

SAMOA

Arrangement of Provisions

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| 1. Short title and commencement | 3. Low-water mark, officials charts and publicity |
| 2. Interpretation | 4. Criminal jurisdiction |

2004, No. 13**AN ACT to amend the Maritime Zones Act 1999.***[2nd September 2004]*

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 Maritime Zones Amendment Act 2004 and shall be read together with the form part of the Maritime Zones Act 1999 (the Principal Act).

(2) This Act shall commence on the date of assent by the Head of State.

(3) Notice of commencement shall be published in Samoan and English in the Savali and one other newspaper circulating Samoa.

2. Interpretation – Section 2(1) of the Principal Act is amended:

- (a) by inserting the words “and Trade” after the words “Foreign Affairs” in the definition of “Minister”;
and
- (b) by inserting the following definitions in correct alphabetical order:
 - “Geodetic datum” means the World Geodetic System 1984 (G873) or such other reference system determined by Order by the Head of State, acting on the advice of Cabinet from time to time;
 - “low-water” means lowest astronomical tide and “low-tide” has a corresponding meaning;
 - “straight line” means geodesic or such other straight line as determined by Order by the Head of State, acting on the advice of Cabinet from time to time, and “straight baseline” has a corresponding meaning.

3. Low-water mark, official charts and publicity – Section 10 of the Principal Act is amended:

- (a) by deleting the words “low tides” in subsection (1) and substituting the words “low-water”;
- (b) by deleting subsection (2) and substituting the following:

“(2) Despite any other law, in any proceedings in any court, tribunal or other adjudicative body (howsoever called), a certificate purporting to be signed by the Chief Executive Officer of the Ministry of Natural Resources and Environment or by a Port Master appointed under the Ports Authority Act 1998 or by the Chief Executive Officer of the Ministry of Works, Transport and Infrastructure that any chart of any area is the official chart for that area shall be admissible as sufficient evidence of the matters stated in the certificate.”

- (c) by deleting the words “between baselines to be drawn” and substituting the words “to be used”.

4. Criminal jurisdiction – Section 16 of the Principal Act is amended by deleting paragraph (d) and substituting the following:

“(d) If such measures, in the opinion of the Attorney General, are necessary:

(i) for the suppression of illicit traffic in narcotic drugs or psychotropic substances; or

(ii) to enforce the Money Laundering Prevention Act 2000 or the Prevention and Suppression of Terrorism Act 2002 or like statutes; or

(iii) to ensure Samoa meets its obligations under any international or regional convention, treaty or other agreement (howsoever called) to which Samoa is a party.”

**The Maritime Zones Amendment Act 2004 is administered in the
Ministry of Foreign Affairs and Trade**