

2000

*Electoral Amendment*  
(No. 2)

No. 10

## **SAMOA**

### Arrangement of Provisions

#### Title

1. Short title and commencement
2. Exemption from being in Samoa
3. Eligibility and being in Samoa
4. Attendance in the Assembly
5. Authority to take Declarations

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### **2000, No. 10**

**AN ACT to amend various provisions of the Electoral Act  
1963.** *[7th November 2000]*

**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 Electoral Amendment Act (No.2) 2000 and shall be read with and form part of the Electoral Act 1963 ("the principal Act").

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

**2. Exemption from being in Samoa** - Section 5(6) of the principal Act is amended by the addition of paragraph (d) as follows:

- "(d)(i) A person who satisfies the Chief Electoral Officer that the person is required to obtain and has obtained medical treatment outside of Samoa for more than 125 days in any one year or more for the consecutive three year period ending on nomination day.
- (ii) The Chief Electoral Officer shall be satisfied as to the matters referred to in (i) if the person provides the Chief Electoral Officer with two statutory declarations in a form prescribed by regulation and any other information in a form specified by regulation.
- (iii) If any statutory declaration or other information referred to in (ii) is false or misleading the person claiming benefit of the statutory declaration or other information under subsection (2) or subsection (3) shall forfeit such benefit."

**3. Eligibility and being in Samoa** - Section 5(7) of the principal Act is deleted and replaced by the words:

"(7) For the purposes of this section "resided in Samoa for a period equalling or exceeding 3 years" shall mean a person has been in Samoa for at least 240 days in each year for a consecutive three year period ending on nomination day."

**4. Attendance in the Assembly** - Section 10(a) of the principal Act is amended by the addition of the following words after the phrase "in the Assembly":

"in the manner and for the period prescribed under the Standing Orders of the Parliament of Samoa"

**5. Authority to take Declarations** - Forms 1A and 2 in the Schedule to the principal Act are amended by deleting the words "Solicitor of the Supreme Court or Registrar/Deputy Registrar of the Supreme Court" and substituting the words:

"Person authorised to take declarations pursuant to section 21 of the Oaths, Affidavits and Declarations Act 1963".

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