

SAMOA

**LAND TRANSPORT AUTHORITY
(NATIONAL ROAD ACCOUNT) REGULATIONS 2008**

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PURSUANT to sections 5(1)(f), 19(1)(e)(i) and 58 of the Land Transport Authority Act 2007, **I, TUI ATUA TUPUA TAMASESE EFI**, Head of State, acting on the advice of Cabinet **MAKE** the following Regulations:

DATED at Apia this 3rd day of September 2008.

signed: (Tui Atua Tupua Tamasese Efi)
HEAD OF STATE

REGULATIONS

PART 1 PRELIMINARY

1. Title and commencement-(1) These regulations shall be known as the Land Transport Authority (National Road Account) Regulations 2008.

(2) These Regulations come into force on the date that the Principal Act comes into force.

2. Interpretation - In these Regulations, unless the contrary intention appears:

“Authority” means the Land Transport Authority established under the Principal Act;

“Chief Executive Officer” means the Chief Executive Officer of the Authority;

“Ministry” means the Ministry of Works, Transport and Infrastructure established by the Ministerial and Departmental Arrangements Act 2003, and which comprises the Ministry formerly known as the Ministry of Works referred to in the Ministry of Works Act 2002;

“Principal Act” means the Land Transport Authority Act 2007.

PART 2 NATIONAL ROAD ACCOUNT

3. Authority to be a public body - For the purposes of sections 91 and 101 of the Public Finance Management Act 2001, the Authority shall be a public body.

4. Establishment of the National Road Account-(1) The National Road Account referred to in section 5(1)(f) of the Principal Act shall be established by the Authority in accordance with the requirements of section 94 of the Public Finance Management Act 2001.

(2) The Chief Executive Officer shall ensure that:

(a) the National Road Account is administered in accordance with all requirements applying to the account under the Public Finance Management Act 2001 and the Public Bodies (Performance and Accountability) Act 2001;

(b) proper accounts and records are kept in relation to the National Road Account as required by section 103 of the Public Finance Management Act 2001; and

(c) reports and financial statements relating to the National Road Account are prepared and submitted as required by section 104 of the Public Finance Management Act 2001.

(3) The National Road Account shall be used to meet the administration and operational expenses of the Authority in the discharge of its functions under the Principal Act.

(4) The sources of funds for the National Road Account shall be all those funds stated in regulation 6.

5. Payment of funds into the National Road Account-(1) The Chief Executive Officer shall make arrangements to the satisfaction of the Chief Executive Officer of the Ministry of Finance for the payment into the National Road Account of the funds stated in regulation 6(a).

(2) All other funds which are required by law to be paid into the National Road Account shall be deposited into the account as soon as practicable after they are paid to the Authority in accordance with:

(a) any general requirements applying to them under the Public Finance Management Act 2001 and any other applicable law; and

- (b) the financial procedures of the Authority approved by the Board of the Authority; and
- (c) otherwise in accordance with best accounting practice.

PART 3
FUNDS TO BE ADMINISTERED
IN THE NATIONAL ROAD ACCOUNT

6. Funds to be paid into the National Road Account - The funds to be paid into the National Road Account in accordance with all applicable legal requirements include:

- (a) the share of the excise tax applying to motor spirits which is required by law to be deposited into the National Road Account;
- (b) all revenues collected by the Authority as registration and licence fees; and
- (c) any other funds provided by government to the Authority which are required by the Chief Executive Officer of the Ministry of Finance to be paid into and administered as part of the National Road Account.

7. Certain funds to be used for road maintenance only -
All:

- (a) registration and licence fees paid into the National Road Account in accordance with regulation 6; and
 - (b) any public funds provided from time to time to the Authority for road maintenance purposes,
- shall be used only for the purposes of funding the cost of road maintenance as approved from time to time by the Authority.

PART 4
OTHER ACCOUNTS OF THE AUTHORITY

8. Other approved accounts - The Authority may approve the establishment of any other account to be maintained by the Authority of purposes associated with:

- (a) any specific aspect of the proper and lawful administration of the Authority;
- (b) any special program or project involving road safety or any other function of the Authority under the Principal Act.

**Issued under the authority of the Regulations Ordinance 1953.
Date of Commencement: These Regulations come into force on
the date that the Principal Act comes into force.
These Regulations are administered by the Ministry of Works,
Transport and Infrastructure.**

**Copies of these Regulations can be purchased from
the Office of the Clerk of the Legislative Assembly.**

**Printed by the Clerk of the Legislative Assembly,
by authority of the Legislative Assembly.**