

SAMOA

Arrangement of Provisions

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1999, No. 16**AN ACT to amend the Civil Aviation Act 1998.**

[25th August 1999]

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 Civil Aviation Amendment Act 1999 and shall be read with and form part of the Civil Aviation Act 1998 (“the principal Act”).

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

2. Interpretation – Section 2 of the principal Act is amended by deleting the definition of “pilot in command” and replacing it with the following -

- ““pilot in command” in relation to any aircraft, means the pilot who -
- (a) Has the final authority and responsibility for the operation and safety of the aircraft;
 - (b) Has been designated as pilot in command before or during the flight; and
 - (c) Holds the appropriate category, class, and type rating, if appropriate, for the safe conduct of a flight.”

3. Amendment to section 107 – Section 107 of the principal Act is amended by inserting paragraph (g) as follows –

- “(g) Endangers the safety of an aircraft, whether in flight or on the ground, by interfering with:
- (i) any part of the aircraft; or
 - (ii) any item of aircraft equipment; or
 - (iii) any matter or thing related to the operational capability of the aircraft.”

4. Insertion of section 116A – The principal Act is amended by -

- (a) Inserting section 116A as follows:

“116A. Other offences – Any person who acts in a manner, or does anything, that -

- (a) Is contrary to section 116(1)(b); or
- (b) Requires or causes the commander of an aircraft to take the measures referred to in section 116(c),
- (d) or (e) -

is guilty of an offence, and upon conviction shall be liable to a fine not exceeding 20 penalty units, or to imprisonment for a term not exceeding five years, or both.” and

- (b) By deleting the words “(whether an offence or not)” from section 116(1)(b).