

SAMOA

Arrangement of Provisions

1. Short title and commencement
2. Tenure of office of members

2010, No. 4**AN ACT to amend the Constitution.** [26th February 2010]**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 2010 and shall be read with and form part of the Constitution.

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

2. Tenure of office of members – Article 46 of the Constitution is amended by inserting the following at the end:

“(3) Notwithstanding Articles 13 and 15, an Act may provide that the seat of a Member of Parliament becomes vacant during his or her term of office:

(a) where in certain circumstances the Member -

- (i) resigns or withdraws from or changes his or her political party;
- (ii) joins a political party if he or she is not a member of the political party;
- (b) where the Member holds himself or herself out to be a member or a representative of -
 - (i) a party or organisation that has political aims and is desirous of taking part in an election where such party or organisation is not registered as a political party under an Act; or
 - (ii) a political party other than the political party of which he or she is a member.”.

**The Constitution Amendment Act 2010 is
administered by the Ministry of the Prime Minister.**

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