

**SAMOA**

## Arrangement of Provisions

- |  |  |
|--|--|
| 1. Short title and commencement        | 6. Fee or charge charged or collected for a licence or a service rendered deemed to be valid |
| 2. Film Control Act 1978               |  |
| 3. Business Licence Act 1998           | 7. Validation of fees or charges in regulations  |
| 4. Electric Power Corporation Act 1980 |  |
| 5. Fees prescribed by regulations      |  |

---

**2008, No. 25**

**AN ACT to amend the fees and charges payable to government in various Acts and to validate fees and charges charged or collected for services rendered in accordance with a function under the relevant Act, and for related purposes.** *[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 Miscellaneous Fees Amendment Act 2008.

(2) This Act commences on the date that it is assented to by the Head of State.

**2. Film Control Act 1978** - The Film Control Act 1978 is amended by inserting the following table of fees at the end of the Act:

**“Schedule 1  
Table of fees**

<b>Item</b>	<b>Types of fees:</b>	<b>Frequency / unit</b>	<b>ST\$</b>
	<b>LICENCES</b>		
1	Establishment fee for an exhibitor’s licence	first application	1,000.00
2	Exhibitor’s licence	per year	500.00
3	Special exhibitor’s licence	per day	20.00
4	Lender’s licence	per year	400.00
	<b>CLASSIFICATION</b>		
5	Reels	per reel	56.25
6	Titles	per title	22.50
7	Copies	per copy	5.60
	<b>APPEAL</b>		
8	Appeal of Principal Censor’s decision	per appeal	20.00

**3. Business Licence Act 1998** - The Business Licence Act 1998 is amended by:

- (a) deleting the word “Schedule” in section 4(1) and the Schedule and inserting the words “Schedule 1”;

(b) inserting the following table of fees after Schedule 1:

**“Schedule 2**

Section 6(1)(c):

**Table of fees**

<b>Item</b>	<b>Type of licence</b>	<b>Frequency</b>	<b>SAT</b>
1	A business or economic activity undertaken by a company or a trust	per year	500.00
2	Commercial traveller	per year	500.00
3	Special business	per day	20.00
4	Any other business or economic activity	per year	220.00

**4. Electric Power Corporation Act 1980** – The Electric Power Corporation Act 1980 is amended by inserting after section 23 the following:

**“23A. Minister to determine an additional charge by notice-**

(1) The Minister may from time to time, by notice published in the Savali, determine an additional charge for the supply of electricity on such terms and conditions as determined by the Minister on the advice of the Corporation.

(2) The additional charge may only be for an amount that will compensate the Corporation for the cost to the Corporation of fuel used for the supply of electricity.

(3) The Minister may review the additional charge and consider whether the determination should be revoked.”

**5. Fees prescribed by regulations-**(1) This Act and the Miscellaneous Fees Amendment Act 1998 shall not preclude the authority or power provided in any Act to prescribe any fees by regulations made under any Act.

(2) Any fee or charge that is amended or provided for by this Act shall be deemed for all purposes to be valid notwithstanding that the relevant Act provides that the fee or charge is to be prescribed by regulations.

(3) This section shall have retrospective effect.

**6. Fee or charge charged or collected for a licence or a service rendered deemed to be valid** - Any fee or charge that has been charged or collected for a licence or a service rendered in accordance with a function under the Film Control Act 1978, the Business Licence Act 1998 or the Electric Power Corporation Act 1980 shall be deemed for all purposes to have been validly charged or collected.

**7. Validation of fees or charges in regulations-**(1) Subject to subsection (2), all regulations made under the authority of any Act may retrospectively validate fees or charges that have been imposed for licences issued under the authority of the Act, or for services provided under a statutory function or responsibility.

(2) A validation under subsection (1) may only apply to validate fees or charges that have been charged or collected for:

- (a) a licence which has been issued under the authority of the relevant Act; or
- (b) a service which has actually been provided in accordance with a function or responsibility under the relevant Act.

(3) A fee or charge imposed under any regulation shall be deemed to have been validated under this section if the provisions of the regulation indicate that the fee is to apply prior to the commencement of the regulation to licences granted or to services provided prior to the commencement, and it shall not be necessary for the regulation to specifically state that it is intended to have retrospective effect.

(4) This section shall have retrospective effect.

---

**The Miscellaneous Amendment Act 2008 is administered by the  
Ministry of Finance.**

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