



WESTERN SAMOA

Arrangement of Provisions

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1994. No. 10

AN ACT to provide for the Flag and National Anthem of Western Samoa. [28 July 1994]

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

1. Short title-(1) This Act may be cited as the Official Flag and National Anthem of Western Samoa Act 1994.

(2) This Act shall come into force on the day it is assented to by the Head of State.

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

"Anthem" means the National Anthem specified in section 4 of this Act.

"Driver" means the driver of a vehicle and includes the following:

- . the rider of a bicycle,
- . the rider of a motor cycle,
- . the rider of a horse,
- . the rider of a donkey,
- . the person in control of a motor vehicle,
- . the person in control of a motor vehicle that is being towed,
- . a separate person who acts as steersman or engaged in the driving of any vehicle.

"Flag" means the official flag of Western Samoa referred to in section 3 and described in the Schedule to this Act.

"Vehicle" means a motor vehicle of any type propelled by mechanical power and constructed for use on roads and not rails or specially prepared ways and includes any motor cycle, or bicycle.

3. The Flag of Western Samoa- There shall be an official Flag of Western Samoa which shall be the Flag more particularly described in the Schedule to this Act.

4. The National Anthem of Western Samoa- There shall be a national anthem of Western Samoa which shall be "Samoa Tula'i".

5. Persons to respect the raising and lowering of the Flag-(1) Every person who is within or comes upon a public place or an area where the Flag of Western Samoa is being raised or lowered shall go into a stand still position and remain in that position until the raising or lowering of the flag has been completed.

(2) Every driver of any vehicle:

- (a) That is within a public place or an area where the flag is being raised or lowered shall refrain from driving the vehicle and ensure that the vehicle remains motionless until the raising and lowering

of the flag is completed.

- (b) That enters a public place or an area where the flag is being raised or lowered shall ensure that the vehicle is stopped and kept motionless until the raising or lowering of the flag is completed.

6. Persons to respect the national anthem-(1) Every person who is within or comes upon a public place or an area at which the national anthem is being sung or played shall come to a standstill position and remain in that position until the playing or singing of the national anthem is completed.

(2) Every driver of any vehicle:

- (a) That is within a public place or an area where the national anthem is being sung or played shall refrain from driving the vehicle and ensure that the vehicle is kept motionless until the playing or singing of the national anthem is completed;

- (b) That enters a public place or an area where the national anthem is being sung or played shall ensure that the vehicle is stopped and kept motionless until the playing or singing of the national anthem is completed.

7. Offences and Penalty - (1) Every person who defaces the Flag of Western Samoa or wilfully causes such Flag to be torn, destroyed or so defaced shall be liable upon conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding \$1000.00 or to both such imprisonment and fine.

(2) Every person who by act, word or conduct wilfully offers an insult to the Flag of Western Samoa shall be liable upon conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding \$1000.00 or to both such imprisonment and fine.

(3) Every person who by act, word or conduct wilfully offers an insult to the national anthem or by

act, word or conduct is disrespectful while the national anthem is being sung or played in any place referred to in section 5 and 6 of this Act shall be liable upon conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding \$1000.00 or to both such fine and imprisonment.

8. Repeal- The Flag of Western Samoa Act 1973 is hereby repealed.

SCHEDULE

The Official Flag of Western Samoa

Red, the first quarter blue and bearing thereon 5 white regular five-rayed stars representing the Southern Cross the size and disposition of the stars being as follows:

1. In this prescription the hoist of the flag from top to bottom is regarded as 144 vertical units, and its breadth from side to side as 288 horizontal units.
2. Each star has its uppermost point on a vertical line through its centres.
3. Two of the stars are disposed with their centres on a vertical line bisecting the blue quarter. The top point of the upper star and bottom points of the lower star are distant 3 vertical units from the upper and lower edges of the blue quarter respectively.
4. The star nearest the staff has its top point distant 21 vertical units from the upper edge of the flag, and its nearest point distant 42 horizontal units from the edge nearest the staff.
5. The star nearest the fly has its top point distant 18 vertical units from the upper edge of the flag, and its nearest point distant 42 horizontal units from the fly edge of the blue quarter.
6. The fifth star has its bottom points distant 26 vertical units from the lower edge of the blue quarter and its nearest point distant 56

horizontal units from the fly edge of the blue quarter.

7. The star nearest the fly edge measures 15, the topmost star and the star nearest the staff 16, the lowest star 20, and the fifth star 10 vertical units measured from the point of any ray to the point of the next ray but one.



SAMOA I SISIFO

Faatulagaina o aiaiga

Igoa			
1. Igoa puupuu ma le amataga		5.	O Tagata ina ia faaaloalo i le sisiina ma le tuuina i lalo o le Fua
2. Faamatalaina o uiga o upu		6.	O Tagata ina ia faaaloalo i le Vii o le Atunuu
3. O le Fua o Samoa i Sisifo		7.	Solitulafono ma Faasalaga
4. O le Vii o le Atunuu o Samoa i Sisifo		8.	Mea ua Soloia
			Faamatalaga

1994, Nu. 10

O SE TULAFONO e aiaia ai mo le Fua ma le Vii o le Atunuu o Samoa i Sisifo. [28 Iulai 1994]

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

1. Igoa puupuu ma le amataga-(1) E mafai ona taua lenei Tulafono o le Fua Aloaia ma le Vii o le Atunuu o Samoa i Sisifo 1994.

(2) O lenei Tulafono o le a amata faamamaluina i le aso o le a tuuina i ai le maliega a le Ao o le Malo.

2. Faamatalaina o uiga o upu- I totonu o lenei Tulafono ae vagana ai ua manaomia e le mataupu se i si faauigaina e ese mai ai -

"Vii" o lona uiga o le Vii o le Atunuu e pei ona faamatalaina i le fuaiupu 4 o lenei Tulafono.

"Avetaavale" o lona uiga o le avetaavale o se taavale ma e aofia ai tulaga e faapea:

- . le tagata o lo o tietie i se uila vili vae,
- . le tagata o lo o tietie i se uila afi,
- . le tagata o lo o tietie i se solo-fanua,
- . le tagata o lo o tietie i se asini,
- . le tagata o lo o aveina se taavale afi,
- . le tagata o lo o uliina se taavale afi o lo o tosoina,
- . se i si tagata o lo o uliina po o aveina so o se taavale.

"Fua" o lona uiga o le fua aloaia a Samoa i Sisifo e pei ona faasinomia i ai le fuaiupu 3 ma e pei ona faamatalaina i totonu o le Faamatalaga i lenei Tulafono.

"Taavale" o lona uiga o se taavale afi o so o se ituaiga e alu i malosia faa-enisini ma fausia mo le faaoga i auala ae le o ni ala o nofoaafi po o ni auala saunia faapitoa ma e aofia ai so o se uila afi, po o se uila vili vae.

3. O le Fua o Samoa i Sisifo- O le a i ai se Fua aloaia a Samoa i Sisifo lea o le a avea o le Fua e pei ona faamatala auiliiliina i totonu o le Faamatalaga i lenei Tulafono:

4. O le Vii o le Atunuu o Samoa i Sisifo - O le a i ai se vii o le atunuu o Samoa i Sisifo o le a taua "Samoa Tulai".

5. O Tagata ina ia faaaloalo i le sisiina ma le tuuina i lalo o le Fua-(1) O tagata uma o i latou ia o lo o i totonu po o ua taunuu mai i luga o se nofoaga faitele po o se nofoaga o lo o sisi ae ai po o le tuuina i lalo o le Fua o Samoa i Sisifo e

tatau ona tu loa ia aua nei toe gaoioi ma tutulai ai pea i lena tulaga seia maea ona sisi po o le tuu i lalo o le fua.

(2) O avetaavale uma o so o se taavale:

- (a) e faapea o lo o i totonu o se nofoaga faitele po o i se nofoaga o lo o sisi ae ai po o tuuina i lalo o le fua e tatau ona taofia le toe aveina o le taavale ma mautinoa e faapea o le taavale o le a le toe gaoioi seia maea ona sisi po o le tuuina i lalo o le fua.
- (b) e faapea ua ulufale atu i se nofoaga lautele po o se nofoaga o lo o sisi ae ai po o le tuuina i lalo o le fua e tatau ona mautinoa e faapea ua taofi ma aua nei toe gaoioi sea taavale seia maea ona sisi po o le tuuina i lalo o le fua.

6. O tagata ina ia faaloalo i le Vii o le Atunuu - (1) O tagata uma o i latou ia o lo o i totonu po o ua taunuu i luga o se nofoaga faitele po o se nofoaga o lo o usu po o taina ai le vii o le atunuu e tatau ona tu e aunoa ma le gaoioi ma tutulai ai pea i lena tulaga seia maea ona usu po o le taina o le vii o le atunuu.

(2) O avetaavale uma o so o se taavale:

- (a) e faapea o lo o i totonu o se nofoaga faitele po o se nofoaga o lo o usu po o taina ai le Vii o le Atunuu e tatau ona taofia le toe aveina o le taavale ma mautinoa e faapea o le a taofi loa lea taavale ia aua nei toe gaoioi seia maea ona usu po o le taina o le vii o le atunuu.
- (b) e faapea ua ulufale atu i se nofoaga faitele po o se nofoaga o lo o usu po o taina ai le vii o le atunuu e tatau ona mautinoa e faapea o le a taofi loa sea taavale ma taofi ai pea ia aua nei toe

faagaoioia sea taavale seia maea ona usu po o le taina le vii o le atunuu.

7. Solitulafono ma Faasalaga-(1) O tagata uma o i latou ia ua faaleagaina foliga o le Fua o Samoa i Sisifo po o faia ma le loto i ai le sasae o lea Fua, faaleaga po o le pei ona faafoliga ese ua noatia i luga o le moliaga i le nofo i le falepuipui mo se vaitaimi e le sili atu i le 6 masina po o i se faasalaga e le sili atu i le \$1,000.00 po o i ia faasalaga uma e lua e pei o le nofo i le falepuipui ma le faasalaga tau tupe.

(2) O tagata uma o i latou ia ua faia se gaoioiga, upu po o le faia o ni faaupuga faifai ma le loto i ai i le Fua a Samoa i sisifo o le a noatia i luga o se moliaga i le nofosala i le falepuipui mo se vaitaimi e le sili atu i le 6 masina po o i se faasalaga e le sili atu i le \$1,000.00 po o i ia faasalaga e lua o le nofo i le falepuipui ma le sala tupe.

(3) O tagata uma o i latou ia ua faia se gaoioiga, upu po o le faia o ni faaupuga tau faifai ma le loto i ai i le vii o le atunuu po o i le faia o se gaoioiga po o se amio le faaloalo a o usuina po o le taina o le vii o le atunuu i so o se nofoaga e pei ona faasinomia i ai le fuaiupu 5 ma le 6 o lenei Tulafono o le a noatia i luga o se moliaga i le nofo i le falepuipui mo se vaitaimi e le sili atu i le 6 masina po o i se faasalaga e le sili atu i le \$1,000.00 po o i ia faasalaga uma e lua e pei ona sala tupe ma le nofo i le falepuipui.

8. Mea ua Soloia- O le Tulafono o le Fua a Samoa i Sisifo 1973 ua soloia nei.

FAAMATALAGA

Fua Aloaia a Samoa i Sisifo

E lanu mumu, o le kuata muamua e lanumoana ma o lo o tauaveina ai i luga i ina fetu papae e lima

e tai lima ave o lo o faafoliga mai ai le Koluse i Saute, o le lapopoa ma tulaga o lo o i ai fetu o lo o pei lava ona faaalua i lalo:-

1. I lenei fuafuaga faatonuina, o le mea e sisi ai le fua mai le tumutumu e oo ifo i le itu i lalo ua faatatauina lava faapea e 144 unite o le tusao i luga, ma o lona lautele mai le tasi itu i le i si itu e 288 unite o le faalava.
2. O fetu taitasi ua i ai lona pito e aupito laualuga i luga o se laina tusao i luga e ui atu i lona totonu-galemu.
3. E lua fetu ua faatulaga ma ua i ai o laina totonu-galemu i luga o se laina tusao i luga, ua vaeluaina ai le kuata lanumoana. O le pito i luga o le fetu i luga ae, ma o pito i lalo o le fetu i lalo ifo e va i le mamao e 3 unite tusao i luga ma itu i luga ae ma lalo ifo o le kuata lanumoana i tulaga e faasino tonu i ai.
4. O le fetu e aupito latalata i le pou o le fua o le a 21 unite lona mamao mai i le pito luga o le fua, ma i le 42 unite o le faalava mai i le pito e sili ona latalata i le pou o le fua.
5. O le fetu e aupito latalata i le vaega e lelelelea ua i ai lona pito i luga i le mamao e sefuluvalu unite o le tusao i luga mai le itu i lalo o le fua, o lona pito e aupito sili ona latalata i le mamao e 42 unite o le faalava mai le itu e lelelelea o le kuata lanumoana.
6. O lona lima o fetu ua i ai ona pito i lalo i le mamao e 26 unite o le tusao i luga mai le itu i lalo o le kuata lanumoana ma lona pito e aupito latalata i le mamao e 56 unite o le faalava mai le itu e lelelelea o le kuata lanumoana.
7. O le fetu e aupito latalata i le itu e lelelelea ua fuafuaina e 15, o le fetu e aupito sili ona laualuga ma le fetu e aupito latalata i le pou o le fua e 16, o le fetu

e aupito maualalo e 20, ma lona lima o fetu e 10 unite o le tusao i luga i le fuafuaina mai le pito o so o se ave e tau atu i le pito o le ave e sosoo ai a e vagana ai le tasi.