

CRIMES AMENDMENT BILL 2017

SAMOA

Explanatory Memorandum

1.0 Object and reasons:

- 1.1 The Bill seeks to amend the Crimes Act 2013 by introducing a new Part 9A for crimes against a person's reputation. The offence being introduced under this Part is "False statement causing harm to a person's reputation". The rationale for introducing the offence is to address harm done to a person's reputation by another person who publishes false information about that person.
- 1.2 This is similar to defamatory libel and although civil proceedings for defamation are available to the public, the reality is, not all Samoans have access to these proceedings as not all are able to afford legal services required for such proceedings.
- 1.3 It is therefore on that premise that this offence is introduced into the Crimes Act 2013 to allow any member of the public to have access to the criminal justice system in dealing with the harm suffered due to false information being published.

Clauses:

- Clause 1: - provides for the short title and commencement.
- Clause 2: - provides for the insertion of a new Part 9A with a new section 117A which provides that a person who publishes information about another person that is false with the intention to cause harm to that person's reputation, commits an offence.

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(Hon TUILAEP Auelua Fatialofa Lupesoliai Lolofietele
Neioti Aiono Galumalemana Dr. Sailele Malielegaoi)

PRIME MINISTER