

IN THE SUPREME COURT OF WESTERN SAMOA

HELD AT APIA

MISC. 24282

IN THE MATTER of The Electoral Act 1963

AND

IN THE MATTER of the Territorial Constituents
of Safata

BETWEEN

TAFAFUNAI AKAPO of Saanapu
and PULA'A VAEA of Tafitoala
and Lalovaea both Candidates
for election

PETITIONERS

AND

LESA FARANI POSALA MANUA
of Lalovaea

RESPONDENT

Counsel : R. Drake for Petitioners
E.F. Puni for Respondent

Decision : 4 May 1992

DECISION OF RYAN, C.J.

The Respondent concedes prayer as to corrupt practice under Paragraph (a) 4 & 5. I therefore declare the election void.

The Respondent also is given leave to withdraw his allegations of corrupt practice against the Petitioners.

Each Petitioner shall be entitled to an order for costs in the sum of \$1,000 each. In addition the Respondent will pay witnesses' expenses for 1 day for 10 witnesses, the filing fee lodged by the Petitioners and the costs of advertising and service of the petition.


CHIEF JUSTICE