

**SAMOA**

## Arrangement of Provisions

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|---------------------------------|---|
| 1. Short title and commencement | 2. Expenditure in anticipation of appropriation |
|                                 | 3. Unauthorised expenditure                     |

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**2008, No. 27****AN ACT to amend the Constitution.** *[18<sup>th</sup> July 2008]***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 Constitution Amendment Act 2008 and shall be read with and from part of the Constitution.

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

**2. Expenditure in anticipation of appropriation** - Article 95 of the Constitution is amended by deleting the proviso starting with “**PROVIDED THAT**” and ending with the words “that year” and substituting the following:

**“PROVIDED THAT** the expenditure so authorised shall not exceed an amount equal to one-fourth of the relevant vote approved in the Appropriation Act for the preceding year.”

**3. Unauthorised expenditure** – Article 96 is deleted and the following substituted:

**“96. Unforeseen expenditure** – A vote for unforeseen expenditure not exceeding 3% of the total Appropriation Bill shall be included in the annual estimates laid before the Legislative Assembly. Where, during the period between the passing of the Appropriation Act for any financial year and the end of the year, it is desirable that money should be expended in excess of or without appropriation of the Legislative Assembly, Cabinet or, to the extent that Cabinet so authorises, the Minister responsible for Finance may authorise the transfer of funds to one or more nominated votes from the unforeseen expenditure vote:

**PROVIDED THAT** the amount is available to be transferred from the unforeseen expenditure vote **AND** the total amount of all sums issued and paid under the provisions of this Article shall not exceed three percent of the total amount of all sums appropriated by the Appropriation Act for that year.”

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**The Constitution Amendment Act 2008 is administered  
by the Ministry of the Prime Minister.**

**Printed by the Clerk of Legislative Assembly,  
by authority of the Legislative Assembly.**