

POLICE POWERS AMENDMENT BILL 2019

SAMOA

Explanatory Memorandum

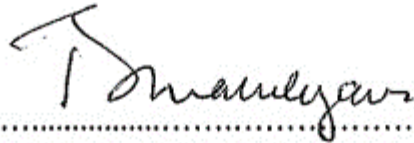
1.0 **Object and reasons:**

- 1.1 The Bill seeks to amend the Police Powers Act 2007 (“principal Act”).
- 1.2 The object of the Bill is to provide a delegation power for the Commissioner of Police to delegate the Services’ functions with regards to the registration and licensing of vehicles and licensing of drivers to any capable entity.

Clauses:

- Clause 1:** - provides for the short title and commencement.
- Clause 2:** - inserts a new section 36BA to the principal Act to:
- (a) provide for the Commissioner’s delegation powers;
and
 - (b) such delegation power may be revoked, renewed or varied at any time by the Commissioner.

Clause 3: - provides for transitional matters.

A handwritten signature in black ink, appearing to read 'T. Manu', is positioned above a horizontal dotted line.

(Hon TUILAIPA Auelua Fatialofa Lupesoliai Lolofietele
Neioti Aiono Galumalemana Dr. Sailele Malielegaoi)

MINISTER FOR POLICE

POLICE POWERS AMENDMENT BILL 2019

SAMOA

Arrangement of Provisions

1. Short title and commencement
2. New section 36BA inserted
3. Transitional

2019, No.

A BILL INTITULED

AN ACT to amend the Police Powers Act 2007 (Principal Act).

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 Police Powers Amendment Act 2019.
- (2) This Act commences on the date of assent by the Head of State.

2. New section 36BA inserted:

After section 36B of the Principal Act insert:

“36BA. Delegation of Powers:

- (1) The Commissioner may in writing, delegate the Services’ function under section 36A, to any capable entity.
- (2) A delegation under sub-section (1) may be revoked, renewed or varied at any time by the Commissioner.”.

3. Transitional:

An act done or omission made after 1 July 2019 and before the commencement of this Act by an entity other than the Service as the Principal Licensing Authority, is regarded as valid as if carried out under a delegation made pursuant to section 36BA.
