

# PORTS AUTHORITY AMENDMENT BILL 2022

## SAMOA

### Explanatory Memorandum

#### 1.0 Object and reasons:

- 1.1 The Bill seeks to amend the Ports Authority Act 1998 (“principal Act”).
- 1.2 The object of the Bill is to allow for the transfer of the Mulifanua Port and Salelologa Port from the Samoa Shipping Corporation Limited (“Corporation”) to the Samoa Ports Authority (“the Authority”).

#### 2.0 Clauses:

- Clause 1:** - provides for the short title and commencement. The Act is to commence on 1 October 2022.
- Clause 2:** - amends section 17 of the principal Act by repealing subsection (4) to allow for the transfer of land or property that the Corporation acquired under the current section 17A of the principal Act to be vested in the Authority.
- Clause 3:** - repeals section 17A of the principal Act to allow for the ownership of the Mulifanua Port and Salelologa Port belonging to the Corporation to be transferred to the Authority.

- Clause 4:** - amends section 64(1) of the principal Act to provide for the regulation making power for the transition and transfer of staff and assets from the Corporation to the Authority, and any other transitional matters to give effect to the transfer of assets and staff under this Bill.
- Clause 5:** - amends Schedule 1 of the principal Act to insert the Mulifanua Port and Salelologa Port into the list of ports that are covered by the principal Act.
- Clause 6:** - provides for savings and transitional provisions to cover matters that may be affected and arise as a result of these amendments.

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(Hon OLO Fiti Afoa Vaai)  
**MINISTER OF WORKS, TRANSPORT**  
**AND INFRASTRUCTURE**