

# **BANKRUPTCY AMENDMENT BILL 2016**

## **SAMOA**

### **Arrangement of Provisions**

1. Short title and commencement
2. Section 138 amended
3. Consequential amendments

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**2016, No.**

### **A BILL INTITULED**

**AN ACT to amend the Bankruptcy Act 1908 (“principal Act”).**

**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 Bankruptcy Amendment Act 2016.
- (2) This Act commences on the date of assent.

**2. Section 138 amended:**

In section 138(1) of the principal Act, for paragraph (uu) substitute:

- “(uu) while a bankrupt and without having first obtained the consent of the Official Assignee -
  - (i) leaves, or attempts to leave, Samoa, temporarily or permanently; or
  - (ii) makes preparations for leaving Samoa, temporary or permanently; or”.

**3. Consequential amendments:**

In the Immigration Act 2004:

- (a) for section 24(1) -
  - (i) delete the word “and” after the semi colon at the end of paragraph (a);
  - (ii) delete the full stop at the end of paragraph (b) and substitute with “; and”; and
  - (iii) after paragraph (b), insert:
    - “(c) persons declared bankrupt unless the Official Assignee gives consent to depart under section 138 of the Bankruptcy Act 1908.”.

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