

SAMOA

Arrangement of Provisions

1. Short title and commencement
 2. Application
 3. Actions against the Government
-

1998, No. 14

AN ACT to amend the Limitation Act 1975. *(19 June 1998)*

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 Limitation Amendment Act 1998 and shall be read together with and form part of the Limitation Act 1975 (the principal Act).

(2) This Act shall come into force on the date it is assented to by the Head of State and in accordance with section 2 shall have retrospective effect.

2. Application-(1) Subject to subsection (2), this Act shall apply to all proceedings, whether commenced before this Act comes into force or not.

(2) This Act shall not apply to proceedings in respect of which a Court has made a final determination.

(3) For the purposes of subsection (2), no final determination shall be considered to have been made until all rights of appeal have been exhausted, or precluded by the effluxion of time in accordance with law.

3. Actions against the Government - Section 21 of the principal Act is amended by inserting subsection (2A) as follows:

“(2A) No leave may be granted by a Court where an action has been commenced and no notice of the action was served under subsection (1)(a) before the commencement of the action.”
