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THE WATER AND WATER POWER CONSERVATION
ORDINANCE, 1928.

Western Samoa.

No. 2, 1928



An Ordinance

made by the Administrator of the Territory of Western Samoa, with the advice and consent of the Legislative Council of that Territory and in pursuance of the Samoa Act, 1921.

Title 1. This Ordinance may be cited as "The Water and Water-power Conservation Ordinance, 1928."

Sole right to use water for generating electricity to vest in His Majesty 2. Subject to any rights lawfully held the sole right to use water in lakes, falls, rivers or streams in Western Samoa for the purpose of generating or storing electricity or other power shall vest in His Majesty.

Administrator may purchase water or rights 3. (1) The Administrator may from time to time in the name of His Majesty acquire by purchase any existing rights necessary for utilising water for the generation or storage of electrical or other power for any public purpose or for the installation or supplementing of any public water supply.

Compensation for taking existing rights (2) The Administrator may from time to time for any of such purposes as aforesaid, for and in the name of His Majesty take any such right as aforesaid subject to the assessment and award to the owner or owners thereof and to any other person or persons suffering loss by the taking thereof of compensation as provided by sub sections (2), (3) and (4) of section 271 of the Samoa Act.

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Administrator
may grant right
to use water
power.

4. The Administrator may, subject to such conditions as he thinks fit, grant to any person or company the right to use water from any lake, fall, river or stream for the purpose of generating electricity for lighting heating or motive power.

Prohibiting
removal of
bush from
banks of rivers

5. (1) The Administrator may for the purpose of conserving the flow of water in any river or stream, from time to time by notice published in the Western Samoa Gazette, prohibit the cutting or removal of bush or trees from the banks of such river or stream within a distance of three chains, or such lesser distance as may be stated in such notice, from the bed of such river or stream, and for the whole or such part of the course of such river or stream as may be stated in such notice.

Fines for
removal of bush

(2) Any person who after the publication as aforesaid of such notice cuts or removes bush or trees from the bank of such river or stream in contravention of such notice shall be liable to a fine not exceeding £25.

Compensation
for prohibition
to remove bush

(3) Any ~~owner or lessee~~ ^{person} of land who shall suffer loss by reason of being prohibited under this clause from cutting or removing bush or trees from the bank of any river or stream which is part of such land shall be entitled to compensation for the amount of such loss to be assessed and awarded as provided in subsections (2), (3), and (4) of section 271 of the Samoa Act.

Assented to this 12th day of April, 1928.

[L.S.] J. W. HUTCHEN,
Acting Administrator.

No 6
1928.