



SAMOA

LAND FOR FOREIGN PURPOSES ACT 1993

Arrangement of Provisions

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LAND FOR FOREIGN PURPOSES ACT 1993

1993

No. 27

AN ACT to make provisions for the grant of interests in freehold and public land to foreign States and to certain international and other organisations.

[Assent and commencement date: 11 February 1993]

1. Short title – This Act may be cited as the Land for Foreign Purposes Act 1993.

2. Interpretation – In this Act, unless the context otherwise requires:

“foreign State” has the meaning given to it by section 8 of the Diplomatic Privileges and Immunities Act 1978;

“foreign organisation” means an organisation to which section 9 of the Diplomatic Privileges and Immunities Act 1978 applies, and includes an organisation to which section 3 of this Act applies;

“Minister” means the Minister of Natural Resources and Environment, under the Lands, Surveys and Environment Act 1989, and includes any person who

Land for Foreign Purposes Act 1993

held the equivalent office under any earlier enactment.

3. Extended meaning of “foreign organisation” – Where a non-profit making organisation or a Government organisation of any foreign State is acting in Samoa for the primary purpose of rendering assistance to the Government or people of Samoa, the Head of State acting on the advice of Cabinet may by Order determine that organisation is a foreign organisation for the purposes of this Act.

4. Power to grant leases and licences – Despite the provisions of any other enactment, the Minister responsible for Lands may grant to any foreign State or foreign organisation a lease of or licence to occupy such freehold or public land as the Minister may deem appropriate in the circumstances, and for such term and for such rental and subject to such covenants conditions and stipulations as may be agreed upon between the Minister responsible for Lands and the foreign State of foreign organisation.

5. Ratification of prior grants – A lease or licence of freehold or public land which purports to have been granted by the Government or the Minister prior to the commencement of this Act to a foreign State or to an organisation, which is, or becomes, pursuant to this Act, a foreign organisation, is by this Act ratified and declared to be valid and lawful for all purposes.

6. Alienation of freehold land – Section 5(1)(i) of the Alienation of Freehold Land Act 1972 is amended by adding after the word “State” the words “or to or by any foreign organisation to which the Land for Foreign Purposes Act 1993 applies”.

REVISION NOTES 2008 – 2022

This is the official version of this Act as at 31 December 2022.

This Act has been revised by the Legislative Drafting Division from 2008 – 2022 respectively under the authority of the Attorney General given under the *Revision and Publication of Laws Act 2008*.

The following general revisions have been made:

- (a) Amendments have been made to conform to modern drafting styles and to use modern language as applied in the laws of Samoa;
- (b) Amendments have been made to up-date references to offices, officers and statutes;
- (c) Insertion of the commencement date;
- (d) Other minor editing has been done in accordance with the lawful powers of the Attorney General:
 - (i) “Every” and “any” changed to “a”;
 - (ii) “shall be” changed to “is” and “shall be deemed” changed to “is taken”;
 - (iii) “shall have” changed to “has”;
 - (iv) “shall be guilty” changed to “commits”;
 - (v) “notwithstanding” changed to “despite”;
 - (vi) “pursuant to” changed to “under”;
 - (vii) “it shall be lawful” changed to “may”;
 - (viii) “it shall be the duty” changed to “shall”;
 - (ix) Numbers in words changed to figures;
 - (x) “hereby” and “from time to time” (or “at any time” or “at all times”) removed;
 - (xi) “under the hand of” changed to “signed by”.

There were no amendments made to this Act since the publication of the *Consolidated and Revised Statutes of Samoa 2007*.

*This Act is administered by
the Ministry of Natural Resources and Environment.*