

MARITIME ZONES AMENDMENT BILL 2014

SAMOA

Explanatory Memorandum

Introduction

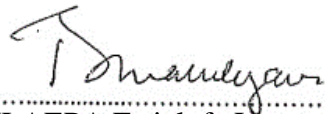
The Bill seeks to amend the Maritime Zones Act 1999.

- to define high and low water marks, repeal section 10 (1) of the Principal Act and to make substitution to subsection (3) of section 10.
- to change “order and good government” to “good order and security” in section 13.
- to amend section 18 and 24 of the Principal Act.
- to change section 27(d) by substituting words “the fishery” with “EEZ”.

Clauses:

- Clause 1:** - states that, when enacted, the Bill will be called the Maritime Zones Amendment Act 2014, and will commence on the date it is assented to by the Head of State.
- Clause 2:** - provides for the definition of Principal Act.
- Clause 3:** - provides definitions of terms “high-water mark” and “low-water mark”.
- Clause 4:** - repeals section 10(1) of the Principal Act. Amend subsection (3) so as to substitute “zone and exclusive economic zone” with “zone, exclusive economic zone and continental shelf”, and substitute “sea and exclusive economic zone” with “sea, contiguous zone, exclusive economic zone and continental shelf”.
- Clause 5:** - amend section 13, by substituting words “order and good government” with “good order and security”.

- Clause 6:** - amends section 18 by substituting
“18. The contiguous zone-(1) The contiguous zone of Samoa comprises those areas of the sea that are beyond and adjacent to the territorial sea, having as their outer limits a line measures seaward from the outer limits of the territorial sea described in section 4, every point of which is distant 24 nautical miles from the nearest point of the baseline. (2) Within the contiguous zone, the Government of Samoa may exercise any powers and take any measures necessary to: (a) prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within Samoa or the territorial sea; and (b) punish infringement of its customs, fiscal, immigration or sanitary laws and regulations committed within Samoa or the territorial sea.”.
- Clause 7:** - amends section 24 of the Principal Act by substituting: **“24. Continental Shelf** - The continental shelf of Samoa comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to a distance of 200 nautical miles from the baselines from which the territorial sea is measured.”.
- Clause 8:** - amend section 27(d) of the Principal Act by substituting words “the fishery” with “EEZ”.



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 (Hon TUILAEPA Fatialofa Lupesoliai Aiono
 Neioti Sailele Malielegaoi)

MINISTER OF FOREIGN AFFAIRS & TRADE

MARITIME ZONES AMENDMENT BILL 2014

SAMOA

Arrangement of Provisions

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| 1. Short title and commencement | 5. Suspension of innocent passage |
| 2. Principal Act | 6. The contiguous zone |
| 3. Interpretation | 7. Continental Shelf |
| 4. Low-water mark, official charts and publicity | 8. Regulations |

2014, No.

A BILL INTITULED

AN ACT to amend the Maritime Zones Act 1999.

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

1. Short title and commencement-(1) This Act may be cited as the Maritime Zones Amendment Act 2014.

(2) This Act commences on the date it is assented to by the Head of State.

2. Principal Act - In this Act, “Principal Act” means the Maritime Zones Act 1999.

3. Interpretation - In section 2(1) of the Principal Act, for the definition of:

(a) “high-water mark” substitute:

“**high-water mark**” means the line of mean high water and “high tide” shall have the corresponding meaning;” and

(b) “low-water mark” substitute:

“**low-water mark**” means the lowest astronomical tide and “low-water line” shall have the corresponding meaning;”.

4. Low-water mark, official charts and publicity-(1)

Section 10(1) of the Principal Act is repealed.

(2) Section 10 of the Principal Act is amended by:

- (a) substituting the words “zone and exclusive economic zones” with “zone, exclusive economic zone and continental shelf” in subsection (3); and
- (b) substituting the words “sea and exclusive economic zone” with “sea, contiguous zone, exclusive economic zone and continental shelf”.

5. Suspension of innocent passage - In section 13 of the Principal Act, for the words “order and good government” substitute “good order and security”.

6. The contiguous zone - For section 18 of the Principal Act substitute:

“18. The contiguous zone-(1) The contiguous zone of Samoa comprises those areas of the sea that are beyond and adjacent to the territorial sea, having as their outer limits a line measured seaward from the outer limits of the territorial sea described in section 4, every point of which is distant 24 nautical miles from the nearest point of the baseline.

(2) Within the contiguous zone, the Government of Samoa may exercise any powers and take any measures necessary to:

- (a) prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within Samoa or the territorial sea; and

- (b) punish infringement of its customs, fiscal, immigration or sanitary laws and regulations committed within Samoa or the territorial sea.”.

7. Continental Shelf - For section 24 of the Principal Act substitute:

“**24. Continental Shelf** - The continental shelf of Samoa comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to a distance of 200 nautical miles from the baselines from which the territorial sea is measured.”.

8. Regulations - In section 27(d) of the Principal Act, for the words “the fishery” substitute “EEZ”.
