

METEOROLOGY, GEO-SCIENCE AND OZONE SERVICES BILL 2020

SAMOA

Explanatory Memorandum

1.0 Summary:

- 1.1 The Bill seeks to continue the services of the Meteorology Division of the Ministry of Natural Resources and Environment as the Meteorology, Geoscience and Ozone Services Division to reflect the specific services that the Division provides. It comprises of provisions that will be used to govern and regulate the management of meteorology, geoscience and ozone services in Samoa. In addition, the Bill establishes the Multi Hazard Early Warning System for the purpose of generating and disseminating timely and meaningful information to enable communities and organisations to reduce the risk of harm to human life, damage to property and the environment.

Clauses:

PART 1 - PRELIMINARY

- Clause 1: - provides for the short title and commencement.
Clause 2: - provides for the definition of terms used in the Bill.
Clause 3: - provides for the objectives of the Bill.

PART 2 - METEOROGOLY, GEOSCIENCE AND OZONE SERVICES

Division 1 - Administration

- Clause 4:** - provides for the continuation of the Division as the Meteorology, Geoscience and Ozone Services.
- Clause 5:** - provides for the Divisional Head of the Division who is responsible to the Chief Executive Officer.
- Clause 6:** - provides for the appointment of officers and employees of the Division which are to be made pursuant to the Public Service Act 2004.
- Clause 7:** - sets out the duties and functions of the Division.

Division 2 - Operating Principles

- Clause 8:** - provides that in exercising a power or performing a duty under the Bill, the precautionary principle is to apply.
- Clause 9:** - provides for the requirement of the Division to adhere to prevailing national standards and accepted regional standards in the carriage of their work.
- Clause 10:** - provides for the protection of intellectual property rights of the Division with the value added data that it creates or generates.
- Clause 11:** - provides that the values, principles and code of conduct under Public Service Act 2004 applies to the Bill.

PART 3 - ESTABLISHMENT OF THE MULTI-HAZARD EARLY WARNING SYSTEM

- Clause 12:** - provides for the establishment of the Multi Hazard Early Warning System.

PART 4 - ISSUING OF ALERT AND WARNING

- Clause 13:** - provides for the process in issuing an alert and warning by the Division.
- Clause 14:** - provides that a warning issued to the public must be disseminated widely through available and appropriate means.
- Clause 15:** - provides that the Division may compile and issue periodic bulletins as required by an enactment, the National Disaster Council or upon request by an agency where necessary.
- Clause 16:** - provides that the Division is to consult and work cooperatively.

PART 5 - REGIONAL AND INTERNATIONAL CONVENTIONS

- Clause 17:** - provides that the Division shall ensure that it complies with Samoa's regional and international obligations.

PART 6 - MISCELLANEOUS

- Clause 18:** - provides protection from personal liability for a person carrying out in good faith a function, duty or power under the Bill.
- Clause 19:** - provides for the offence provisions relating to obstructing an officer carrying out a duty under the Bill and interfering with equipments of the Division. It also provides for the offence provisions relating to issuing of false unauthorised warnings or purporting to broadcast warnings not authorised or issued by the Division.

- Clause 20:** - empowers the Head of State acting on the advice of Cabinet to make regulations.
- Clause 21:** - provides for the protection of properties used and operated by the Division for the discharge of its duties.
- Clause 22:** - provides for a transitional provision.

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(Hon TUILAEPA Auelua Fatialofa Lupesoliai Lolofietele
Neioti Aiono Galumalemana Dr. Sailele Malielegaoi)
PRIME MINISTER AND MINISTER FOR
NATURAL RESOURCE AND ENVIRONMENT