

**LANDS, SURVEYS AND ENVIRONMENT
AMENDMENT BILL (No. 2) 2015**

SAMOA

Arrangement of Provisions

1. Short title and commencement
2. Section 31 amended
3. Section 37 amended
4. Section 54 amended
5. Consequential amendment

2015, No.

A BILL INTITULED

AN ACT to amend the Lands, Surveys and Environment Act 1989 (“principal Act”).

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

1. Short title and commencement-(1) This Act may be cited as the Lands, Surveys and Environment Amendment Act (No. 2) 2015.

(2) This Act commences on the date of assent.

**TULAFONO TAU FAAOFI O TEUTEUGA O LE
TULAFONO O ELEELE, FUAGAFANUA
MA LE SIOSIOMAGA (Nu. 2) 2015**

SAMOA

Faatulagaina o Aiaiga

1. Igoa puupuu ma le amataga
2. Ua teuteuina le fuaiupu 31
3. Ua teuteuina le fuaiupu 37
4. Ua teuteuina le fuaiupu 54
5. Teuteuga faatupulaia

2015, Nu.

O SE TULAFONO TAU FAAOFI UA TAU

O SE TULAFONO e teuteu ai le Tulafono o Eleele, Fuagafanua ma le Siosiomaga 1989 (“Tulafono autu”).

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

1. Igoa puupuu ma le amataga-(1) E mafai ona taua lena Tulafono o le Tulafono o Teuteuga o le Tulafono o Eleele, Fuagafanua ma le Siosiomaga (Nu. 2) 2015.

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

2. Section 31 amended - For section 31(1) of the principal Act, after paragraph (a), insert:

“(aa) if the applicant:

(i) is applying for a lease of government land which is 10 acres or less for the purpose of -

(A) a hotel, resort or serviced apartment; or

(B) any other tourism related development approved by the Board; and

(ii) is making at least \$10 million capital investment on the hotel, resort or serviced apartment or tourism related development; and”.

3. Section 37 amended - For section 37 of the principal Act, after subsection (2) insert:

“(2A) As an exception to the terms of lease in subsection (1), the Board may grant a lease of government land for a term not exceeding 99 years if the land has been alienated under sections 29 and 31(1)(aa).”.

4. Section 54 amended - In section 54(2) of the principal Act, for the proviso, after “production thereof” insert “or for the purchase of any unit estate under the Unit Titles Act 2009”.

2. Ua teuteuina le fuaiupu 31 - Mo le fuaiupu 31(1) o le Tulafono autu, i le tuanai ai o le parakalafa (a), ia faaofi e faapea:

“(aa) afai o le tagata talosaga:

(i) ua talosaga mo se lisi i eleele o le Malo lea e 10 eka le tele po o le itiiti ifo mo le faamoemoe o -

(A) se fale talimalo tele, se nofoaga ma fale mo tagata tafafao maimoa, po o se fale talimalo laitiiti; po o

(B) so o se isi lava atinae e faasino i tagata tafafao maimoa ua faamaonia e le Komiti Faatino; ma

(ii) ua faatinoina a itiiti mai e \$10 miliona le tupe faavae ua teufaafaigaluegaina e uiga i le fale talimalo tele, se nofoaga ma fale mo tagata tafafao maimoa po o se fale talimalo laitiiti po o atinae e faasino i tagata tafafao maimoa; ma”.

3. Ua teuteuina le fuaiupu 37 - Mo le fuaiupu 37 o le Tulafono autu, i le tuanai ai o le faafuuiupu (2) ia faaofi e faapea:

“(2A) I le avea ai ma tuusaunoaga i tuutuuga o le lisi o i le faafuuiupu (1), e mafai e le Komiti Faatino ona faamatuu atu se lisi o eleele o le Malo mo se vaitaimi e lē silia le 99 tausaga pe afai ua faaliliuina atu le fanua i lalo o le fuaiupu 29 ma le 31(1)(aa).”.

4. Ua teuteuina le fuaiupu 54 - I totonu o le fuaiupu 54(2) o le Tulafono autu, mo le aiaiga faatuutuuga, i le tuanai ai o upu “o fua o lea fanua” ia faaofi upu “po o mo le faatauina mai o so o se

iunite tau esetete i lalo o le Tulafono o Pule o Vaega Fanua 2009”.

5. Consequential amendment - Section 23 of the Survey Act 2010 is amended as follows:

(a) at the end of subsection (1), add “, unless exempted under subsection (1A)”;

(b) after subsection (1) insert:

“(1A) The Chief Executive Officer may exempt any subdivision plan or definition plan for a tourism development approved by the Chief Executive Officer from the requirements of subsection (1) to set aside land as a public reserve.”.

5. Teuteuga faatupulaia - Ua teuteuina le fuaiupu 23 o le Tulafono o le Fuaina o Fanua 2010 e faapea:

(a) i le faaiuga o le faafuaiupu (1), ia faaopoopo upu “, ae vagana ai ua tuusaunoa i lalo o le faafuaiupu (1A)”;

(b) i le tuanai ai o le faafuaiupu (1) ia faaofi e faapea:

“(1A) E mafai e le Ofisa Sili o Pulega ona tuusaunoa so o se ata o vaeveaga po o se ata o faamatalaga mo se atinae o tagata tafafao maimoa ua faamaonia e le Ofisa Sili o Pulega, mai manaoga o le faafuaiupu (1), ina ia faasao le fanua e ave ma faasao lautele.”.
