

# FEES AND CHARGES (MISCELLANEOUS AMENDMENTS)

## BILL 2016

### SAMOA

#### Explanatory Memorandum

##### Introduction:

The Bill seeks to amend various Acts of Parliament in relation to fees and charges and to give effect to a Cabinet Directive F.K.(14) 25 dated 16 July 2014. The main purpose of the Bill is to ensure that all fees and charges for services rendered by Government Ministries, Government Agencies and public beneficial bodies and selected public bodies are to be prescribed by Regulations made by the Head of State, subject to the approval of the National Revenue Board and the Public Finance Management Act 2001.

##### Clauses:

- Clause 1:** - states that, when enacted, the Bill will be called the Fees and Charges (Miscellaneous Amendments) Act 2016, and will commence on the date of assent by the Head of State.
- Clause 2:** - amends sections 5, 9, 24, 34 and 40 and repeals Schedule 1 of the Animals Ordinance 1960.
- Clause 3:** - amends sections 42 and 56 and repeals section 51 of the Apprenticeship Act 2014.
- Clause 4:** - amends sections 9 and 14 and repeals section 29 of the Business Licences Act 1998.
- Clause 5:** - amends sections 8, 9, 11, and 22, repeals section 28 and substitutes section 29 of the Citizenship Act 2004.

- Clause 6:** - substitutes section 65, repeals paragraph (e) of section 78, inserts new paragraph (s) for section 333 and amends section 337 of the Customs Act 2014.
- Clause 7:** - amends sections 12 and 26 and repeals section 25 of the Dental Practitioners Act 2007.
- Clause 8:** - amends sections 2 and 30, substitutes sections 40 and 74 and repeals section 47 of the Education Act 2009.
- Clause 9:** - amends sections 6, 9 and 54 and repeals paragraph (d) of section 13(3) of the Electricity Act 2010.
- Clause 10:** - amends section 6 of the Export of Meat Act 1997.
- Clause 11:** - amends section 30 and repeals Schedule 1 of the Film Control Act 1978.
- Clause 12:** - substitutes sections 39 and 41 of the Fire and Emergency Service Act 2007.
- Clause 13:** - amends sections 3 and 11 of the Fisheries Act 1988.
- Clause 14:** - substitutes section 10 of the Foreign Affairs Act 1976.
- Clause 15:** - amends sections 52, 53, 85 and 86 and repeals paragraph (e) of section 9 and section 19 of the Forestry Management Act 2011.
- Clause 16:** - amends sections 25 and 27 of the Gaming Act 1978.
- Clause 17:** - amends paragraphs (c) and (d) of section 6 of the Healthcare Professions Registration and Standards Act 2007.
- Clause 18:** - amends sections 11, 40 and 55 and repeals section 48 of the Immigration Act 2004.
- Clause 19:** - amends sections 2, 6, 7A, 7C, 20, 21A, 32 and 35 and repeals section 34A and Schedule 2 of the Incorporated Societies Ordinance 1952.

- Clause 20:** - amends sections 2, 7, 11, 13, 16, 22, 26, 30, 39, 43, 48, 57, 64, 69, 77, 91, 106, 119, 121, 129, 137 and 140 and repeals section 128 of the Intellectual Property Act 2011.
- Clause 21:** - amends section 5 by substituting paragraph (q) and inserting new subsection (3) and substituting paragraph (a) of section 18(2) of the Internal Affairs Act 1995.
- Clause 22:** - amends section 20 and inserts new section 21 of the Judgment Summonses Act 1965.
- Clause 23:** - amends section 40, inserts new section 67 and repeals Rule 9 of the First Schedule of the Court of Appeal Rules of the Judicature Ordinance 1961.
- Clause 24:** - amends sections 2, 5, 62, 72, 75 and 83 and repeals section 79 of the Labour and Employment Relations Act 2013.
- Clause 25:** - amends sections 9, 15, 17, 34B, 47 and 68, substitutes section 91 and repeals Schedule 1 of the Land and Titles Act 1981.
- Clause 26:** - amends sections 37, 71 and 146 of the Lands, Surveys and Environment Act 1989.
- Clause 27:** - amends sections 54 and 55 of the Land Transport Authority Act 2007.
- Clause 28:** - amends sections 2, 9, 10, 11, 12, 13 and 20 of the Land Valuation Act 2010.
- Clause 29:** - amends sections 2, 6, 24, 29, 43 and 67 of the Liquor Act 2011.
- Clause 30:** - amends sections 11 and 25 and repeals section 23 of the Medical Practitioners Act 2007.
- Clause 31:** - substitutes section 19 and amends section 24 of the Ministry of Health Act 2006.
- Clause 32:** - amends section 12 and repeals section 31 of the Nursing and Midwifery Act 2007.

- Clause 33:** - amends sections 32, 54 and 58 of the Ministry of Works Act 2002.
- Clause 34:** - substitutes section 19 and amends section 25 of the National Health Service Act 2014.
- Clause 35:** - amends sections 5 and 13 of the National Kidney Foundation of Samoa Act 2005.
- Clause 36:** - amends section 18 of the National University of Samoa Act 2006.
- Clause 37:** - amends sections 2, 5, 7, 8, 16, 19, 20, 21 and 39 of the Passports Act 2008.
- Clause 38:** - amends sections 3 and 12 and repeals section 27 of the Pharmacy Act 2007.
- Clause 39:** - amends sections 93 and 105 of the Planning and Urban Management Act 2004.
- Clause 40:** - amends sections 36, 39 and 64 and substitutes sections 37 and 44 of the Ports Authority Act 1998.
- Clause 41:** - substitutes section 13, repeals paragraph (c) of section 23(1) and amends section 36 of the Postal Services Act 2010.
- Clause 42:** - inserts new section 13A, substitutes section 27 and amend sections 37 and 66 of the Public Finance Management Act 2001.
- Clause 43:** - amends sections 32, 49, 53, 75, 90 and 127 and substitutes section 69 of the Public Trust Office Act 1975.
- Clause 44:** - amends sections 38, 39, 40, 52 and 69 of the Quarantine (Biosecurity) Act 2005.
- Clause 45:** - amends section 8 and inserts new section 12A of the Revision and Publication of Laws Act 2008.
- Clause 46:** - amends sections 30, 31, 32 and 33 and inserts new section 31A of the Samoa Sports Facilities Authority Act 2007.

- Clause 47:** - amends section 26 by repealing subsection (3) and 37(2) by inserting a new paragraph (ba) of the Samoa Qualifications Authority Act 2010.
- Clause 48:** - amends sections 10 and 48 and substitutes section 34 of the Samoa Water Authority Act 2003.
- Clause 49:** - amends paragraph (c) of section 9 and section 20 of the Scientific Research Organisation of Samoa Act 2008.
- Clause 50:** - amends sections 36, 46 and 47 of the Tourism Development Act 2012.
- Clause 51:** - substitutes section 29 and amends sections 32 and 43 of the Waste Management Act 2010.
- Clause 52:** - amends sections 12, 27 and 45 of the Water Resources Management Act 2008.
- Clause 53:** - provides for saving provisions.

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(Hon TUILAEP Auelua Fatialofa Lupesoliai Lolofietele  
Neioti Aiono Galumalemana Dr. Sailele Malielegaoi)  
**PRIME MINISTER AND ACTING MINISTER FOR FINANCE**