

# TELECOMMUNICATIONS AMENDMENT BILL 2019

## SAMOA

### Explanatory Memorandum

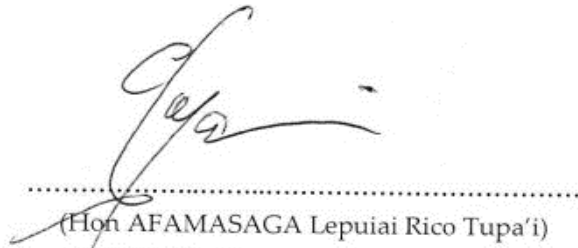
#### 1.0 Object and reasons:

- 1.1 The Bill seeks to amend the Telecommunications Act 2005 (“Principal Act”).
- 1.2 The object of the Bill is to expressly state that the responsibilities, functions and powers of the Regulator are subject to the approval of Cabinet or the Minister responsible for the Office of the Regulator, in accordance with Article 32 of the Constitution.

#### Clauses:

- Clause 1: - provides for the short title and commencement.
- Clause 2: - provides for an amendment to section 8 of the Principal Act in that the powers of the Regulator are subject to the approval of Cabinet or the Minister responsible for the Office of the Regulator.
- Clause 3: - provides for a consequential amendment to section 7 of the Broadcasting Act 2010 (“Act”) in that the powers of the Regulator under are subject to the approval of Cabinet or the Minister responsible the Act.

**Clause 4:** - provides for Savings matters.



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(Hon AFAMASAGA Lepuiai Rico Tupa'i)  
**MINISTER FOR COMMUNICATION**  
**AND INFORMATION TECHNOLOGY**

## TELECOMMUNICATIONS AMENDMENT BILL 2019

### SAMOA

#### Arrangement of Provisions

1. Short title and commencement
2. Section 8 amended
3. Consequential amendment
4. Savings

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2019, No.

#### A BILL INTITULED

**AN ACT to amend the Telecommunications Act 2005 (“Principal Act”).**

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

**1. Short title and commencement:**

This Act may be cited as the Telecommunications Amendment Act 2019 and commences on the date of assent by the Head of State.

**2. Section 8 amended:**

In subsection (1) of the Principal Act, before the words “The Regulator shall”, insert:

“In line with Article 32 of the Constitution; subject to the approval of the Cabinet, the Prime Minister, or the Minister,”.

**3. Consequential amendment:**

The Broadcasting Act 2010 is amended as follows:

In section 7(1), before the words “The Regulator shall” insert “In line with Article 32 of the Constitution, subject to the approval of the Cabinet, the Prime Minister, or the Minister,”.

**4. Savings:**

The decisions and actions of the Regulator made under section 8 and relevant provisions of the Principal Act before the commencement of this Act are unaffected and may be carried through to completion under that section.

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