

SAMOA

Arrangement of Provisions

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| 1. Short title and commencement | 3. Minister may make offer, procedure if offer not made or refused |
| 2. Power to take particular estates or interests or land subject thereto | |

2009, No. 15

AN ACT to amend the Taking of Land Act 1964 and for related purposes. *[23rd October 2009]*

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 Taking of Land Amendment Act 2009 and shall be read with and form part of the Taking of Land Act 1964 (hereinafter referred to as the Principal Act).

(2) This Act is deemed to commence on 1 September 2009.

2. Power to take particular estates or interests or land subject thereto - Section 8 of the Principal Act is amended by:

- (a) renumbering that section as subsection (1);
- (b) inserting a new subsection, subsection (2), to follow:

“(2) In subsection (1), the power to take separately any particular estate or interest (including a leasehold estate or interest) in the land in accordance with paragraph (b), included in the power conferred by section 7 to take land for any public purpose applies to:

(a) public land; and

(b) freehold land acquired by the Government or a public body by any lawful means,

as if that public land or freehold land were freehold land taken or to be taken under the provisions of this Act.”.

3. Minister may make offer, procedure if offer not made or refused - Section 34 of the Principal Act is amended by inserting after subsection (1) the following subsection:

“(1A) In making the claimant an offer of the sum under subsection (1), the Minister may offset any debt relating to the land (or estate or interest in the land) taken owed to the Government or a public body in arriving at the sum of the offer.”.

**The Taking of Land Amendment Act 2009 is
administered by the Ministry of Natural Resources,
Environment and Meteorology.**