

CONSTITUTION AMENDMENT

November 1991
Maliata Tamasese
HEAD OF STATE

WESTERN SAMOA

1991

*Betting (Totalisator Agency)
Amendment Act 1991*

No. 14



Western Samoa

Arrangement of Provisions

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| <ul style="list-style-type: none"> Title 1. Short title 2. Interpretation 3. Functions of the Board 4. General powers of the Board 5. Agents for overseas lotteries | <ul style="list-style-type: none"> 6. Provisions relating to offices and agencies of the Board 7. Acceptance of bets 8. Persons who may not bet through the Board 9. Incidental amendments Schedule |
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1991, No. 14

AN ACT to amend the Betting (Totalisator Agency) Act 1988 to amend the Short Title to that Act, to provide for licensing of persons to act as agents for overseas lotteries, and to provide for incidental matters. *[23 July 1991]*

BE IT ENACTED by the Legislative Assembly of Western Samoa in Parliament assembled as follows:-

1. Short title—(1) This Act may be cited as the Betting (Totalisator Agency) Amendment Act 1991 and shall be read together with and deemed part of the Betting (Totalisator Agency) Act 1988 (hereinafter referred to as the principal Act).
(2) Section 1 of the principal Act is amended by omitting the expression "1988" and substituting the expression "1990"

2. Interpretation—Section 3 of the principal Act is amended by inserting in their proper alphabetical positions the following definitions:-

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"Lottery" includes any game, method or device whereby money or money's worth is distributed or allotted in any manner depending on, or to be determined by, chance or lot, or the result of any race or contest and any place in which lottery tickets are sold procured or distributed shall be deemed to be kept for the purpose of a lottery".

"Overseas lotteries" means lotteries which are conducted outside Western Samoa in accordance with the laws of the state or country within which they are conducted".

3. Functions of the Board—Paragraph (c) of section 14 of the principal Act is amended by adding immediately after the word "lotto" the words "in Western Samoa and to provide facilities or agencies whereby persons may participate in lotteries whether such lotteries are conducted within or outside Western Samoa".

4. General Powers of the Board—Subsection (2) of section 16 of the principal Act is amended by adding the following paragraph:-

"(d) To act as an agent for overseas lotteries".

5. Agents for overseas lotteries—The principal Act is further amended by inserting immediately after section 16 the following section:-

"16A. Agents for overseas lotteries—(1) This section relates to and only to licenses issued pursuant to paragraph (d) of subsection (2) of section 16 of this Act.

(2) Any person may apply to the Board for a licence to act as an agent for overseas lotteries.

(3) Unless otherwise prescribed pursuant to subsection (3) of section 16 of this Act:-

(a) a licence shall remain in force for a period of one year but may at the discretion of the Board be renewed from year to year.

(b) a licence shall be subject, in addition to any other conditions which the Head of State may prescribe, to the following conditions:

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HEAD OF STATE

WESTERN SAMOA

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- (i) The agent for overseas lotteries may only transact business on the premises specified in his licence:
- (ii) The premises and the books and documents kept in connection with the agency shall be open to inspection during normal office hours by any person authorised in that behalf by the Board.

(4) Without limiting the generality of subsection (3) of section 16 of this Act the conditions of any licence may include conditions as to payment of fees or commissions to the Government or to the Board.

(5) It shall be lawful for the holder of a licence to act as an agent for overseas lotteries within the terms and conditions of that licence."

6. Provisions relating to offices and agencies of the Board—Section 29 of the principal Act is amended by adding a new subsection as follows:-

"(4) Any person who contravenes the provisions of subsection (3) of this section commits an offence"

7. Acceptance of bets—Section 35 of the principal Act is amended by adding a new subsection as follows:-

"(5) Any person who contravenes the provisions of subsection (4) of this section commits an offence"

8. Persons who may not bet through the Board—Subsection (2) of section 39 is amended by omitting the words "not exceeding \$200" and substituting the words "in accordance with section 44 of this Act."

9. Incidental amendments—The sections to in the first column of the schedule to this Act are amended by making the omissions and deletions appearing opposite those sections in the second and third columns of the said schedule.

SCHEDULE (Sec. 9)

First Column Section Number	Second Column Omit	Third Column Substitute
3	"23"	"24"
3	" 3"	" 4"

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Act 1991*

First Column Section Number	Second Column Omit	Third Column Substitute
3	"44"	"45"
14	"16"	"17"
17	"20"	"21"
26	"24"	"25"
26	"26 and 27"	"27 and 28"
27	"28"	"29"
27	"29(1)"	"30(1)"
27	"42"	"43"
27	"Ordinance"	"Act"
28	"29"	"30"
28	"26"	"27"
28	"25"	"26"
28	"24"	"25"
36	"16"	"17"
41	"42"	"43"
43	"29"	"30"
43 (in two places)	"39"	"40"
44	"19"	"20"
44	"34"	"35"
44	"38"	"39"
47	"19, 36 and 37"	"20, 37 and 38"

Examined and Certified *Asalam*

Clerk of the Legislative Assembly

The Head of State Assents this *28th* day of

CONSTITUTION AMENDMENT *November 1991*

Maliata Tamumafili
HEAD OF STATE

WESTERN SAMOA

1991 *Tulafono o Teuteuga o le Tulafono* No. 14
o Petipetiga (Sooupu o masini e Faamaumau ai peti taitasi)



Samoa i Sisifo

Faatulagaina o Aiaiga

- Igoa
- 1. Igoa puupuu
- 2. Faamatalaina o uiga o upu
- 3. Galuega a le Komiti Faatino
- 4. Pule Aoa o le Komiti Faatino
- 5. Sooupu mo lulu i atunuu i fafo

- 6. Aiaiga faasino i Ofisa ma sooupu o le Komiti Faatino
- 7. Taliaina o peti
- 8. Tagata o i latou ia e le mafai ona faia ni peti e auala atu i le Komiti Faatino
- 9. Teuteuga e ono aliai mai Faamatalaga

1991, Nu. 14

O SE TULAFONO e teuteu ai le Tulafono o Petipetiga (Sooupu o masini e Faamaumau ai Peti Taitasi) 1988 e teuteu ai le Igoa Puupuu o lena Tulafono, ma aiaia ai mo le laiseneina o ni tagata e avea ma sooupu mo lulu i atunuu i fafo, ma aiaia ai mo ni mataupu e ono aliai mai. [23 Iulai 1991]

UA FAIA e le Fono Aoa Faatulafono o Samoa i Sisifo i totonu o le Palemene ua potopoto e faapea:-

1. Igoa Puupuu— (1) E mafai ona taua lena Tulafono o le Tulafono o Teuteuga o le Tulafono o Petipetiga (Sooupu o masini e Faamaumau ai Peti Taitasi) 1991 ma e tatou ona faitauina faatasi ma avea ma vaega o le Tulafono o Petipetiga (Sooupu o Masini e Faamaumau ai Peti Taitasi) 1988 (e pei ona faasino-mia mulimuli ane iinei o le Tulafono autu).

(2) O le Fuaiupu 1 o le Tulafono autu ua teuteuina i le avevesiina o le faamatalaga "1988" ma suiia i le faamatalaga "1990".

2. Faamatalaina o uiga o upu— O le Fuaiupu 3 o le Tulafono autu ua teuteuina i le faaofiina i ai o latou tulaga talafeagai i le faasologa o le Pi faa-Peretania faamatalaga e faapea:-

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“Lulu” e aofia ai so o se taaloga, faiga po o auala e faapea o tupe po o aoga o tupe ua tufatufaina po o faasoaina i so o se auala e faalagolago i, po o ina ia fuafuaina i luga, o se manumalo po o seiina o se lulu, po o le taunuuga o se o se tuuga po o se tauvaga ma so o se nofoaga o lo o faatau ai pepa lulu mauaina po o tufatufaina o le a tatau ona avea e ao ona tausia mo le faamoemoe o se lulu”.

“Lulu i Atunuu i Fafu” o lona uiga o ni lulu o lo o faia i fafo atu o Samoa i Sisifo e tusa ai ma tulafono a le Malo po o le atunuu o lo o faia ai ia lulu”.

3. Galuega a le Komiti Faatino—O le Parakalafa (c) o le fuaiupu 14 o le Tulafono atu ua teuteuina i le faaopoopoina i ai ina ua tuana'i le upu “lotto” ia upu “i totonu o Samoa i Sisifo ma aiaia ai mo ni nofoaga po o ni sooupu e mafai ai e tagata ona auai ai i lulu pe faia i totonu po o i fafo atu o Samoa i Sisifo”.

4. Pule Aoga a le Komiti Faatino—O le Faafuaiupu (2) o le fuaiupu 16 o le Tulafono atu ua teuteuina i le faaopoopoina i ai o le parakalafa e faapea:-

“(d) E galue ai e avea o se sooupu mo lulu e faia i atunuu i fafo”.

5. Sooupu mo lulu i atunuu i fafo—O le Tulafono atu ua teuteuina i le faaofiina i ai ina ua tuana'i le fuaiupu 16 le fuaiupu e faapea:-

“16A. Sooupu mo lulu i atunuu i fafo—(1) O leni fuaiupu e faasino i ma i na o laisene ua tuuina atu e tusa ai ma le parakalafa (d) o le faafuaiupu (2) o le fuaiupu 16 o leni Tulafono.

(2) E mafai e so o se tagata ona talosaga atu i le Komiti Faatino mo se laisene e galue ai e avea o se sooupu mo lulu e faia i atunuu i fafo.

(3) Ae vagana ai e ese mai ai na i lo faatulagana e tusa ai ma le faafuaiupu (3) o le fuaiupu 16 o leni Tulafono:-

(a) o le a tumau pea ona faamamaluina mo se vaitaimi e tasi le tausaga peitai e mafai i luga o le faitalia a le Komiti Faatino ona toe faafou mai i lea tausaga i lea tausaga.

CONSTITUTION AMENDMENT

November 1991

Maliata Tamamefili
HEAD OF STATE

WESTERN SAMOA

1991, Nu. 14 *Tulafono o Teuteuga o le Tulafono o Petipetiga sooupu o Masini e Faamaumau ai Peti taitasi*

- (b) o le a tatau i se laisene ona noatia e faaopoopo atu i so o se isi lava tuutuuga e pei ona o le a faatonuina e Ao o le Malo, faasino i tuutuuga e faapea:-
 - (i) O le sooupu mo lulu i atunuu i fafo e mafai ona faia ana pisinisi i totonu o na o nofoaga e pei ona faatulagaina i totonu o lana laisene;
 - (ii) O nofoaga ma tusi pepa aloaia o lo o tausia e tusa ai ma sootaga i sooupu e tatau ona avanoa mo suesuega a o faagasolo taimi masani o galuega e so o se tagata ua faatagaina e faia ia suesuega e le Komiti Faatino.

(4) E aunoa ma le faatapulaaina o tulaga aoao o le faafu'aiupu (3) o le fuaiupu 16 o lenei Tulafono o tuutuuga o so o se laisene e mafai ona aofia ai ni tuutuuga e tusa ai ma le totogiina o tupe totogi fuapauina po o komisi i le Malo po o i le Komiti Faatino.

(5) O le a tatau ona aloaia faale-tulafono se tagata o umia se laisene e galue ai e avea o se sooupu mo lulu i atunuu i fafo e tusa ma aiaiga ma tuutuuga o lena laisene".

6. Alaiga Faasino i Ofisa ma Sooupu o le Komiti Faatino— O le Fuaiupu 20 o le Tulafono autu ua teuteuina i le faaopoopoina i ai o se faafu'aiupu fou e faapea:-

"(4) So o se tagata o ia lea e faalavelave i aiaiga o le faafu'aiupu (3) o lenei Tulafono ua faia e ia se solitulafono".

7. Taliaina o peti— O le Fuaiupu 35 o le Tulafono autu ua teuteuina i le faaopoopoina i ai o se faafu'aiupu fou e faapea:-

"(5) So o se tagata o ia lea ua faalavelave i aiaiga o le faafu'aiupu (4) o lenei fuaiupu ua faia se solitulafono".

8. Tagata o i latou ia e le mafai ona fala ni peti e auala atu i le Komiti Faatino— O le Faafu'aiupu (2) o le fuaiupu 39 ua teuteuina i le faaofiina i ai o lipu "e le sili atu i le \$200" ma ia suia i upu "e tusa ai ma le fuaiupu 44 o lenei Tulafono."

9. Teuteuga e ono aliai mai— O le fuaiupu o lo o faasino-mia i ai i totonu o le laina muamua o le faamatalaga i lenei Tulafono ua teuteuina i le avea lea o mea sese ma mea soloia e faatulaga faateagai ma fuaiupu ia i totonu o laina lona lua ma lona tolu o le faamatalaga ua taua.

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FAAMATALAGA		
Laina Muamua Numera Fuaiupu	Laina Lona Lua Aveese	Laina Lona Tolu Suia
3	"23"	"24"
3	" 3"	" 4"
3	"44"	"45"
14	"16"	"17"
17	"20"	"21"
26	"24"	"25"
26	"26 ma le 27"	"27 & 28"
27	"28"	"29"
27	"29(1)"	"30(1)"
27	"42"	"43"
27	"Tulafono"	"Tulafono"
28	"29"	"30"
28	"26"	"27"
28	"25"	"26"
28	"24"	"25"
36	"16"	"17"
41	"42"	"43"
43	"29"	"30"
43 (o loo aliali faalua)	"39"	"40"
44	"19"	"20"
44	"34"	"35"
44	"38"	"39"
47	"19, 36 ma le 27"	"20, 37 & 38"