoga Sili se afifi o lo'o aofia ai pepa palota uma na lomia mo le faiga-palota ma e le'i fa'aaogaina e le Ali'i Ofisa Sili Fai-Palota pe tufatufa atu mo le fa'aaogaina i so o se Ali'i Ofisa Ta'itai.

(2) O le a tatau loa lava i le Resitara o le Fa'amasinoga Sili ona tu'uina atu po o le auina atu i le Ali'i Ofisa Sili Fai-Palota se lisiti e saini ai lona a'ao mo ta'ui ma afifi ua ta'ua i luga.

(3) O le a tatau i le Ali'i Ofisa Sili Fai-Palota ona auina atu le pepa e fa'a-autu iai le fa'asologa o igoa i le Resitara na tofia i lalo o le fuaiupu e 3 o le Tulafono lenei ma o le a tausia lava e le Resitara lea mea se'ia o'o ina ua tapuni ma ua fa'ai'uina le faiga-palota aoao o lo'o lumanai ai. E mafai e so o se tagata palota po o se tagata palota ta'ito'atasi ua fa'amauiina ona asiasia so o se pepa e fa'a-autu iai le fa'asologa o igoa i le ofisa o le Resitara e aunoa ma le totogiina o so o se totogi i so o se taimi pe a o'o ina tatala le ofisa mo le faiga o galuega.

Cf. 1956, Nu. 107, f. 121 (N.Z.); S.R. 1957/223, r. 67 (N.Z.)

81. *O le tu'u'eseina atu o ta'ui*—(1) O le a tatau ona tausia saogalemu ta'ui ma afifi mo se tausaga e tasi e le tatalaina, ae se'ia vagana ona ua poloa'ina e se Fa'amasinoga ua iai le puleaga e tatau ai ina ia tatalaina i latou, po so o se tasi o i latou.

(2) I le fa'ai'uga o le tausaga e tasi, o le a tatau loa ona fa'atama'ia ta'ui ma afifi e le talaia a o aufa'atasi ai le Resitara o le Fa'amasinoga Sili ma le Failautusi o le Fono Aoao Faitulafono.

Cf. 1956, Nu. 107, f. 122 (N.Z.); S.R. 1957/223, r. 67 (N.Z.)

85. *Pepa e aveina mai afifi e avea ma molimau i nisi itu—*

(1) So o se pepa palota, ma so o se kopi o se pepa o le fa'asologa o igoa, ma so o se tusi ua fa'atatauina e fa'apea na aveina mai so o sea afifi e pei ona ta'ua muamua i luga, ma ona ua tusia ai luga o ia mea ta'itasi, i le a'ao o le Resitara o le Fa'amasinoga Sili, se pepa fa'amaoni o itu auiliili 'ese'ese e mana'omia e lenei Tulafono ina ia tusia ai se fa'amaoniga i luga o le afifi, o le a avea lava lea ma molimau mautu i totonu o so o se Fa'amasinoga po o luma o so o se Komiti o le Fono Aoao Faitulafono e fa'apea ona aveina sea mea ma o lona uiga, afai o se pepa palota, na tu'uina atu ma, afai o se pepa o le fa'asologa o igoa po o se tusi, na tautia pe na fa'aaoga i le faiga-palota ma le fale palota e fa'asino iai le fa'amaoniga ua tusia ai i luga ma le tusitusiga.

(2) So o se pepa palota ua fa'apea ona fa'amaonia o le a avea lava lea ma molimau o se palota na tu'uina atu i se faiga-palota, ma o le talafeagai ai ma le tutusa lelei o le numera o lo'o fa'aalia i luga o le pepa palota ma le numera o lo'o fa'aalia i luga o so o se pepa o le fa'asologa o igoa ua fa'apea ona fa'amaonia e avea o se mea tau lea lava fa'iga-palota ma le fale palota, e tusa ma le a'ano moni o lea lava pepa palota ua ta'ua i luga.

(3) A o le itu i pepa palota na fa'ata'atia'ese pe na filifilia e se Ali'i Ofisa Ta'ita'i po o, e le Ali'i Ofisa Sili Fa'i-Palota, o le talafeagai ma le fetui lelei o le a fa'ato'a avea lea ma molimau o se tagata na palota i le igoa o lo'o fa'aalia i luga o le pepa o le fa'asologa o igoa.

Cf. 1956. Nu. 107. f. 123 (N.Z.)

Fa'atumauiina o le Noso-Lelei i Faiga-Palota

86. *Ia fa'atumauiina e le Ali'i Ofisa Ta'ita'i le noso-lelei—*

(1) O le a tatau i Ali'i Ofisa Ta'ita'i ta'itasi uma ona fa'atumauiina le noso-lelei ma ia tautia le noso-filemu i le nosoga e fai ai le palota po o le fale palota o lo'o ta'ita'iina ai e ia le faiga o palota, ma e mafai, e aunoa ma so o se tasi lava tusi-saisai e 'ese ai nai lo le Tulafono lenei.

(a) Ona poloa'iina ina ia saisiā ma aveina i luma o se Fa'amasino Maulalo so o se tagata ua masalomia i ala e tatau ai ua na faia po o lo'o taumafai ina ia faia i le nosoga e fai ai palota po o le fale palota so o se tasi o solitulafono o lo'o ta'ui i totonu o le fuaiupu e 92 o le Tulafono lenei; po o

(b) Ona poloa'iina ina ia ave'eseina so o se tagata o ia lea ua na fa'alavelaveina auala e ui atu ai tagata i se fale palota, po ua na fa'alavelaveina ma le loto iai ma se uiga e le tatau ai le fa'agasologa tau le faiga o palota, po na

na tu'uina atu o ia lava i se faiga e le tusa ma tatau ai, po ua na fa'atupuina se fa'apisapisao, po ua na faia ma le loto iai se gaioiga i so o se faiga e lu'itau atu ai i fa'atonuga e tusa ai ma le tulafono a le Ali'i Ofisa Ta'ita'i.

(2) O le a tatau i leoleo uma ona lagolago atu ma fesoosoa ni i le Ali'i Ofisa Ta'ita'i i le fa'ataunu'uina o lona tiute.

Cf. 1956, Nu. 107, f. 124 (N.Z.); S.R. 157/223, r. 69 (N.Z.)

87. *Tolopoina o le Palota*—(1) Afai ua le mafai ona amata po ua tatau ona taofia le faiga o palota i so o se nofoaga e fai ai palota, tusa pe pogai mai i se fa'anununu po o se uiga vevesi e fa'aaogaina ai le malosi, se mala faigata e tupu sua mai lava ia, po o so o se tasi lava mafuaga, o le a tatau loa ona tolopoina e le Ali'i Ofisa Ta'ita'i le faiga o le palota i lea nofoaga e fai ai palota se'ia o'o i le aso e soso'o ai, ma afai e tatau ai ia tolopoina mai lea aso i lea aso se'ia o'o ina ua mafai ona faia le palota, ma o le a tatau loa lava ona tu'uina atu se fa'aaliga mo tagata uma e uiga i le tolopoina i se faiga e pei ona ua manatu o ia e tatau ai.

Ac vagana ai ona e le tatau ona tatalaina pea le faiga o palota mo se taimi e sili atu i lo le iva itula le aofa'iga atoa i so o se nofoaga e fai ai palota.

Cf. 1956, Nu. 107, f. 123 (N.Z.); S.R. 1957/223, r. 70 (N.Z.)

Tausiga o Pepa Palota

88. *Taofia o ni uiga sesē e fa'asino i pepa palota*—Ina ia taofia le faia i so o se faiga-palota o ni uiga sesē i le itu i le unia i se ala e le tatau ai o ni pepa palota, o le a fa'aaogaina i ai tu'u-tu'uga nei ua ta'ua i lalo:

- (a) O le a tatau i le Ali'i Ofisa Sili Fai-Palota ona tu'uina atu i le tagata o lo'o lolomiina pepa palota se lisiti o lo'o fa'aalia ai le aofa'iga atoa o pepa palota na maua e ia, ma o le a ave ma tiute o le tagata lomitusi le va'aia ua vave fa'atamatia loa lava kopi uma o pepa palota e 'ese ai nai lo le pepa palota ia ua fa'ao'o atu i le Ali'i Ofisa Sili Fai-Palota;
- (b) O le a tatau i Ali'i Ofisa Ta'ita'i ta'itasi uma ona tu'uina atu i le Ali'i Ofisa Sili Fai-Palota se lisiti o lo'o fa'aalia ai le aofa'iga atoa o pepa palota na maua e ia, ma o le a lafo atu ia te ia lava le avega tau'ave mo le tausiga saogalemu o ia pepa palota uma mai le taimi na te maua ai ia pepa se'ia o'o i le taimi e tu'u'ecina atu ai ia lava pepa palota e tusa ma lenei Tulafono;
- (c) O le a lafo atu i Ali'i Ofisa Ta'ita'i ta'itasi uma le tau'ave mo le tausiga saogalemu o pepa palota a...

na fa'aaogaina i le fale palota o lo'o ta'ita'i ai o ia mai le taimi na tu'uina atu ai pepa palota ta'itasi i totonu o le pusa palota e le tagata palota po o le tagata palota ta'ito'atasi se'ia o'o ina ua fa'ao'o atu le afifi o pepa palota ua fa'aaogaina i le Ali'i Ofisa Sili Fai-Palota e pei ona aiaia i totonu o le Tulafono lenei ma ina ua maua e le Ali'i Ofisa Ta'ita'i mai le Ali'i Ofisa Sili Fai-Palota se lisiti tusia mo le afifi, le lisiti lea e mana'omia le Ali'i Ofisa Sili Fai-Palota na te tu'uina atu i itu uma ina ua fa'ao'o atu iai sea afifi;

- (d) I lea lava faiga e tasi, o le lafo atu lava i le Ali'i Ofisa Sili Fai-Palota lava ia le avega tau'ave mo le tausiga saogalemu o pepa palota uma na fa'aaogaina e fa'asino iai se lisiti ua tunina atu e ia ise alii Ofisa Ta'ita'i, se'ia o'o ina ua auina atu ia pepa palota e ia i le Resitara o le Fa'amasinoga Sili e pei ona ta'ua muamua i luga;
- (e) So o se tasi o ia lea ua na le faia la'asaga e tataui ai ina ia fa'amautuina ai le tausiga saogalemu o pepa palota uma na lafo atu ia te ia lo latou tausiga, ma ua o'o ai ina ave'esaina so o sea pepa palota mai lana tausiga, o le a mafai ona fa'asalaina o ia i se sala e le silia le limasefulu pauni po o le nofo i le falepuipui mo se vaitaimi e le silia le ono masina;
- (f) O le a mafai ona fa'asalaina so o se tagata i se sala e le silia le limasefulu pauni o ia lea ua na fa'atagaina ma le loto iai po o le fa'atamala so o se kopi o se pepa palota na lolomi'e ia ina ia o'o atu i lima o so o se tagata e 'ese ai nai lo le Ali'i Ofisa Sili Fai-Palota;
- (g) O le a mafai ona fa'asalaina so o se tagata i se sala e le silia le limasefulu pauni o ia lea ua na maua po ua ia te ia so o se pepa palota e 'ese ai nai lo so o se pepa palota na tu'uina atu ia te ia e le Ali'i Ofisa Sili Fai-Palota po o se Ali'i Ofisa Ta'ita'i mo le mataupu tau le fa'amauiina ai o lana palota, po ua na taofia so o se pepa palota ma tu'u ia te ia lava a ua tu'ua e ia so o se fale palota.

Cf. 1956, Nu. 107, f. 126. (N.Z.): S.R. 1957 223, rr. 68 (N.Z.)

Solitulafono i Faiga-Palota

89. O le aiaia ma le fa'atosinaia o tagata palota po o tagata palota ta'ito'atasi—(1) Ua faia e so o se tagata se solitulafono ma o le a mafai ona fa'asalaina ai i se sala e le silia le limasefulu pauni o ia lea, i se faiga palota -

- (a) Ua na fa'atosina i so o se auula so o se tagata po o se

tagata palota ta'ito'atasi tusa lava po o totonu o le fale palota po o, a o alu atu o ia iai, ma le fa'amoemoe ina fa'atosina ai o ia po o le fautuaina ai o ia e uiga i lana palota:

- (b) I so o se taimi o le aso e fai ai palota a o le'i tapunia le faiga o palota i totonu po e iloa atu pe mafai ona fa'a-fogaina i so o se nofoaga faitele, a ua na faia po ua auai i so o se fa'aaliga tino mai po o se solo i le auala e fa'aalia ai le lagona o tagata, le itu lea o lo'o iai se uiga tu'usa'o po o se faiga fa'aalatua e fa'asino i le palota e faia i so o se auala, tusa lava po o le a.
- (c) I so o se taimi i le aso o le palota a o le'i tapunia le faiga o palota, ua na faia so o se fa'amatalaga o lo'o iai se uiga tu'usa'o po o se faiga fa'aalatua e fa'asino i le palota e ui atu i so o se mea fa'aleotele-leo po o se masini e fa'asalalau ai lauga po o se masini fai-tifaga:
- (d) I so o se taimi i le aso o le palota a o le'i tapunia le faiga o palota, ua na lolomiina po ua na tufatufaina atu po ua na fa'ao'oina atu i so o se tagata so o se mea e avea, po ua fa'atauinia o le a avea ma fa'atusa o so o se pepa palota o le a fa'aogaina i le palota ma o lo'o iai i luga igoa o sui ua fa'atutu mai po o so o se tasi o o latou, fa'atasi ai ma so o se fa'atonuga po o le fa'ailoga e fa'asino i le sui na fa'atu mai o le a tatau ona palota iai so o se tagata, po o lo'o aofia ai i so o se auala so o se fa'atonuga po o se fa'asinoga, po o lo'o iai i luga so o se mea ua foliga mai e ono fa'atosinaina ai so o se palota:
- (e) I so o se taimi i le aso o le palota a o le'i tapunia le faiga o palota, ua na fa'aalia i totonu po o se mea e mafai ona iloa atu i so o se nofoaga faitele, po ua na fa'asalalauina po ua na tufatufaina atu po ua na fa'asalaina i le uaealesi, so o se fa'amatalaga o lo'o fautuaina ai po ua fa'amoemoeina po ua foliga mai e ono fa'atosinaina ai so o se tagata po o se tagata palota ta'ito'atasi e uiga i le sui e tatau ona palota iai o ia:

Ae vagana ai ona e le tatau ona fa'aogaina le parakarafa leni i so'o se fa'amatalaga i totonu o se nusipepa na fa'asalalauina a o humana'i le itula e ono i le taeao o le aso o lo'o humana'i ai le aso e fai ai le palota:

Ae vagana ai fo'i ona afai ua fa'apea ona fa'aalia so o se fa'amatalaga a o humana'i le aso e fai ai le palota i se tulaga e le va'aia mai le nofoaga e fai ai le palota, o le a le avea o se solitulafono le tu'u ai pea o lea fa'amatalaga ua fa'apea ona fa'aalia i le aso e fai ai le palota:

Ae vagana ai fo'i ona e mafai e le Ali'i Ofisa Sili Fai-Palota

i so o se taimi o le aso e fa iai le palota ona poloa'iina ina ia ave'escina po o le faia o se faiga ina ia le mafai ai ona faitauina so o se fa'amatalaga e fa'asino iai le parakarafa lenei, lea o loo fa'aalia i totonu o se 'afa maila mai le nofoaga e fai ai le palota, ma e mafai ona toe maua mai tupe uma na fa'aaluina i le faiga o lea itu mai tagata na latou fa'aalia, po o tagata e ona le fa'atonuga na fa'aalia ai le fa'amatalaga, e avea o se aitalafu e tatau ona totogi atu e i latou i le tulaga so'ofa'atasi ma i latou ta'ito'atasi i le Malo:

(f) I so o se taimi i le aso o le palota a o le'i tapunia le faiga o palota, ua na lomia po ua na tufatufaina atu po ua na fa'ao'oina atu i so o se tagata so o se pepa ma'a'a po o se pepa, (tusa lava po o se fa'atusa o le pepa palota pe leai) o lo'o iai i luga igoa o sui na fa'atutu mai po o so o se tasi o i latou:

(g) Ua na fa'aalia po ua na tu'uina i totonu o so o se fale palota so o se pepa ma'a'a po o se pepa o lo'o iai i luga o so o se fa'asinoga po o se fa'aailoga e uiga i le auala e tatau ona palota ai so o se tagata po o le faiga e fai ai le palota:

(h) I so o se taimi i le aso o le palota a o le'i tapunia le palota, i totonu, po o i le mea e ulufale atu ai i, po o tafa-tafa ane o, so o se nofoaga e fai ai le palota, po o se fale palota -

(i) Ua na tu'uina atu po ua ofo na te tu'uina atu i so o se tagata so o se fa'amatalaga tau-fofoga e uiga i so o se igoa po o le numera i luga o le pepa autu po o le pepa fa'aopoopo o le fa'asologa o igoa na fa'aogaina i le faiga-palota:

(ii) Ua na fa'atagaitaina po ua ofo na te fa'atagaitaina atu i so o se tagata ina ia su'esu'eina so o se kopi o le pepa autu ma le pepa fa'aopoopo o le fa'asologa o igoa o lo'o fa'aogaina i le faiga-palota.

(2) O le a le avea o se solitulafono e fa'asaga i lenei fuaiupu mo so o se tagata le ofoina po o le fa'aalialia (tusa po o luga o lona lava tino pe leai) so o se fa'aailoga tau se vaega.

(3) Eleai se mea o i totonu o lenei fuaiupu o le a fa'aogaina i so o se fa'amatalaga po o se fa'asilasilaga fa'ale-malo na faia pe na fa'aalia i lalo o le pule fa'ataga a lenei Tulafono.

Cf. 1956, Nu. 107, f. 127 (N.Z.); S.R. 1957/223, r. 73 (N.Z.)

90. *Fa'asalalauina o ni mea tau-fa'aleaga i le taimi o le faiga-Palota*—O le a mafai ona fa'asalaina so o se tagata i se ala e le silia le lima-sefulu pauni po o le nofo i le falepuipui mo se vai-taimi e le silia le tolu masina o ia lea, i so o se taimi a ua uma

ona tu'uina atu se fa'aaliga mo tagata uma e le Ali'i Ofisa Sili Fai-Palota e tusa ma le fuaiupu e 45 po o le fuaiupu e 47 o le Tulafono lenei ma a o le'i tapunia le faiga o palota, ua na fa'asalalauina po ua na fa'aalia, po ua na faia se la'asaga ina ia fa'asalalauina po ua na fa'aalia, po ua na faia se la'asaga ina ia fa'asalalauina ai pe fa'aalia, ina ia va'uaia e tagata uma so o se pepa po o se tusitusiga po o se pepa lolomi o lo'o aofia ai so o se fa'amatalaga sese e tau-fa'aleaga ai i so o se sui na fa'atu mai ma ua fuafuaina ina ia fa'atosina mai i le palota a so o se tagata palota po o se tagata palota ta'ito'atasi.

Cf. 1956, Nu. 107, f. 128 (N.Z.); S.R. 1957/223, r. 74 (N.Z.)

91. *Tineia po o le suia o le fa'aailoga fa'amaonia i luga o le pepa palota*—O le a mafai ona fa'asalaina so o se tasi i se sala e le silia le limasefulu pauni o ia lea ua na tineia, soloia, po ua na suia so o se fa'aailoga fa'ale-malo, fa'aailoga o'omi, po o se tusitusiga i luga o so o se pepa palota, po ua na tu'uina ai i luga so o se tusitusiga i luga o so o se pepa palota, po ua na tu'uina ai i luga so o se tusitusiga, upu lolomi, po o se tasi lava mea e ono mafai ona ta'ita'iina ai tagata ina ia talitonu e fa'apea na tu'uina ai sea mea i luga e so o se ali'i ofisa po o se tagata ua fa'atagaina i ala e tatau ai mo le faiga o lea itu.

Cf. 1956, Nu. 107, f. 129 (N.Z.); S.R. 1957/223, r. 75 (N.Z.)

92. *Solitulafono i le itu i pepa palota ma pusa palota*—Ua faia e so o se tagata se solitulafono e fa'asaga i lenei fuaiupu, o ia lea -

- (a) Ua na faia fa'a-gaoi, po ua na fa'afoligaina sesē, po ua na fa'aleagaina i se faiga tau-fa'asesē, po ua na fa'atama'ia i se faiga tau-fa'asesē so o se pepa palota, po o le fa'aailoga fa'ale-malo o lo'o i luga o so o se pepa palota;
- (b) Ua na tu'uina atu e aunoa ma le pule fa'ataga e tatau ai so o se pepa palota i so o se tagata;
- (c) Ua na tu'uina atu i se faiga tau-fa'asesē i totonu o so o se pusa palota so o se pepa e 'ese ai nai lo le pepa palota ua fa'atagaina o ia e le tulafono na te tu'uina iai i totonu;
- (d) Ua na ave'eseina i se faiga tau-fa'asesē mai se fale palota so o se pepa palota;
- (e) E aunoa ma se pule fa'ataga e tatau ai, ua na fa'atama'ia, aveina, tatala, po ua na aiaina i se tasi lava faiga e 'ese ai so o se pusa palota, po o se pusa po o se ta'ui po o se afifi o pepa palota, o lo'o fa'aaogaina i lea taimi mo mataupu tau se faiga-palota, po o le taimi e auina atu ai i le meli po o se tasi lava auala, po o se taimi mulimuli ane e ono mafai ona teuina ma tausia ai sea lava mea e avea o se tala fa'amauina o le faiga-palota.

- (2) So o se tasi o ~~Ma~~lea ua na faia se solitulafono e fa'asaga i lenei fuaiupu o le a mafai ona fa'asalaina o ia ina ua fa'amaonia lona nofosala -
- (a) Pe afai o se ali'i ofisa na tofia i lalo o le Tulafono lenei, i le nofo i le falepuipui mo se vaitaimi e le silia le lua tausaga:
- (b) Pe afai o so o se tasi lava tagata, i le nofo i le falepuipui mo se vaitaimi e le silia le ono masina.
- (3) So o se tasi o ia lea ua taumafai na te faia so o se solitulafono e fa'asaga i lenei fuaiupu o le a mafai ona fa'asalaina o ia ina ua fa'amaonia lona nofosala i le nofo i le falepuipui mo se vaitaimi e le silia le 'afa e tasi o le vaitaimi aupito umi e ono mafai ona fa'asalaina ai se tagata ua na faia lea solitulafono.

Cf. 1956, Nu. 107, f. 130 (N.Z.) ; S.R. 1957/223, r. 75 (N.Z.)

93. *Ia fa'aalia mea totino e fa'apea o lo'o iai i le Ali'i Ofisa Sili Fai-Palota*—I so o se moliga fa'a-fa'amasinoga mo se solitulafono i le itu i so o se pusa palota, pepa palota, po o mea e fa'ailoga a'i i se faiga-palota, e mafai ona fa'aalia mea totino i totonu o pusa, pepa, ma mea faigaluega e fa'apea o lo'o iai i le Ali'i Ofisa Sili Fai-Palota.

Cf. 1956, Nu. 107, f. 131 (N.Z.)

94. *Solia o uiga fa'alilolilo*—(1) O le a tatau i so o se ali'i ofisa, failautusi, tagata e va'ava'ia le faiga o palota, fa'amatala'upu, ma leoleo o lo'o auai i se fale palota ona fa'atumauiina ma fesoasoani i le fa'atumauiina o le uiga fa'alilolilo tau le faiga o palota i totonu o le fale palota, ma o le a le tatau ona fa'ao'o atu i so o se tagata, ae se'ia vagana ona o se mataupu ua fa'atagaina e le tulafono, so o se fa'alaliga po o se fa'amatalaga e ono mafai ona to'ilalo ai le tulaga ma uiga fa'alilolilo o le palota.

(2) E leai se tagata, ae se'ia vagana ona o se mataupu ua fa'atagaina e le tulafono, o le a tatau -

- (a) Ona aia pe taumafai e aia i se tagata palota po o se tagata palota ta'ito'atasi i le taimi e fa'ailogaina ai lana palota:
- (b) Ona taumafai ina ia na maua i totonu o se fale palota se fa'amatalaga e uiga i le sui na fa'atu mai o le a palota po ua palota i ai so o se tagata palota po o se tagata palota ta'ito'atasi:
- (c) Ona fa'ao'o atu i so o se taimi i so o se tagata so o se fa'amatalaga na maua mai totonu o se fale palota e uiga i le sui na fa'atu mai o le a palota po ua palota iai so o se tagata palota po o se tagata palota ta'ito'atasi i le fale

palota, po o le itu i le numera fa'asolo o le pepa palota ua tu'uina atu i so o se tagata palota po o se tagata palota ta'ito'atasi i le fale palota.

(3) O le a tatau i so o se tagata o lo'o auai i le faitauga o palota ona fa'atumanuina ma fesoasoani ina ia fa'atumanuina le tulaga fa'alilolilo o le palota, ma e le tatau ona na fa'a'ailoa'ina atu so o se fa'amatalaga na maua i le faitauga e uiga i le sui na fa'atu mai ua tu'uina atu iai so o se palota i so o se pepa palota fa'apitoa.

(4) E leai se tasi e tatau ona na fa'atosinaina i se auala tu'u-sa'o po o se faiga fa'a-alatua so o se tagata palota po o se tagata palota ta'ito'atasi ina ia na fa'alialia lana pepa palota a ua uma ona na fa'ailogaina, ina ia mafai ai ona fa'a'ilo atu i so o se tagata le igoa o so o se sui na fa'atu mai ua palota iai, po o, e le o palota iai o ia.

(5) So o se tasi o ia lea ua na faia se solitulafono e fa'asaga i lenei fuaiupu o le a mafai ona fa'asalaina o ia i le nofo i le falepuipui mo se vaitaimi e le silia le tolu masina.

Cf. 1956, Nu. 107, f. 132 (N.Z.); S.R. 1957/223, r. 81 (N.Z.)

VAEGA IX

FAIGA TA'UVALEA MA LE LE TUSA AI MA LE TULAFONO

Faiga Ta'uvala

95. *Fa'afoligaina o se tasi tagata*—(1) E nofosala so o se tagata i se faiga ta'uvala o ia lea ua na faia, po ua lagolago atu pe fesoasoani, fautuaina, po ua na sailia ina ia faia, le solitulafono o le fa'afoligaina o se tasi tagata.

(2) Ua faia e so o se tasi le solitulafono o le fa'afoligaina o se tasi tagata o ia lea -

(a) Ua palota e avea o se tasi tagata, tusa lava po o soifua pea le isi lea tagata po ua malia po o se tagata fa'a'ole-ole; po o

(b) Ua uma ona palota i so o se faiga-palota, a ua toe palota fo'i i lea lava faiga-palota; po o

(c) Ua uma ona palota i se faiga-palota i totonu o so o se itumalo po o le avea o se tagata palota ta'ito'atasi i se faiga-palota aoao, a ua toe palota fo'i i totonu o se isi itumalo po o le avea o se tagata palota ta'ito'atasi lea lava faiga-palota aoao.

(3) Mo le itu tau le fuaiupu lenei, o le a fa'atatauina lava se tagata e fa'apea ua uma ona palota pe afai ua uma ona talosaga o ia mo se pepa palota mo ia lava, po ua na fa'ailogaina se pepa palota mo ia lava, tusa lava pe fa'amaonia fa'ale-tulafono pe leai.

(4) O le a avea ma tiute o le Ali'i Ofisa Sili Fai-Palota le fa'auluina o se moliga fa'ale-tulafono e fa'asaga i so o se tagata o ia lea ua talitonu o ia ua na faia le solitulafono o le fa'afoligaina o se tasi tagata, po ua na lagolagoina, fesoasoani fautuaina, po ua na sailia le fa'ataunu'uina o, lea solitulafono e so o se tagata, i le faiga-palota o lo'o avea ai o ia ma Ali'i Ofisa Sili Fai-palota.

Cf. 1956, Nu. 107, f. 140 (N.Z.); S.R. 1957/223, r. 80 (N.Z.)

96. *Faiga fa'atosina*—(1) I totonu o le fuaiupu lenei, o fuaitau "tagata palota" ma le "tagata palota ta'ito'atasi" e aofia ai so o se tagata o ia lea ua ia te ia po ua talosga ina ia na maua se aia tatau e palota ai.

(2) E nofosala so o se tasi i se faiga ta'uvalea o ia lea ua na faia le solitulafono o le faiga fa'atosina.

(3) Ua faia e so o se tasi le solitulafono o le faiga fa'atosina o ia lea, ua faia e ia lava, i se auala tu'usa'o po o se faiga fa'alatalua, po o, e so o se tasi lava tagata e avea ma ona sui.

(a) Ua na tu'uina atu so o se tupe po ua na sailia so o se tofi i, po o, mo so o se tagata palota po o se tagata palolota ta'ito'atasi, po o i, po o mo so o se tasi lava tagata e avea ma sui o so o se tagata palota po o se tagata palota ta'ito'atasi, po o i, po o mo so o se tasi lava tagata, ina ia fa'atosina ai so o se tagata palota po o se tagata palota ta'ito'atasi ina ia palota po o le 'aia le palot; po o

(b) Ua na faia i se uiga ta'uvalea so o sea gaoioiga e pei ona ta'ua i luga ona o si i se tagata palota po o se tagata palota ta'ito'atasi ua uma ona palota po o ua le auai i le palota; po o

(c) Ua na faia so o sea meaalofo po o se sailiga e pei on ataua i luga i, po o, mo so o se tagata e fa'atosina ai lea tagata ina ia na sailia ia maua mai, po o le taunafai ina ia maua mai, le toe fo'i mai o so o se tagata i se faiga-palota po o le palota a so o se tagata palota po o se tagata palota ta'ito'atasi,

po o ia lea, i luga po ona o so o sea meaalofo po o se sailiga e pei ona ta'ua muamua i luga, ua na maua mai ai, po ua osi-feagaiga, po ua folafola mai, po ua taunafai ina ia maua mai, le toe fo'i mai o so o se tagata i so o se faiga-palota po o le palota a so o se tagata palota po o se tagata palota po o se tagata palota ta'ito'atasi.

(4) *Mo mataupu tau lenei fuaiupu*

(a) O fuaitau e fa'asino i le tu'uina atu o se tupe o le a tatau lava ona aofia ai fa'amatalaga e fa'asino i le tu'uina atu, fa'auncina atu, loto malie e tu'uina atu po o le fa'a'unc-

ina atu, ofoina atu, folafola atu, po o le folafola atu ina ia maua mai po o le taumafai e sailia ina ia maua mai, so o se tupe po o se mea taua ma le aoga;

- (b) O fuaitau e fa'asino i le sailia mai o so o se tofi o le a tatau lava ona aofia i fa'amatalaga e fa'asino i le tu'uina atu, sailia ina ia maua, loto malie e tu'uina atu po o le sailia ia maua, ofoina atu, folafola atu, po o le folafola atu ina ia maua, po o le taumafai e sailia ina ia maua, so o se tofi, nofoaga, po o se galuega.

(5) Ua faia e so o se tasi le solitulafono o le faiga faa'tosina o ia lea -

- (a) Ua na tu'uina atu fa'a-aitalafu po ua na totogiina atu ina ia fa'aogaina e so o se tasi tagata ma le fa'amoemoe e fa'apea o lea tupe po so o se vaega o lea tupe o le a tatau ona fa'aaluina i se faiga fa'atosina i so o se faiga-palota; po o

- (b) Ua na totogiina atu ma lona iloa lelei po ua na poloa'i ina ia totogi atu so o se tupe i so o se tagata e totogi a'i po o le toe totogi a'i le aofa'iga atoa po o se vaega o so o se tupe na fa'aaluina i se faiga fa'atosina i so o se faiga-palota.

(6) O le a le o'o atu pe fa'augaina fa'apea e o'o atu tu'u-tu'uga ua ta'ua i luga o le fuaiupu lenci i so o se tupe na totogi atu pe na malie ina ia totogi atu mo, po ona o so o se tupe alu fa'ale-tulafono na poga'i mai i le agaga fa'amaoni i, po o, e uiga i se faiga-palota.

(7) Ua faia e se tagata palota po o se tagata palota ta'ito'a-tasi le solitulafono o le faiga fa'atosina pe afai, a'o lumana'i ai, po o, a o fa'agasolo se faiga-palota ua na faia i se ala tu'usa'o po o se faiga fa'alatalua, e ia lava po o, e so o se tasi tagata e avea ma ona sui, ua na maua, po ua loto ma lie po ua na osia se feagaiga mo, so o se tupe, meaalofa, aitalafu, po o se mea taua ma le aoga, tofi, nofoaga, po o se galuega mo ia lava pe mo so o se tasi lava tagata mo le palota po o le loto malie e palota po o mo le le auai i le palota po o loto malie e le auai i le palota.

(8) Ua faia e so o se tasi le solitulafono o le faiga fa'atosina pe afai ua na maua i se ala tu'usa'o po o se faiga fa'a-alatalua, a ua tuana'i se faiga-palota, e ia lava po o e so o se tasi lava tagata e avea ma ona sui, so o se tupe po o se mea aoga ona o so o se tagata na palota po ua le auai i le palota po ona ua ia fa'atosina ina so o se tasi tagata ina ia palot po o le le auai i le palota.

Cf. 1956, Nu. 107, f. 141. (N.Z.); S.R. 1957/223, r. 77 (N.Z.)

97. *Faiga sesē e fa'atosina ai*—E nofosala so o se tasi i se faiga

tu'uvalea o ia lea ua na faia le solitulafono o le faia o faiga sese e fa'atosina ai.

(2) Ua faia e so o se tasi le solitulafono o le faia o faiga sese e fa'atosina ai o ia lea ua na faia i se uiga ta'uvalea, e ia lava po o, e so o se tasi tagata e avea ma ona sui, tusa po o lumana'i ai, po ua fa'agasolo, po ua tuana'i se faiga-palota, le tu'uina atu i se ala tu'usa'o po o se faiga fa'a-alatua, po ua na totogiina le atoa po o se vaega o tupe alu tau le tu'uina atu po o le aveina atu, o so se mea'ai, mea-inu, fa'a-fiafiaga, po o nisi mea e tu'uina atu i, po o mo so o se tagata -

- (a) Mo le mataupu tau le fa'atosinaina i se uiga ta'uvalea o lea tagata po o so o se tasi lava tagata ina ia palota po o le le palota; po o
- (b) Mo le mataupu tau le sa'ilia e ia lava i ni auala leaga ina ia filifilia; po o
- (c) Ona o lea tagata po o so o se tasi lava tagata ua uma ona palota po ua le palota, po ona o le a-palota po o le le auai i le palota.

(3) So o se tagata palota ma se tagata palota ta'ito'atasi o ia lea ua na talia po ua na aveina i se uiga ta'uvalea so o sea mea'ai, mea-inu, fa'afiafiaga, po o se mea ua tu'uina atu i ai ua faia fo'i e ia le solitulafono o le faia o faiga sese e fa'atosina ai.

Cf. 1956, Nu. 107, f. 142 (1), (2) ma le (4) (N.Z.): S.R. 1957, 223, r. 78 (N.Z.)

98. *Fa'atosina i ala e le tatau ai*—(1) E nofosala so o se tasi i se faiga ta'uvalea o ia lea ua na faia le solitulafono o le fa'atosina i ala e le tatau ai.

(2) Ua faia e so o se tasi le solitulafono o le fa'atosina i ala e le tatau ai o ia lea -

- (a) Ua na fa'aaogaina po ua fa'amata'u mai na te fa'aaogaina, i se ala tu'usa'o po o se faiga fa'a-alatua, e ia lava po o e so o se tasi lava tagata e avea ma ona sui, so o se malosi, se uiga e fa'aaogaina ai le malosi, po o se faiga e taofia ai, po ua na fa'ao'oina po ua fa'amata'u mai na te fa'ao'oina, e ia lava po o e so o se tasi lava tagata, so o se manu'a fa'ale-tino po o se manu'a fa'ale-agaga, se fa'atama'iga, se leaga, po o se mauaunga i luga pe fa'a-saga i so o se tagata, ina ia fa'atosina pe tu'uina iina malosi ai lea tagata ina ia palota ioe pe palota tete'e i se sui fa'apitoa na fa'atu mai po o, ina ia palota po o le le auai i le palota, po ona o lea tagata ua palota mo pe tete'e i se sui fa'apitoa na fa'atu mai po ona ua palota po o le le auai i le palota; po o

- (b) I le aveina fa'a-gaoi i se faiga fa'amalosi, taofia i se uiga fai-fa'amalosi, po o so o se fuafuaga po o se faiga tau-fa'asese, ua na fa'alavelaveina po ua na taofia le fa'a-taunu'uina su'oloto o le aia tatau e palota ai se tagata palota po o se tagata palota ta'ito'atasi, po ua fa'apea ona na u'una'iina ai fa'amalosi, fa'atosina, po uu manumalo ai o ia i se tagata palota po o se tagata palota ta'ito'atasi e palota ai po o ina ia le palota ai.

Cf. 1956, Nu. 107, f. 143 (N.Z.); S.R. 1957/223, r. 79 (N.Z.)

Faiga e le tusa ai ma le Tulafono

99. *O le sailia ina ia maua ni palota e tagata palota po o tagata palota ta'ito'atasi e le agava'a*—E nofosala so o se tagata i se faiga e le tusa ai ma le tulafono o ia lea ua na fa'atosinaina po ua na sailia ina ia palota i so o se faiga-palota so o se tagata o ia lea ua na iloa i lea lava taimi e le agava'a pe fa'asaina, tusa lava po o lalo o le Tulafono lenei pe leai, mai lona faia o se palota i lea faiga-palota.

Cf. 1956, Nu. 107, f. 148 (N.Z.)

Tu'utu'uga 'Ese'ese

100. *Ata tifaga*—(1) Mo aiaiga o lenei fuaiupu, o le fua'itau "ata tifaga" po o le "ata" e aofia ai so o se fa'asilasilaga fa'a-tifaga o so o se ituaiga.

(2) Mo aiaiga o lenei Tulafono, o le fa'aalia o so o se ata tifaga ae vagana ai le aso tonu e fai ai le faiga palota o le a le fa'atatauina e fa'apea o lo'o aofia ai se faiga fa'atosina po o se faiga sese e fa'atosina ai po o se faiga e le tusa ai ma le tulafono, ma o so o se tupe e tofogi atu po o se feagaiga mo le tofogiina atu o se tupe i le itu i so o se fa'aaliga o le a le fa'atatauina lava e fa'apea o lo'o aofia ai se faiga e le tusa ai ma le tulafono e ui lava ina atonu o lo'o avea atoa po o lo'o mafuli atu le ata i se fa'asilasilaga fa'asalalau.

Cf. 1956, Nu. 107, f. 149 (N.Z.)

101. *Fa'asalaga mo se faiga ta'uvalea po o se faiga e le tusa ai ma le tulafono*—So o se tasi o ia lea ua nofosala i so o se faiga ta'uvalea po o so o se faiga e le tusa ai ma le tulafono, o le a mafai ona fa'asalaina o ia ina ua fa'amaonia lona solitulafono.

(a) I le itu i se faiga ta'uvalea, i le nofo i le falepuipui mo se vaitaimi e le silia le tausaga e tasi po o se ala tupe e le silia le lua selau pauni, po o ia fa'asalaga uma e lua.

(b) I le itu i se faiga e le tusa ai ma le tulafono i se ala tupe e le silia le lua selau pauni.

Cf. 1956, Nu. 107, f. 150 (1) (N.Z.); S.R. 1957/223, r. 76 (N.Z.)

102. *O tagata ua molia i se faiga ta'uvalea e mafai ona maua ua nofosala i se faiga e le tusa ai ma le tulafono*—So o se tagata ua molia i se faiga ta'uvalea, e mafai, pe afai e mana'omia e uiga ua o'o iai lea sa'iliga, ona maua ua nofosala i se faiga e le tusa ai ma le tulafono; ma o so o se tagata ua molia i se faiga e le tusa ai ma le tulafono; e mafai ona maua ua nofosala i lea solitulafono e ui lava ina o le gaoioiga o lo'o aofia i le solitulafono ua o'o atu lea i se faiga ta'uvalea.

Cf. 1956, Nu. 107, f. 151 (N.Z.)

103. *Taimi fa'atapula'aina mo moliga fa'ale-tulafono*—O se moliga fa'ale-tulafono e fa'asaga i so o se tagata ona o se faiga ta'uvalea po o se faiga e le tusa ai ma le tulafono o le a tatau lava ona amatuina i totonu o le ono masina talu ona faia le solitulafono.

Ae vagana ai ona afai o le tagata na molia ua lipotia mai e le Fa'amasinoga Sili i totonu o lana lipoti i luga o le fa'amasinoina o se talosaga tau le faiga-palota e fa'apea ua fa'amaonia lona nofosala i le solitulafono, o le a tatau loa ona amata le moliga fa'ale-tulafono i totonu o le ono masina talu mai le taimi na fai ai le solitulafono po o totonu o le tolu masina talu mai le aso o le lipoti, so o se tasi o ia vaitaimi e fa'ai'uina mulimuli ane.

Cf. 1956, Nu. 107, f. 152 (N.Z.)

VAEGA X

TALOSAGA E UIGA I FAIGA-PALOTA

104. *Auala tau le fesiligia o se faiga palota*—(1) E leai se faiga-palota ma e leai se ta'utinoga o le taunu'uga po o se lipoti i le Ao o le Malo o le a tatau ona fesiligia ae vagana ai ona ui atu i se talosaga o lo'o fa'aalia ai le le malie i se faiga-palota e le tusa ai ma le tulafono po o se ta'utinoga po o se lipoti e le tusa ai ma le tulafono (ua ta'ua i totonu o le Tulafono lenei o se talosaga e uiga i faiga-palota) na tu'uina mai e tusa ma lenei Vaega o le Tulafono lenei.

(2) O se talosaga o lo'o fa'aalia ai le le malie ona o le leai o se ta'utinoga po o se lipoti, o le a fa'atatauina lava e avea o se talosaga e uiga i se faiga-palota, ma e mafai e le Fa'amasinoga Sili ona faia se poloa'iga e fa'atatau i lea itu e pei on ua finagalo le Fa'amasinoga e talafeagai ai mo le u'una'ina malos'i o se ta'utinoga po o se lipoti ina ia faia, po o, e mafai ona fa'atagaina le talosaga ina ia su'esu'eina e pei ona aiaia i le itu i talosaga e masani ai e uiga i faiga-palota.

Cf. 1956, Nu. 107, f. 155 (N.Z.)

105. *Talosaga e uiga i faiga-palota*—(1) E mafai ona tu'u-

ina atu se talosaga e uiga i se faiga-palota i le Fa'amasinoga Sili e se to'atasi po o le sili atu o tagata nei ua ta'ua i lalo.

(a) O se tagata o ia lea na palota pe na ia te ia se aia tatau e palota ai i le faiga-palota:

(b) O se tagata o lo'o talosaga mai e fa'apea na ia te ia le aia tatau e ao ina filifilia ai po o le toe fa'afo'iina mai i le faiga-palota.

(c) O se tagata ua na molia mai e ia lava e fa'apea o ia o se sui na fa'atu atu i le faiga-palota.

(2) O le sui usufono e ona le filifilia po o le taunu'uga o le palota o lo'o fa'asaga iai le talosaga o le a avea lava o ia ma itu tete'e i le talosaga, ma afai o lo'o fa'aalia se le malie i le talosaga e uiga i le amio a soo se ali'i ofisa, le Ali'i Ofisa Sili Fai-Palota po o le Resitara, so o se tasi e a'afia ai, o le a avea fo'i o ia lena o se itu tete'e.

(3) O le a tatau i le talosaga ona iai i se tulaga tino mai ma ia fa'aalia ai ni mataupu e pei ona fuafuaina e tulafono e puipui a'i a le Fa'amasinoga, ma e tatau ona sainia e le ua talosaga po o tagata uma o lo'o talosaga pe afai e sili atu i lo le to'atasi.

(4) O le a tatau i le ua talosaga ona tu'uina mai lana talosaga i le fa'auluina o lea talosaga i totonu o le ofisa o le Fa'amasinoga Sili i Apia, ma o le a tatau ona auina atu se kopi o le talosaga i tagata ta'ito'atasi e tete'e iai.

(5) O le a tatau ona fa'ao'o atu le talosaga e le tagata lava ia, po o le auina atu i se tasi lava faiga e pei ona fuafuaina e tulafono e puipui a'i a le Fa'amasinoga.

Cf. 1956. Nu. 107, f. 156 (N.Z.); S.R. 1957/223, r. 82 (1) (N.Z.); S.R. 1960 60, r. 14 (N.Z.)

106 Taimi mo le tu'uina mai o se talosaga e uiga i se faiga-palota—(1) I le noatia ma fai fuafua i tu'utu'uga o lena sui-upu, o le a tatau ona tu'uina mai se talosaga e uiga i le faiga-palota i totonu o aso e luasefulu-valu talu mai le aso ua fa'aalia fa'alaua'itele ai e le Ali'i Ofisa Sili Fai-Palota le taunu'uga o le palota.

(2) Afai e fesiligia e le talosaga ale faiga-palota po o le taunu'uga o le palota i luga o se fa'aaliga ua molia mai e uiga i se faiga ta'uvalca ma ua fa'aalia ai fa'apitoa le tologiina atu o se tupe po o se tasi lava tau e fa'apea ua uma ona fa'a e se sui usufono, po ua faia lea mea ona o ia po ua faia ma lona iloa ma lona malie iai talu mai le aso o sea fa'asilasilaga fa'alaua'itele mo tagata uma ina ia o gatasi po o le saga fa'auauina ai pea o le faiga ta'uvalca ua molia mai, e mafai ona tu'uina mai

le talosaga i totonu o aso e luasefulu-valu talu mai le aso na totogi atu ai sca tupe.

(3) Mo aiaiga o lenei fuaiupu, o se moliga ua tu'uina mai e fa'apea ua 'ulofia se faiga-palota i lalo o le fuaiupu e 112 o lenei Tulafono o le a fa'atatauina lava e avea o se moliga o ni faiga ta'uvala, e ui lava ina fa'apea o solitulafono ua molia mai o lo'o aofia ai po ua aofia ai ni solitulafono e 'ese ai nai lo ni faiga ta'uvala.

Cf. 1956, Nu. 107, f. 157 (N.Z.); S.R. 1957/223, r. 82 (1), (N.Z.); S.R. 1960/60, r. 14 (N.Z.)

107 *Puipuiga malu mo totogi*—(1) I le taimi e tu'uina mai ai se talosaga e uiga i se faiga-palota po o totonu o aso e tolu talu ona fa'amutaina le taimi ua fa'atapula'aina mo le tu'uina mai o le talosaga, o le a tatau ona tu'uina mai ai e le ua talosaga se puipuiga malu e tusa ma le mea e malie iai le Resitara o le Fa'amasinoga mo totogi uma e ono tatau ona totogi atu e ia i so o se molimau e vala'auina mo ia, po o i so o se tagata o lo'o tete'e.

(2) O le puipuiga malu o le a tatau ona o se aofa'iga o le tupe e limasefulu pauni ma o le a tatau ona tu'uina mai e avea o se tiute tau'ave e noatia ai i le Malo i se feagaiga e osia e so o se aofa'iga o ni tagata e puipui, e le sili atu i lo le to'a lima, po le tu'uina mai o se tupe, po o se vaega i le tasi auala ma se isi vaega i le isi auala.

(3) Afai e leai se puipuiga malu e tu'uina mai e pei ona mana'omia e lenei fuaiupu, e leai se tasi tauahumaga o le a tatau ona faia i le talosaga.

Cf. 1956, Nu. 107, f. 158 (N.Z.); S.R. 1957/223, r. 82 (2) (N.Z.)

108. *O le sili atu i lo le tasi o se talosaga e fa'asino i lea lava faiga-palota*—Afai e sili atu i lo le tasi ni talosaga ua tu'uina mai e fa'asino i lea lava faiga-palota po o le taunu'uga o le palota, o le a tagofia fa'atasi lava ia talosaga uma e avea o se talosaga e tasi.

Cf. 1956, Nu. 107, f. 159 (N.Z.)

109. *Tulafono e Puipui a'i a le Fa'amasinoga*—(1) E mafai ona faia ni Tulafono e Puipui a'i a le Fa'amasinoga i le faiga o lo'o fuafuaina e le Tulafono o Fa'amasinoga 1961 mo mataupu tau lenei Vaega o le Tulafono lenei.

(2) O tulafono uma e puipui a'i na faia i lalo o lenei fuaiupu o le a tatau lava ona tu'uina mai i luma o le Fono Aoao Faitulafono i totonu o aso e luasefulu-valu talu mai le aso o

le faiga o ia tulafono, pe afai o tauaofia le Fono Aoao i lea taimi, ma, afai e leai, o le a tatau ona tu'uina mai i luma o le Fono Aoao i totonu o aso e luasefulu-valu talu mai le aso e amata ai le tauaofiaga e soso'o ai o lo'o lumana'i.

Cf. 1956, Nu. 107, f. 160 (N.Z.)

Su'esu'eina o Talosaga e uiga i Faiga-Palota

110. *Fa'amasinoga ma le nofoaga e su'esu'eina ai*—So o se talosaga e uiga i se faiga-palota, o le a su'esu'eina lava e le Fa'amasinoga Sili.

Cf. 1956, Nu. 107, f. 161 (N.Z.)

111. *Su'esu'eina o talosaga*—(1) O le a su'esu'eina lava se talosaga e uiga i se faiga-palota i totonu o le Fa'amasinoga e avanoa mo tagata uma e aunoa ma ni ali'i fa'atonu, ma o le a tu'uina atu lava se fa'aaliga e uiga i le taimi ma le nofoaga e fai ai le su'esu'ega i se taimi e le itiiti ifo i lo le sefulu ma le fa aso a o lumana'i le aso o le su'esu'ega.

(2) E mafai e le Fa'amisanoga i lana lava faitalia ona tolopo le su'esu'ega mai lea taimi i lea taimi, ae peita'i o le a tatau lava i le su'esu'ega, e tusa ma le tulaga e ono mafai ona faia mo le fa'ataunu'uina o le amiotonu i le itu i le su'esu'ega, ona fa'auau pea mai lea aso i lea aso i aso ta'itasi uma e tusa ma le tulafono se'ia o'o ina ua fa'ai'uina.

(3) O le su'esu'ega o se talosaga e uiga i se faiga-palota o le a tatau lava ona faia e ui lava ina atonu ua fa'aleaogaina le o lo'o avea ma itu tete'e mai le avea o se sui usufono o le Palemene, po o le fa'apea ua tolopo ma ua fa'amutaina fonotaga a le Palemene.

(4) I le noatia ma fai suafua i lenei Tulafono, o le a iai i le Fa'amasinoga le pule'aga fa'a-fa'amasinoga e su'esu'eina ma fa'amasinoina ai so o se mataupu e fa'asino i le talosaga i se faiga e pei ona ua finagalo o ia e tatau ai, ma ae maise lava, e mafai i so o se taimi a o fa'agasolo le su'esu'ega ona fa'atonuina se toe faitauga po o se iloiloaga mae'a o palota na tu'uina atu i le fa'ga-palota, ma o le a tatau ona fa'aleaogaina le palota a so o se tagata na fa'amaonia ua nofosala i so o se faiga ta'uvalca, po o le e ona le igoa ua sese ona tu'uina pe taofia i luga o le pepa o le fa'asologa o igoa:

Ae vagana ai ona o le palota a so o se tagata o ia lea na avanoa i le aso o le palota ina ia fa'amauina e avea o se tagata palota po o se tagata palota ta'ito'atasi o le itumalo po o le au-palota ta'ito'atasi o lo'o fai ai le finauga o le a le tatau ona fa'aleaogaina i luga o le mafuaga e fa'apea ua sese ona tu'uina pe tumau ai pea lona igoa i luga o so o se pepa o le fa'asologa o igoa.

(5) I luga o le su'esu'ega o se talosaga e uiga i se faiga-palota, ae se'ia vagana ai ona ua fa'atonuina e le Fa'amasinoga se tasi faiga e 'ese ai, so o se moliga e uiga i se faiga ta'uvalea po o se faiga e le tusa ai ma le tulafono e mafai lava ona su'esu'eina, ma ia maua mai se fa'amatalaga molimau e fa'asino i lea itu a o le'i tu'uina mai so o se fa'amaoniga e fa'apea na silafia lelei po ua malie so o se sui na fa'atu mai i lea faiga ta'uvalea po o se faiga e le tusa ai ma le tulafono.

(6) I le sue'su'eina o se talosaga e uiga i se faiga-palota o lo'o fa'aalia ai le le malie i se filifiliga, ta'utinoga po o se lipoti, ma o lo'o talosagaina ai le nofoa mo se tasi tagata, e mafai e le itu tete'e ona tu'uina mai se fa'amatalaga molimau ina ia fa'anaonia ai e fa'apea o lea tagata sa le'i filifilia i le tulaga e tatau ai, i le faiga lava e tasi e peisea'i na ia tu'uina mai se talosaga e fa'asaga i le filifilia o lea tagata.

Cf. 1956, Nu. 107, f. 162 (N.Z.)

112. *O le fa'aleaogaina o le filifiliga o se sui na fa'atu mai ua nofosala i se faiga ta'uvalea*—Afai o se sui na fa'atu mai o ia lea ua filifilia i so o se faiga-palota a ua fa'amaonia i le su'e-eu'eina o se talosaga e uiga i se faiga-palota e fa'apea ua nofosala o ia i so o se faiga ta'uvalea i le faiga-palota, o le a fa'aleaogaina lava fa'ale-tulafono lona filifilia.

Cf. 1956, Nu. 107, f. 163 (N.Z.)

113. *O le fa'aleaogaina o se filifiliga ona o se uiga ta'uvalea lautele*—(1) Afai ua lipotia mai e le Fa'amasinoga Sili i le su'esu'eina o se talosaga e uiga i se faiga-palota e fa'apea ua matua aoao ma lautele ni faiga ta'uvalea po o ni faiga e le tusa ai ma le tulafono ua faia i le itu i le faiga-palota ina ia tau-lanuaina ai po o le sailia ia maua ai le filifilia o so o se sui na fa'atu mai i lea faiga-palota ma ua ono mafai ai ona avea ia uiga ma mea e a'afia ai le taunu'uga o le palota, o lona filifilia, pe afai ua filifilia o ia, o le a fa'aleaogaina lava fa'ale-tulafono.

(2) Se'ia vagana ai e pei ona aiaia i lalo o lenei fuaiupu, o le a le fa'aleaogaina lava se filifiliga ona o le mafuaga e fa'apea o lo'o iai na lautele ni faiga ta'uvalea po o ni faiga e le tusa ai ma le tulafono.

Cf. 1956, Nu. 107, f. 164 (N.Z.)

114. *Ia soloi 'ese palota ona o ni faiga ta'uvalea*—I le su'esu'eina o se talosaga e uiga i se faiga-palota o lo'o talosagaina ai le nofoa mo so o se tagata, afai ua lipotia mai se sui na fa'atu mai e le Fa'amasinoga Sili e fa'apea ua fa'amaonia lona nofosala i se faiga fa'atosina, faiga sese e fa'atosina ai, po o se uiga fa'atosina e le tatau ai i le itu i so o se tagata o ia lea na palota

i le faiga-palota, o le a tatau, i luga o se iloiloiga mae'a, ona soloi 'ese le aofa'iga o palota ua aliali mai e fa'apea na maua e le sui na fa'atu mai, e tasi le palota mo tagata ta'itasi uma na palota i le faiga-palota ma ua lipotia mai e fa'apea ua fa'amaonia na fa'apea ona fa'atosina mai, fa'atosina i ni auala sese, pe na fa'atosina i ni ala e le tatau ai.

Cf. 1956, Nu. 107, f. 165 (N.Z.)

115. *Ia tausisia le amiotonu moni*—I le su'esu'eina o so o se talosaga e uiga i se faiga-palota -

- (a) O le a tatau ona ta'ita'iina le Fa'amasinoga i uiga aoga ma le mautu ma le amiotonu tau le mataupu e aunoa ma le manatu atu i tulaga po o uiga loloto fa'apitoa fa'ale-tulafono:
- (b) E mafai e le Fa'amasinoga ona fa'aulufale se fa'amatalaga molimau e pei ona ua iai i lona finagalo e ono mafai ona fesoasoani ia te ia i le fa'afocina lelei o le mataupu, e ui lava ina e le ono mafai ona fa'aulufale, ona o se tasi uiga e 'ese ai, le fa'amatalaga molimau i totonu o le Fa'amasinoga Sili.

Cf. 1956, Nu. 107, f. 166 (N.Z.)

116. *E le avea ni uiga sese ma ala e fa'aleaogaina ai se faiga-palota*—E leai se faiga-palota o le a tatau ona fa'aalia e fa'apea ua fa'aleaogaina ona o se mafuaga e uiga -

- (a) I so o se lē tausisi i taimi na fuafuaina mo le faiga o so o se gaioiga; po o
- (b) So o se mea ua pa'ū ma ua le faia po o se uiga sese i le fa'atunuina o so o se pepa ua fuafuaina e lenei Tulafono po o, e ni Tulafono fa'atonutonu na faia i lalo o lea lava tulafono; po o

(c) So o se mana'oga po o se sese i le tofia o so o se ali'i ofisa po o se tagata e va'ava'aia le faiga o palota; po o

(d) So o se taimi e to'esea ai, po o se mea ua sese ona fai po o se mea ua le faia po o le solia o le tiute e, so o se ali'i ofisa, tusa lava po o le taimi a o lumana'i ai, po ua fa'agasolo, po ua tuana'i le faiga o le palota -

pe afai ua malie le Fa'amasinoga e fa'apea na fa'apena ona faia le faiga-palota ina ia matua o gatasi ma talafeagai ai ma le tulafono e fa'asino i faiga-palota, ma sa le'i avea lea le tausisi, pa'u o se mea ua le faia, se uiga sese, mana'oga, sese, to'esea, se mea ua sese ona fai, po o le solia o le tiute ma mea e afaina ai le taunu'uga o le faiga-palota.

Cf. 1956, Nu. 107, f. 167 (N.Z.); S.R. 1957/223, r. 100 (2) (N.Z.)

117. *E maualil fa'ai'uga a le Fa'amasinoga*—O fa'ai'uga uma

a le Fa'amasinoga Sili e tusa ma lenci Vaëga o le Tulafono lenci o le a matua mausali lava ma tumau ma e aunoa ma se talosaga o se le malie e fai iai, ma e le tatau ona toe fesiligilia i so o se auāla.

Cf. 1956, Nu. 107, f. 168 (N.Z.)

118. *Tusi fa'amaoni a le Fa'amasinoga e uiga i le taunu'uga o se faiga-palota*—I le fa'ai'uga o le su'esu'ega o se talosaga e uiga i se faiga-palota, o le a suafuaina loa e le Fa'amasinoga se tonu pe mata o le sui usufono na fa'asaga iai le talosaga i lona filifilia po o le toe fa'afo'iina, po o so o se tasi po o se isi lava tagata, ua filifilia pe ua toe fa'afo'i mai i ala e tatau'ai, po o le fa'apea ua fa'aleaogaina fa'ale-tulafono le faiga-palota, ma o le fa'amaonia loa lava i se tusi le fa'ai'uga i le Fofoga Fetalai ma o le fa'ai'uga ua fa'apea ona fa'amaonia, o le a mausali lava i ona itu 'ese'ese uma e a'afia ai.

Cf. 1956, Nu. 107, f. 169 (N.Z.)

119. *Lipoti a le Fa'amasinoga e uiga i faiga ta'uvalea po o faiga e le tusa ai ma le tulafono*—(1) Afai na faia i se talosaga e uiga i se faiga-palota so o se moliga e uiga i so o se faiga ta'uvalea po o se faiga e le tusa ai ma le tulafono e fa'apea na faia le faiga-palota, o le a tatau i le Fa'amasinoga, e fa'aopoopo atu i le tu'utina atu o se tusi fa'amaoni i lea lava taimi, ona faia se lipoti tusia i le Fofoga Fetalai e pei ona fa'aalia i lalo:

- (a) Pe mata ua fa'amaonia po ua le fa'amaonia so o se faiga ta'uvalea po o se faiga e le tusa ai ma le tulafono na fa'apea ua faia e, po na faia ma le iloa ma le malie iai o so o se sui-na fa'atu mai i le faiga-palota, ma le uiga moni o lea faiga ta'uvalea po o le faiga e le tusa ai ma le tulafono;
- (b) Pe mata ua nofosala so o se tasi o sui na fa'atutu mai e ona sui so'o'upu i so o se faiga ta'uvalea po o se faiga e le tusa ai ma le tulafono e fa'asino i le faiga-palota;
- (c) O igoa o tagata uma ua fa'amaonia i le su'esu'ega e fa'apea ua nofosala i so o se faiga ta'uvalea po o se faiga e le tusa ai ma le tulafono ma pe mata ua maua e i lalotou ni tusi fa'amaoni e puipui a' mai se leaga;
- (d) Pe mata o lo'o iai se mafuaga e talitonu ai ua matua manumalo a'ia'i ni faiga ta'uvalea po o ni faiga e le tusa ai ma le tulafono i le faiga-palota.

(2) O le itu i se tagata o ia lea e le o se vasega e auai i le talosaga ma e le o se sui na fa'atu mai e fa'asino iai le nofoa o lo'o talosagaina e le talosaga, o le a tatau i le Fa'amasinoga, a o le i lipotia o ia e fa'apea ua fa'amaonia lona nofosala i so o se faiga ta'uvalea po o se faiga e le tusa ai ma le tulafono, ona mui po-

loa'iina se fa'aaliga ina ia tu'uina atu ia te ia, ma afai e o'o mai o ia e tusa ma le fa'aaliga, ona tu'uina atu ia te ia se avanoa e fa'afogaina ai ma tapaina ai se fa'amatalaga molimu e pui-pui a'i o ia ina ia fa'aalia ai pe mafua i se a ona le tatau ona lipotia o ia fa'apena.

(3) Mo aiaiga o lenei Tulafono, afai ua lipotia e le Fa'amasinoga e fa'apea na faia se faiga ta'uvala po o se faiga e le tusa ai ma le tulafono ma le iloa ma le malie iai o se sui na fa'atu mai, o le a fa'atatauina lava e fa'apea ua uma ona lipotia o ia ua fa'amaonia lona nofosala i lea faiga ta'uvala po o se faiga e le tusa ai ma le tulafono.

(4) Afai ua lipotia se sui na fa'atu mai e fa'apea ua nofosala e ona sui so'o'upu i se faiga sese e fa'atosina ai, po o se faiga fa'atosina e le tatau ai, po o so o se tasi lava faiga e le tusa ai ma le tulafono, ma ua toe lipotia fo'i e le Fa'amasinoga e fa'apea -

(a) E lea se faiga ta'uvala po o se faiga e le tusa ai ma le tulafono na faia i le faiga-palota e le sui na fa'atu mai ma lona iloa po o lona maliega, ma e fa'apea na faia solitulafono o lo'o ta'ua i totonu o le lipoti e aunoa ma le fa'atagaina po o le fa'atagā leiloa, e le sui na fa'atu mai; ma

(b) Sa faia e, ma e ave'a ma sui o, le na fa'atu e le sui na fa'atu ma' anala uma e tatau ai ina ia taofia ai le faia o ni faiga ta'uvala ma le lē tusa ai ma le tulafono i le faiga-palota; ma

(c) O solitulafono o lo'o ta'ua i totonu o le lipoti o ni mea e fa'atavā'a, e le taua, ma e gata mai lo latou aoga; ma

(d) I isi itu 'ese'ese uma, sa aunoa lava le faiga-palota ma so o se faiga ta'uvala po o se uiga e le tusa ai ma le tulafono i le tui e le sui na fa'atu mai ma ona sui, -

o le a lē fa'atatauina lava le sui na fa'atu mai, mo aiaiga o lenei Tulafono, e fa'apea ua fa'amaonia lona nofosala i solitulafono o lo'o ta'ua i totonu o le lipoti.

(Cf. 1956, Nu. 107, f. 170 (N.Z.))

120. *Lipoti fa'apitoa*.—I lea lava taimi e tasi a o tu'uina atu e ia lona tasi fa'amaoni i le fa'ai'uga o le su'esu'ega o se talosaga e uiga i se faiga-palota, e mafai e le Fa'amasinoga ona faia se lipoti fa'apitoa i le Fofoga Fetalai e uiga i so o se mataupu e lāgā mai i le fa'agasologa o le su'esu'ega ma o se fa'amatalaga e uiga i lea itu, i totonu o le fa'ai'uga a le Fa'amasinoga, o le a tatau lava ona tu'uina atu i le Fono Aoga Faitulafono.

(Cf. 1956, Nu. 107, f. 171 (N.Z.))

121. *Sainia ma le taunu'uga o se tusi fa'amaoni ma se lipoti*—(1) O le tusi fa'amaoni ma so o se lipoti a le Fa'amasinoga i le fa'ai'uga o le su'esu'ega o se talosaga e uiga i se faiga-palota o le a tatau lava ona sainia e le Fa'amasino Ta'ita'i-Su'ega.

(2) Ina ua uma ona fofogaina e le Fofoga Fetalai e uiga i le tusi fa'amaoni ma so o se lipoti a le Fa'amasinoga, o le a poloa'i-ina loa e le Fono Aoao Faitulafono ia mea ina ia tusia i totonu o Tusitala a le Fono Aoao, ma o le a tu'uina atu lava ni fa'atonuga e tatau ai mo le fa'amaonia po o le suia o le taunu'uga o le palota po o mo le tu'uina atu o se fa'aaliga fa'alau'itele mo tagata uma mo se faiga-palota fou, po o mo le fa'ataunu'uina o le fa'ai'uga, e pei ona mana'omia e tusa ma uiga ua o'o iai.

(3) Afai ua faia e le Fa'amasinoga se lipoti fa'apitoa, e mafai e le Fono Aoao Faitulafono ona fa'a se poloa'iga e uiga i lea lipoti e pei ona ua finagalo o ia e tatau ai.

Cf. 1956, Nu. 107, f. 172 (N.Z.)

Molimau

122. *Vala'utina ma le su'esu'eina o molimau*—(1) E mafai ona vala'auina ma fa'atautoina tagata molimau i le su'esu'eina o se talosaga e uiga i se faiga-palota i le auala lava e tasi, i se faiga vavalalata e ono fa'atagaina e tusa ma uiga ua o'o iai, e pei ona faia i le fa'amasinoina o se tagi e masani ai.

(2) E mafai e le Fa'amasinoga Sili i se poloa'iga ona tapaina so o se tagata o ia lea ua aliali mai i le Fa'amasinoga na a'afia i le faiga-palota ina ia aufa'atasi mai e avea ma molimau, ma o so o se tasi e musu i usita'i i so o se poloa'iga o le a nofosala o ia i le fa'alēmigao i le Fa'amasinoga.

(3) E mafai e le Fa'amasinoga ona su'esu'eina so o se tagata ua fa'apea ona tapaina ina ia auai po o so o se tagata i totonu o le Fa'amasinoga, e ui lava ina e le'i vala'auina o ia pe su'esu'eina e so o se vaeaga po o se itu e auai i le talosaga.

(4) A o'o ina ua mae'a ona su'esu'eina se molimau e pei ona ta'ua i luga e le Fa'amasinoga, e mafai ona su'esu'eina o ia i le fesilisiliga e, po o, e se tasi e avea ma sui o le tagata o lo'o talosaga ma tagata ta'itasi o lo'o tete'e, po o so o se tasi o i latou.

Cf. 1956, Nu. 107, f. 173 (N.Z.)

123. *Tusi fa'amaoni o le puipuiga i molimau*—(1) O se tagata ua vala'auina e avea o se molimau i le fa'amasinoina o se talosaga e uiga i se faiga-palota o le a lē tatau ona tu'usaunoina o ia mai le taliina o so o se fesili e fa'asino i so o se solitulafono i, pe feso'ota'i ma le faiga-palota i luga o le mafuaga e fa'apea

o le tali atu i sea fesili e ono mafai ona molia ai pe aga'i ina molia ai o ia lava i se solitulafono, po o luga o le mafuaga c fa'atatau i le aia tatau e tu'usaunoaina ai:

Ae vagana ai ona -

- (a) O se tali a se tagata i se fesili na tu'uina atu e, po o luma o le Fa'amasinoga o le a lē tatau, ae se'ia vagana ai i le itu i so o se su'esu'ega tau se solitulafono mo le tauto-pepelo i le itu i le fa'amatalaga molimau, ona fa'aulu-faleina e avea ma fa'amatalaga molimau e fa'asaga ia te ia i so o se su'esu'ega, i le va o tagata po o se fa'amasinoga tau se solitulafono:
- (b) O se tagata molimau o ia lea ua tali mai ma le fa'amaoni i fesili uma na mana'omia o ia e le Fa'amasinoga ina ia tali mai iai, o le a tatau lava ona maua e ia se tusi fa'amaoni e puipuia ai o ia mai se leaga, ia fa'aalia ai e fa'apea na fa'apena ona tali mai e ia.

(2) Afai ua maua e se tagata se tusi fa'amaoni e puipuia ai o ia mai se leaga i le itu i se faiga-palota, ma ua amatalia so o se taualumaga fa'ale-tulafono i so o se taimi e fa'asaga ia te ia ona o so o se solitulafono na faia e ia i, po o, i se feso'ota'iga ma le faiga-palota i luma atu o le aso o le tusi fa'amaoni, o le a tatau i le Fa'amasinoga ina ua na silafia se fa'aaliga fa'ale-fa'amasinoga e uiga i le mataupu, ina ua tu'uina mai le tusi fa'amaoni ona taofia le su'esu'ega fa'ale-fa'amasinoga, ma e mafai i lana lava faitalia ona fai se fa'ai'uga e tu'uina atu ai i lea tagata ni totogi e tusa ma tupe ua fa'aaluina e ia ona o le su'esu'ega.

(3) E leai se mea o i totonu o lenei fuaiupu o le a tatau ona fa'atatauina e fa'apea ua ave'eseina ai le avega tau'ave a se tagata ua na maua se tusi fa'amaoni e puipuia ai, mai so o se tulaga e fa'aleaogaina ai fa'ale-tulafono i lalo o le Tulafono lenei po o, mai so o se taualumaga ina ia fa'amamaluina ai so o sea fa'aleaogaina fa'ale-tulafono (e 'ese ai nai lo se moliga tau se solitulafono).

Cf. 1956, Nu. 107, f. 174(N.Z.)

124. *Tupe alu a tagata molimau*—O tupe alu e tatau ai na fa'aaluina e so o se tagata i le o'o mai ina ia na tu'uina mai se fa'amatalaga molimau i le fa'amasinoina o se talosaga e uiga i se faiga-palota, e tusa ma le fua fa'asolo ua fa'atagaina i tagata molimau i le fa'amasinoina o ni tagi i le va o tagata, e mafai ona fa'atagaina ia te ia e le Fa'amasinoga.

(2) O le a fa'atatauina so o sea tupe alu, pe afai na vala'auina le tagata molimau ma ua su'esu'eina e le Fa'amasinoga, e avea o se vaega o tupe alu a le Fa'amasinoga, ma o le itu i isi

mataupu, o le a fa'atatauina ai lava e avea o totogi o le talosaga.
(Cf. 1956, Nu. 107, f. 175 (N.Z.)

Totogi

125. *Totogi o talosaga*—(1) O totogi uma ma tupe alu e ono alia'i mai i le tu'uina mai o se talosaga e uiga i se faiga-palota, ma le itu i taualumaga mulimuli ane ai e fa'ataau i lea talosaga, ae vagana ai totogi e pei ona ua aiaia e lenei Tulafono i se tasi faiga e 'ese ai, o le a totogiina lava e itu po o vaega e aiaai i le talosaga i se faiga ma i ni fua fa'ataau e pei ona o le a fua-fuaina e le Fa'amasinoga Sili; ma ae maise lava, so o se totogi ua iai i le taofi o le Fa'amasinoga e fa'apea na pogai mai ona o se amioga tau-fa'aleaga, tu'u'a'iga e le fa'avaea, po o ni fa'atu'i-'ese e le manu i le itu i le tagata na talosaga po o le na tete'e, ma o so o se tupe alu e le tatau ai na pogai mai pe na mafua ona fa'aalu ona o le na talosaga po o le na tete'e, e mafai lava ona poloa'iina ina ia totogi mai e itu po o vaega na pogai ai ona fa'aaluina sea tupe, tusa lava pe na manumalo i le mea atoa ia vaega pe leai.

(2) Afai e le usita'i le na talosaga a ua ono masina talu ona tu'u'na atu iai se poloa'iga malosi ina ia na totogiina atu i so o se tagata na vala'auina e avea ma molimau mo ia, po o, i so o se tasi na avea ma itu tete'e, so o se tupe ua fa'amaonia e tatau ona totogi atu ia te ia mo totogi, ma ua fa'amaonia lea uiga le usita'i i totonu o le tausaga e tasi talu mai le poloa'iga malosi e tusa ma le maliega o le Fa'amasinoga Sili, so o se tasi o ia lea na ia osia se feagaiga i lalo o le Tulafono lenei e fa'asino i le talosaga o le a tatau lava ona noatia e fa'apea ua le us'usita'i ma tausisi i le osiga-feagaiga, ma o le a tatau ai ona tagofia lea itu i le faiga o lo'o aiaia e le fuaiupu e 21 o le Tulafono o Taualumaga Fa'a-Fa'amasinoga tau le Malo 1950 (Niu Sila).

(Cf. 1956, Nu. 107, f. 176 (N.Z.)

126. *Totogi e tatau ona totogi e tagata ua fa'amaonia e nofosala i se faiga ta'uavea po o se faiga e le tusa ai ma le tulafono*—(1) Afai ua aliali mai i le Fa'amasinoga i luga o le su'esu'ega o se talosaga e uiga i se faiga-palota e fa'apea ua nofosala so o se tagata i so o se faiga ta'uavea po o se faiga e le tusa ai ma le tulafono, e mafai e le Fa'amasinoga, ina ua uma ona tu'uina atu i lea tagata se avanoa na te fa'a ai se fa'amatalaga ina ia fa'aalia ai pe mata e mafua i se a ona le tatau ona faia le poloa'iga, ona poloa'iina le atoa po o so o se vaega o totogi o, po o ni tupe alu na alia'i mai i so o se su'esu'ega i luma o le Fa'amasinoga e fa'asino i lea solitulafono po o lea tagata, o lea tatau ona totogi atu e lea tagata i se isi tagata po o ni tagata e pei ona ua manatu le Fa'amasinoga e tatau ai.

(2) O totogi uma ua fa'apea ona poloa'iina ina ia totogi atu, e mafai lava ona maua mai e avea o se aitalafu e tatau ona totogi atu e le tagata na ala ai ona totogi atu ia tupe i le tagata po o ni tagata na poloa'iina ia tupe ina ia totogi atu iai.

Cf. 1956, Nu. 107, f. 177 (N.Z.)

O le Toe Tatalaina ma le Fa'amutaina o Talosaga

127. *Toe tatalaina o se talosaga*—(1) E le tatau i se tagata na talosaga ona toe tatala i tua se talosaga e uiga i se faiga-palota e aunoa ma le fa'atagaina e le Fa'amasinoga Sili i luga o se tusi-talosaga e ao ina faia i le faiga ua fuafuaina.

(2) E leai se talosaga fa'apena e tatau ona faia se'ia vagana ona ua uma ona tu'uina atu le fa'aaliga fuafuaina e uiga i le fa'amoemoe e faia lea itu i totonu o le itumalo po o le itu i tagata palota ta'ito'atasi e fa'asino iai le talosaga.

(3) Afai e sili atu i le le to'atasi le tagata na talosaga, e le tatau ona faia se tusi-talosaga ina ia toe tatala i tua le talosaga ae se'ia vagana ona ua malilie iai tagata uma na talosaga.

(4) Afai ua toe tatala se talosaga, o le a noatia lava le na talosaga i le totogiina o totogi po o tupe alu a tagata ta'itasi na avea ma itu tete'e.

Cf. 1956, Nu. 107, f. 178 (N.Z.)

128. *Suia o se tagata talosaga fou*—(1) I le taimi e fa'afogaina ai se tusi talosaga mo se fa'atagaina ina ia toe tatala le talosaga, e mafai e so o se tagata o ia lea semanu na te mua'i tu'uina mai le talosaga ona talosaga atu i le Fa'amasinoga ina ia sui atu o ia e avea o se tagata e talosaga.

(2) E mafai ele Fa'amasinoga, pe afai e manatu o ia ua tatau ai, ona fa'aofi e avea ma sui so o se tagata ua talosaga mai ina ia avea o le e talosaga, ma e mafai, pe afai ua iai i le taofi o le Fa'amasinoga e fa'apea o le toe tatalaina i tua o le talosaga ua fa'amoemogina o le taunu'uga lea o so o se asiga-fegaiga tr'ualea po o se mea ua tu'uina atu e avea ma tau, i se poloa'iga ona fa'atonuina e fa'apea o le puipuiga malu na tu'uina mai e fa'atatau i le tagata na mua'i talosaga o le a tumau pea e avea ma puipuiga malu mo so o se totogi e pogai mai ona o le tagata ua suia e avea o le e talosaga, ma o le a noatia lava le le tagata na mua'i talosaga e tusa ma le tulaga e o'o iai le tupe o lo'o maua i totonu o le puipuiga malu na te totogiina totogi po o tupe alu a le tagata ua suia e avea o le e talosaga.

(3) Afai e le fa'apea ona fa'atonuina e le Fa'amasinoga, o le puipuiga malu e o'o atu i le asafa'iga o le tupe semanu e manatomia i le itu i se talosaga fou, ma i le noatia ma fai fuafuaga

i ia lava aiaiga, o le a tatau lava ona tu'uina mai e fa'atatau i lē ua suia e avea o le tagata e talosaga i totonu o aso e tolu talu ona fai le poloa'iga o le fesuia'iga.

(4) I le noatia ma fai fuafua i aiaiga ua ta'ua i luga, o le a tatau lava i le tagata ua suia e avea o lē e talosaga, i se tulaga vavalalata e ono mafaia, ona tu i lea lava tulaga e tasi ma e noatia ma fai fuafua i noataga lava e tasi e pei o le tagata na mua'i talosaga.

Cf. 1956, Nu. 107, f. 179 (N. Z.)

129. *Lipoti e uiga i le toe tatalaina i tua*—I so o se itu tau le toe tatalaina i tua o se talosaga e uiga i se faiga-palota, o le a faia ai lava e le Fa'amasinoga Sili se liopti i le Fofoga Fetalai o lo'o fa'aalia ai pe mata ua iai i lona taofi e fa'apea o le toe tatalaina i tua o le talosaga o le taunu'uga lea o so o se feua'iga ta'u-valea po ua avea ma tau i le tatalaina o so o se isi talosaga e uiga i se faiga-palota ma afai e fa'apea, ia fa'aalia ai uiga ua o'o iai le fa'afoeina o le toe tatalaga i tua.

Cf. 1956, Nu. 107, f. 180 (N.Z.)

130. *Fa'amutaina o se talosaga*—(1) O le a fa'amutaina se talosaga e uiga i se faiga-palota ona ua maluu se tagata na talosaga to'atasi po o le tagata sa soifua pea o tagata 'ese'ese na talosaga.

(2) O le a fa'amutaina se talosaga o le a lē a'afia ai le noataga o le na talosaga po o so o se tasi lava tagata i le totogiina o totogi po o ni tupe na fa'aaluina talu ai.

(3) A o'o ina ua fa'amutaina se talosaga, o le a tu'uina atu loa se fa'aaliga e uiga i le fa'amutaina i le faiga ua fuafuaina ma o totonu o aso e luasefulu-valu talu ona tu'uina atu le fa'aaliga, e mafai ai e so o se tagata o ia lea atonu semanu e avea o se tagata e talosaga i le itu i le faiga-palota ona talosaga atu i le Fa'amasinoga Sili i le faiga ua fuafuaina. E mafai e le Fa'amasinoga ina ua maua so o se tasi-talosaga, pe afai e manatu o ia ua tatau ai, ona fa'aofi loa e avea ma sui le tagata na talosaga mai e avea o lē e talosaga.

(4) O le a tatau lava ona tu'uina mai le puipuiga malu e fa'atatau i se tagata e talosaga ua fa'apea ona suia, e pei lava ona faia i le itu i se talosaga fou.

Cf. 1956, Nu. 107, f. 181 (N.Z.)

Tu'utu'uga Lautele

131. *O le toe tatalaina ma le suia o lē e tete'e a o lumana'i le fa'amasinoga*—(1) Afai a o lumana'i ai le fa'amasinoina o se talosaga e uiga i se faiga-palota e iai se tasi ua avea ma itu te-

te'e, e 'ese ai nai lo le Ali'i Ofisa Sili Fai-Palota ma le Resitara -

(a) Ua maliliu; po o

(b) Ua na tu'uina mai le fa'aaliga fuafuaina e fa'apea ua le mana'o o ia e tete'e i le talosaga; po o

(c) Ua na fa'aalia lona nofoa e fa'apea ua avanoa ma ua lē nofoia i se lipoti mai le Fofoga Fetalai i le Ao. o le Malo, -

o le a tu'uina atu loa se fa'aaliga e uiga i lea itu i le faiga ua fuafuaina ma, i totonu o aso e luasefulu-valu talu ona tu'uina atu le fa'aaliga, e mafai ai e so o se tagata o ia lea atonu semanu e avea o se tagata e talosaga i le itu i le faiga-palota ona talosaga i le Fa'amasinoga Sili ina ia fa'auluina e avea o se itu tete'e ina ia tete'e fa'asaga i le talosaga, ma o le a fa'apea lava ona fa'auluina, ae vagana ai ona e le tatau ona sili atu i lo le to'atolu le aofa'i o ni tagata e fa'apea ona fa'auluina.

(2) O se itu tete'e o ia lea ua na tu'uina mai le fa'aaliga fuafuaina e fa'apea e lē o fa'amoembe o ia e tete'e i le talosaga, o le a le fa'atagaina lava pe o'o mai pe galuc e avea o se vaega e tete'e fa'asaga i le talosaga i so o se su'esu'ega e fa'atatau i lea mataupu, ma o le a le tatau ona fono pe palota i totonu o le Fono Aoao-Faitulafono se'ia-o'o ina ua uma ona fofoga le Fono Aoao e uiga i le lipoti e fa'atatau i le talosaga.

(3) Afai ua tu'uina atu e se itu tete'e le fa'aaliga fuafuaina e pei ona ta'ua i luga o le a tatau lava i le Fa'amasinoga ona lipotia le mea moni e uiga i lea itu i le Fofoga Fetalai.

Cf. 1956, Nu. 107, f. 182 (N.Z.)

132. *Tu'uina atu o le lipoti i le Loia-Sili*—Afai ua lipotia e le Fa'amasinoga Sili e fa'apea e iai ni tagata ua ta'ua ai igoa ua fa'amaonia i le su'esu'eina o se talosaga e uiga i se faiga-palota ua nofosala i so o se faiga ta'uvala po o se faiga e le tusa ai ma le tulafono. o le a tatau loa ona tu'uina atu le lipoti i luma o le Loia-Sili.

Cf. 1956, Nu. 107, f. 183 (N.Z.)

VAEGA XI

Tu'utu'uga 'Ese'ese

133. *Tu'uina atu o fa'aaliga*—(1) E mafai ona tu'uina atu so o se fa'aaliga e tusa ma le Tulafono lenei, i so o se tagata i le fa'ao'oina atu o le fa'aaliga i lea tagata, ma e mafai ona fa'a-o'o atu ia te ia, tusa pe tu'uina atu ia te ia lava po o le tu'uina i lona nofoaga e mau ai e pei ona fa'aalia i luga o so o se pepa o le fa'asologa o igoa, po o, i le lafoina i le meli i se tusi fa'amauiina e fa'atuatusi atu ia te ia i lea lava nofoaga e mau ai.

(2) O se fa'aaliga ua fa'apea ona lafo atu i le meli, o le a fa'atatauina lava e fa'apea ua uma ona tu'uina atu i le taimi o le a tatau ona taunu'u ai le tusi fa'amauina i le fa'agasologa e masani ai o le meli.

(3) Afai ua auina atu so o se fa'aaliga i se tusi fa'amauina e fa'atuatusi atu i so o se tagata i lona nofoaga e mau ai e pei ona fa'aalia i luga o so o se pepa o le fa'asologa o igoa, fa'atasi ai ma se talosaga fa'apitoa e fa'apea o le a tatau ona toe fa'afoti mai le tusi i le na auina atu ai pe a mavae aso e sefulu ma le lina pe afai e le mafai ona maua le tagata o lo'o fa'atuatusi atu iai le tusi, o le toe fa'afotiina mai o le tusi e le Fale Meli o le a fa'atatauina lava lea e avea ma fa'amaoniga mautu e fa'apea ua tu'ua e le tagata lea nofoaga sa mau ai.

Cf. 1956, Nu. 107, f. 186 (N.Z.)

134. *E tu'usunoaina le Ali'i Ofisa Sili Fai-Palota ma le Resitara mai tofogi o le Fa'amasinoga*—O le Ali'i Ofisa Sili Fai-Palota ma le Resitara o le a tu'usunoaina mai le tofogiina o so o se tofogi o le Fa'amasinoga i le itu so o se taualumaga fa'afamasinoga i lalo o le Tulafono lenei.

Cf. 1956, Nu. 107, f. 186 (N.Z.)

135. *Fa'amaoni fa'ale-tulafono o ni uiga sesē*—Afai e iai so o se mea ua pa'ū ma ua le faia po ua le mafai ona faia i le taimi na aiaia e, po o, e tusa ma lenei Tulafono, po ua faia a o lumana'i ai po ua tuana'i lea taimi, po ua sesē ona faia i se faiga e 'ese ai i lona tulaga tino mai, po ua le lava se tu'utu'uga na fai ae, po o, e tusa ma lenei Tulafono, e mafai e le Ao o le Malo i le faia i luga o le fautuaga a le Kapeneta, i se fa'asilasilaga i totonu o le Kaseti, i so o se taimi a o lumana'i ai po ua tuana'i i le taimi e tatau ona fai ai, sea mea, ona fa'aopopo lea taimi, po o le fa'amaonia fa'ale-tulafono o so o se mea ua fa'apea ona faia a o lumana'i ai po ua tuana'i le taimi e mana'omia, po ua fa'apea ona sesē ona faia i lona tulaga tino mai, po o le faia o se tasi lava tu'utu'uga mo le mataupu, e pei ona ua finagalo o ia e tatau ai:

Ae vagana ai ona e le tatau ona fa'aogaina lenei faaiupu i le itu i le tu'uina atu o se talosaga e uiga i se faiga-palota po o le tu'uina atu o se puipuiga malu mo tofogi i le itu i se talosaga e uiga i se faiga-palota.

Cf. 1956, Nu. 107, f. 187 (N.Z.); S.R. 1957: 223, r. 100 (3).

136. *Tulafono Fa'atonutonu*—(1) E mafai e le Ao o le Malo i le faia i luga o le fautuaga a le Kapeneta mai lea taimi i lea taimi, i se Tulafono Fa'a-Polofaiga, ona faia ni tulafono fa'atonutonu uma e pei ona ua iai i lona finagalo e tatau ai po

ua talafeagai ai mo le tu'uina atu o le fa'amamaluga atoatoa i tu'utu'uga o lenei Tulafono ma mo le pulea e tatau ai o lea lava Tulafono.

(2) O tulafono fa'atonutonu e faia i lalo o le fuaiupu lenei, e mafai ona fuafuaina ai fa'asalaga mo solitulafono e fa'asaga i tulafono fa'atonutonu, e le silia le nofo-falepuipui i lo se vai-taini e tolu masina po o se sala tupe e limasefulu pauni.

(3) O tulafono fa'atonutonu uma na faia e tusa ma lenei fuaiupu, o le a tatau lava ona tu'uina atu i luma o le Fono Aoaio Faitulafono i totonu o aso e luasefulu-valu talu mai le aso na fai ai ia tulafono pe afai o tauaofia le Fono Aoaio i lea taimi, ma, afai e leai, o le a tatau ona tu'uina mai i luma o le Fono Aoaio i totonu o aso e luasefulu-valu talu mai le aso e amata ai le tauaofiaga e soso'o ai o lo'o lumanai.

Cf. 1956, Nu. 107, f. 188 (N.Z.)

137. *Mea ua soloia ma mea e fa'asaina*—(1) O tulafono o lo'o fa'aalia i totonu o le Fa'amatalaga e Lua i le Tulafono lenei o le a le toe fa'amamaluina e avea ma vaega o le Tulafono o Samoa i Sisifo.

(2) O tu'utu'uga o fuaiupu e 20, 20A ma le 21 o le Tulafono e Fa'amatala a Tulafono 1924 (Niu Sila, ona ua fa'aofia i le fuaiupu e 20A e le fuaiupu e 2 o le Tulafono Toe Teuteuina e Fa'amatala a Tulafono 1960) o le a fa'aogaina lava i le itu i ia tulafono e peisea i le'i soloia e lenei fuaiupu.

(3) O tulafono uma na faia e le A'o'o Malo po o le Ali'i Ofisa Sili Fai-Palota po o le Resitara po o, e so o se tasi lava ali'i ofisa ma o talosaga ma ta'utinoga uma na faia e so o se tagata a o lumanai le amataga o le Tulafono lenei i le itu i le ulu a'i faiga-palota aoao mo Sui Usufono o le Palemene o le a faia a ua tuana'i le amataga o lenei Tulafono, mea ia semanu e fa'amaonia fa'ale-tulafono pe a na fai ua fa'amamaluina lenei Tulafono i le taimi na fai ai sea gaioiga, po o, na fai ai le talosaga po o le ta'utinoga, ua fa'amaonia nei fa'ale-tulafono ma ua fa'aalia manino nei e fa'apea ua faia pe na faia e tusa ma ala o le tulafono.

Cf. S.R. 1957 223, r. 102 (N.Z.)

FA'AMATALAGA FA'AMATALAGA MUAMUA

PEPA

Pepa 1

Fuaiupu 4. 63. 61:

**TA'UTINOGA A LE ALI'I OFISA FAI-PALOTA, SUI ALI'I
OFISA FAI-PALOTA, FAILAUTUSI O LE PALOTA TAGA-
TA E VA'AVA'AIA LE FAIGA O PALOTA MA ISI ALI'I
OFISA.**

O a'u, A.B., (Fa'aofi iai le tuatusi atoa o le mea e nofo ai ma le galuega po o se fa'amatalaga), ou te ta'utino atu ma le matuā fa'amaoni a'ia'i e fa'apea o le a ou auauna lelei ma le fa'amaoni i le tofi o le -

*Ali'i Ofisa Fai-Palota

*Sui Ali'i Ofisa Fai-Palota

*Failautusi o le Palota

*Fa'amatala-upu

*Tagata e va'ava'aia le faiga o palota mo C.D., o se sui ua fa'atu atu,

i le palota mo le Itumalo o po o le Sui
o le Au-Palota Ta'ito'atasi ma o le a ou lē faia lava so o se mea
ua fa'asāina e le fuaiupu e 94 o le Tulafono o Faiga-palota 1963.
M A ua ou faia lenei ta'utinoga fa'amaoni ma lo'u iloa lelei
ma le talitonuga ua moni ma fa'amaoni lea lava ta'utinoga ma
ua tusa ma le tulaga aloa'ia o le Tulafono o Tautoga, Fa'amata-
laga-Tautō ma Ta'utinoga 1963.

Ta'utinoina i	i lenei aso	)	
		)	A.B.
o	19 i o'u luma	)	

E.F.

*Ali'i Ofisa Sili Fai-Palota

*Ali'i Ofisa Fai-Palota

*Sui Ali'i Ofisa Fai-Palota

*(Galuega po o le fa'amatalaga o se tagata ua fa'a-
tagaina na te faia ta'utinoga e le fuaiupu e 21 o le
Tulafono o Tautoga, Fa'amatalaga-Tauto ma Ta'u-
tinoga 1963.

*Solo: 'ese so o se faitau e lē fa'aaogaina. O le fuaiupu e
94 o le Tulafono o Faiga-Palota 1963 o le a lomia i le itu i tua
o le pepa lenei ma e tatau ona faitauina e po o le faitau atu i
le tagata o lo'o faia le ta'utinoga.

Pepa 2

Fuaiupu 21:

I le Resitara o le au-palota ma tagata palota ta'ito'atasi mo
Samoa i Sisifo.

O a'u (Fa'aofi iai igoa atoa, le tuatusi atoa o le mea e mau ai ma le galuega po o le fa'amatalaga) ou te talosaga atu nei ina ia tusia lo'u igoa i le pepa o le fa'asologa o igoa o tagata palota ta'ito'atasi mo Samoa i Sisifo; ma ou te ta'utino atu ma le matua fa'amaoni a'ia'i e fa'apea:

(A) O a'u tali i fesili nei ua fa'aalia i lalo e sa'o ina fa'amaoni:

1. O oe o se tagatanu'u o Samoa i Sisifo e tusa ma le Tulafono o le Tulaga o Tagatanu'u o Samoa i Sisifo 1959?
2. Ua e aulia le luasefulu-tasi tausaga o lou olaga?
3. O oe o se tagata ua le mafai ona totogi au aitulafu?
4. Ua fa'amaonia lou nofosala i totonu o Samoa i Sisifo po o Amerika Samoa i se solitulafono e ono mafai ona fa'asalaina i le oti po o le nofo-falepuipui mo se vaitaimi e lua tausaga po o luga a'e po'ua fa'amaonia lou nofosala i totonu o Samoa i Sisifo i so'o se faiga ua fa'aalia manino e avea o se faiga ta'uavea e le Tulafono o Faiga-Palota 1963?
5. Afai e fa'apea:
 - (a) Po'ua e maua ea se fa'amagaloga sa'oloto?
 - (b) Po'ua uma ea ona e faia le nofo-falepuipui po o le fa'asalaga na fa'asalaina ai oe ona o le solitulafono?
6. O oe o se tagata e maopoopo le mafaufau ma e le'i noatia i se poloa'iga e taofia ai i aiaiga fa'afoma'i e tusa ma le Tulafono o le Tulaga Maloloina o le Mafaufau 1961?
7. Sa tusia lou igoa i luga o le pepa o le fa'asologa o igoa o le au-palota Papalagi i le aso 30 o Novema 1963?
8. O ai le igoa atoa o lo'o iai (po o sa iai) o lou tamā?
9. Afai ua maliu o ia, o anafea ma o fea le mea na maliu ai?
10. Sa tusia le igoa o lou tamā i luga o le pepa o le fa'asologa o igoa o le au-palota Papalagi i le aso 30 o Novema 1963?
11. Afai e leai ma afai na maliu o ia a o lumana'i le aso 30 o Novema 1963, e mata a na fai e soifua pea o ia i lea aso semanu e agava'a o ia ina ia tusia lona igoa i le pepa o le fa'asologa o igoa o le au-palota Papalagi i lea aso?
12. Pe sa e le'i fanau mai pe sa i lalo ifo o le luasefulu-tasi tausaga o lou olaga i le aso 30 o Novema 1963?
13. Pa na e maua lou tulaga fa'a-tagatanu'u o Samoa i Sisifo ina ua:

(a) Fa'aliliuina lou tulaga?

(b) E fanau mai?

14. Afai o le itu ua ta'ua mulimuli:

(a) Pe mata'ea o se tagatanu'u o Samoa i Sisifo lou tamā pe a na fai e soifua pea?

(b) Pe mata a na fai e soifua pea lou tamā i le aso o le amataga o le Tulafono o le Tulaga o Tagatanu'u o Samoa i Sisifo 1959 i le aso 8 o Setema 1959 semanu e agava'a loa lava o ia e avea o se tagatanu'u o Samoa i Sisifo e tusa ma le tulaga aloa'ia o so o se tu'utuuga o lea Tulafono?

15. Po ua e faia ea le tautoga o le loto fa'amaoni i le faiga ma le tulaga tino mai o lo'o aiaia e le fuaiupu e 18 o le Tulafono o le Tulaga o Tagatanu'u o Samoa i Sisifo 1959?

(B) Ou te le o umia se suafa matai ma ou te le o fa'ataunu'uina so o se aiā tatau po o se tulaga aloa'ia i le itu i fanua fa'ale-aganu'u.

(C) Ou te le'i fa'aipoipo i se tagata o lo'o ona umia sea suafa po o lo'o fa'ataunu'uina so o se aia tatau po o se tulaga aloa'ia.

MA ua ou faia lenei ta'utinoga fa'amaoni ma lo'u iloa lelei ma le talitonuga ua moni ma fa'amaoni lea lava ta'utinoga ma ua tusa ai ma le tulaga aloa'ia o le Tulafono o Tautoga, Fa'amatalaga-Tautō ma Ta'utinoga 1963.

SAINIA ma ta'utinoina i i lenei)

aso o 19) (Sainia ai le igoa o
i'o'u luma:) le'ua talosaga)

(Sainia ai le igoa ma le galuega po o le fa'amatalaga o se tagata ua fa'atagaina na te faia se ta'utinoga fa'ale-tulafono e le fuaiupu e 21 o le Tulafono o Tautoga, Fa'amatalaga-Tautō ma Ta'utinoga 1963).

Fuaiupu 35 (1)

PEPA 3

FA'ASOLOGA O SUAFA MO LE ITUMALO

FA'A-ALALAFAGA

Fa'asologa o Tagata e Avanoa e Palota e avea ma Tagata Palota o le Itumalo Fa'a-Alalafaga o

Numera i le Fa'asologa o Igoa	Suafo po o le Igoa fa'ale- aiga	Igoa Tau- le'ale'a po o le igoa Papatiso	Pitonu'u	Nu'u	Galuega po o le Fa'ama- talaga

Resitara

Fuaiupu 35 (2)

PEPA 4

FA'ASOLOGA O SUAFA O TAGATA PALOTA
TA'ITO'ATASI.Fa'asologa o Tagata e Avanoa e palota mo ni Sui o Tagata Palota
Ta'ito'atasi.

Numera i le fa'asologa o Igoa	Igoa Fa'ai'u po o le Igoa Fa'ale-aiga	Igoa Papatiso	Mea e mau ai	Galuega po o le Fa'amata- laga

Resitara

Fuaiupu 48 (1):

Pepa 5

PEPA O LE FILIFILIGA

I le Ali'i Ofisa Sili Fai-Palota mo Samoa i Sisifo.

O i ma'ua, (Fa'aofi iai igoa atoatoa ma tuatusi atoatoa o nu'u e mau ai ma galuega po o fa'amatalaga), o e ua fa'amaonia o ni

*tagata palota mo le Itumalo fa'a-alalafaga o

*tagata palota ta'ito'atasi mo Samoa i Sisifo

ua ma filifilia nei (Fa'aofi iai igoa atoatoa, tuatusi atoatoa o mea e mau ai, ma le galuega po o se fa'amatalaga), o se tasi ua fa'amauina o se

*tagata palota

*tagata palota ta'ito'atasi, ina ua malie iai o ia, e avea o se sui e fa'atu atu i le palotaina o

*Se Sui po o ni Sui mo le itumalo ua ta'ua i luga

*Ni Sui o le Au-Palota Ta'ito'atasi

o le faiga o lea faiga-palota ua atofaina mo le aso o

19

FAIA i lenei aso o 19

(Sainia ai suafa o se to'a lua po o le sili atu o tagata palota po o tagata palota ta'ito'atasi o lo'o filifilia).

O a'u, (Fa'aofi iai igoa atoatoa o le sui ua fa'atu mai) ua ou tu'uina atu i'inei lo'u maliega i le filifiliga ua fa'aalia i luga.)

Sainia ai le sui ua fa'atu mai.....

* Soloi 'ese upu e le fa'aaogaina.

Fuaiupu 52 (1)

Pepa 6

FA'AALIGA TAU LE TOE TATALAINA I TUA O SE FILIFILIGA

I le Ali'i Ofisa Sili Fai-Palota mo Samoa i Sisifo.

O a'u, (Fa'aofi iai igoa atoatoa ou te tu'uina atu nei le fa'aaliga e fa'apea ua ou toe tatalaina i tua lo'u filifilia e avea o se sui e fa'atu atu i le palotaina o

*Se Sui po o ni Sui o le Itumalo o

*Ni Sui o le Au-Palota Ta'ito'atasi

o le faiga o lea faiga-palota ua atofaina mo le aso o

19

ma o a'u na filifilia mo lea faiga-palota i le aso o 19

Sainia e le sui na fa'atu mai

NA MAUA mai i le itula e i le aso o 19

Sainia e le Ali'i Ofisa Sili Fai-Palota

*Soloi 'ese upu e le fa'aaogaina.

Fuaiupu 56 (1)

Pepa 7

PEPA PALOTA

Palotaina o Sui Usufono o le Palemene
e avea ma sui

O le Itumalo Fa'a-Alalafaga o
po o

Le Au-Palota Ta'ito'atasi

SUI UA FA'ATUTU MAI

MATAI'A, Sione
TAGALOA, Levi

po o

ANDERSON, Thomas
BERRY, Charles (Su'i-'Ofu)
BERRY, Charles (Fai-Se'evae)
HIBBERD, Norman Frank

FA'ATONUGA

E mafai e le tagata palota (po o se tagata palota ta'ito'atasi) ona palota mo na o se sui po o ni sui se to'a
E tatau i le tagata palota (po o le tagata palota ta'ito'atasi) ona fa'aailoga se fa'a-koluse fa'afeagai tonu ma le igoa po o ni igoa o le sui po o ni sui ua fa'atutu mai e mana'o o ia e palota'ia. O le a lē fa'aaogaina le palota pe afai e sili atu igoa ua fa'aailoga-ina i se fa'a-koluse i lo le aofa'iga o sui e tatau ona filifilia.

A uma ona palota, ona gaugau lea o lenei pepa ma tu'u i to-tonu o le pusa palota. E le tatau ona e aveina lenei pepa i fafo atu o le fale palota.

Afai ua leaga ia te oe lenei pepa, toe fa'afu'i mai i le Ali'i Ofisa na ia tu'uina atu ma toe aumai ai se tasi pepa.

Fua'upu 56 (5)

Pepa 8

PITO TEU-MAU O LE PEPA PALOTA

Numera Fa'asolo

(Ia tusia i'inei ma e fa'apea fo'i i luga o le tulimanu i luga i le itu taumatau o le itu i tua o le pepa palota)

Fa'aailoga o le Pepa o Igoa:
Numera i le Pepa o Igoa:
(Ia na o i'inei e tusia ai)

(Ia o'omi fa'alava le fa'aailoga ina ia aliali) Fa'aailoga Fa'ale-
 mai ai le numera o le nofoaga o lo'o fai ai) Malo o le Fale
 le palota i itu uma e lua, o le pito pepa teu.) Palota.
 mau ma le pepa palota)

Mata'itusi amata o le Igoa o le Ali'i Ofisa Ta'ita'i.

•Fuaiupu 80

Pepa 9

TA'UTINOGA O LE TAUNU'UGA O LE PALOTA

Itumalo Fa'a-Alalafaga o
 (po o Tagata Palota Ta'ito'atasi)

OU TE TA'UTINO ATU NEI le taunu'uga o le palota na faia i
 le aso o 19 mo le palotaina o se sui po o ni sui
 uufono o le Palemene mo le Itumalo Fa'a-Alalafaga o (po o
 tagata Palota Ta'ito'atasi) e fa'apenei:

Sui na fa'atutu mai

Palota na maua

C.D.
 E.F.
 G.H.
 I.J.
 K.L.

Aofa'iga atoa o palota e aoga

Aofa'iga o palota ua te'ena e le aoga

Ole mea lea ou te fa'aalia manino ai C.D. e fa'apea ua fili-
 filia.

Tusia i -i lenei aso o 19

A.B.

Ali'i Ofisa Sili Fai-Palota

Fuaiupu 137.

FA'AMATALAGA E LUA

Tulafono ua fa'amutaina lo latou Aoga

O Tulafono Fa'atonutonu o le Fono Aoao Faitulafono a Sa-
 moa i Sisifo, 1957; Numera Fa'asolo 1957/223 (N.Z.)

O Tulafono Fa'atonutonu o le Fono Aoao Faitulafono a Sa-
 moa i Sisifo, 1957; Toe Teuteuga Nu. 1; Numera Fa'asolo
 1960/60 (N.Z.)