



POLOAIGA FAALAVELAVE FAAFUASE'I NUMERA 63

TULAFONO FAAVAE O LE MALO TUTOATASI O SAMOA 1960 (MATAUPU 105/106)

O AU NEI, TUIMALEALI'IFANO VA'ALET OA SUALAUVI II, Ao o le Malo o Samoa, i luga o le fautuaga a le Kapeneta **FK (22) Faapitoa 04**, ma le **Mataupu 106** o le **Tulafono Fa'avae**, ou te faia ai nei **POLOAIGA**:

1. Femalagaiga Faavaomalo vaalele ma vaa a lalo:

- (1) E tapunia femalagaiga faavaomalo.
- (2) E faatagaina ona malaga mai i Samoa vaalele mo uta (cargo flights) e aumai ai uta (cargo) ma pasese e faamaonia e le Kapeneta, seia vagana ua toe faia iai se faaiuga a le Kapeneta.
- (3) E faatagaina ona malaga mai i Samoa vaalele faapitoa Airforce (Airforce flights) pe a faamaonia e le Kapeneta mo:
 - (a) le auina mai o ni uta auupega malolosi;
 - (e) le auina mai o ni fesoasoani i taimi o faalavelave fa'afuase'i matuiā e aafia ai Samoa i se tulaga e tatau ai; po'o
 - (i) ni isi lava mafuaaga e tusa ai ma tulaga e tatau ai.
- (4) Ua tapu le toe ulufale mai o soo se ituaiga vaa seia vagana ai:
 - (a) vaa oloa ma vaa suauu;
 - (e) nisi ituaiga vaa, e aofia ai vaa failā ma nisi, e faamaonia e le Kapeneta mo le utuina (refuel) po o ni isi tulaga e tatau a.

2. Faanofoesea

- (1) E tatau i se pasese, pailate ma le auvaa e malaga mai i Samoa i se vaalele ona faatumu pepa faamaonia faale- soifua Maloloina e pei ona tuuina atu, ma sainia se tautoga faaletulafono tusitusia (declaration) pe na ia aafia muamua pe leai i le siama o le COVID19, ma faanofoesea pea taunuu mai

i Samoa mo aso e 21 po o se isi vaitaimi e faatonuina e le Faatonusili o le Soifua Maloloina i lalo o aiaia nei:

(a) i nofoaga ma aiaia e faamaonia e le Kapeneta atoa ai ma le tofogi e le Malo mo na'o tagatanu'u Samoa o apitaga ua faanofoesea ai, taumafataga o le taeao faatasi ai ma le aoauli ae tofogi e le tagata lava ia lana meatausami o le afiafi;

(e) le faanofoesea o tagata i o latou aiga i luga o aiaia faatulagaina e le Pule Faatonu o le Matagaluega o Soifua Maloloina.

(2) Le faamalositia ona faanofoesea o frontline ma support staff e pei ona faatonuina e le Faatonusili o le Soifua Maloloina o loo galulue mo le puipuia o le faamai o le koviti i lalo o aiaia e pei ona fuafuaina e le Faatonusili o le Soifua Maloloina.

(3) Ua faatonuina le Matagaluega o le Soifua Maloloina ina ia matua faamalositia puipuia mo tagata uma i lalo o le nei poloaiga.

3. Potopotoga i nofoaga faitele:

(1) E tapu nei ona toe tumutumu tagata i potopotoga poo nofoaga faitele.

(2) Le faamalositia o le nonofo o tagata uma i latou maota ma laoa sei vagana le aufaigaluega ua faataga mo le tuuina atu o le auunaga moomia mo le soifua.

(3) Mo le saogalemu o tagata i lalo o lenei poloaiga, e tataua ona utagia aiaia mo le puipuia o le pipisi o le fa'ama'i o le Korona Vairasi 19 e pei ona fautuaina e le Matagaluega o Soifua Maloloina po o le National Emergency Operation Centre.

4. Femalagaiga faalotoifale:

(1) Ua tapu nei femalagaiga ma feoa'iga o pasi ma taavale.

(2) E faatagaina taavale e ese mai taavale la'u pasese ma pasi ona femalagaa'i i luga o le auala i taimi faatapula'ia I lalo o le poloaiga 5.

(3) Ua tapu femalagaiga o vaalele ma va'a i totonu o Samoa, sei vagana ai vaa togipau ua faatagaina o na Malaga i le aso 26 Ianuari 2022, mo le utuina o le suauu, ma le tuuina atu o oloa, ma nisi tulaga tataua ai e pei ona faamaonia e le Kapeneta.

5. Maketi, Faleoloa, Supamaketi ma Pisinisi:

- (1) Ua tapunia pisinisi uma sei vagana ai:
 - (a) Maketi e tatala i taimi faatapula'a;
 - (e) Supamaketi e tatala i taimi faatapula'a;
 - (i) Faleoloa laiti e tatala i taimi fa'a tapula'a;
 - (o) Faletupe e aofia ai faletupe mo le lafoina mai o tupe lafo mai fafo (money transfer) e tatala i taimi faatapula'a;
 - (u) Fale talavai tumaoti (Pharmacy) e tatala i taimi faatapula'a;
 - (f) Pamu Pisinisi e tatala i taimi faatapula'a;
 - (g) Fale faatau cash power e tatala i taimi faatapula'a.
- (2) O au faigaluega uma o pisinisi faatagaina i lalo o le poloaina 5(1):
 - (a) e faatagaina ona femalagaa'i mai le 6.00 i le taeao i le 4.00 I le afiafi mo le aga'i atu i fale faigaluega ma le toe fo'i i aiga; ma
 - (e) e tatau ona faaali latou pepa faatagaina (authorized card) mai le Malo.
- (3) O tagata uma e ulufale atu i pisinisi ua faataga ina i lalo o le poloaina 5 e tatau ona:
 - (a) luga atu o le 12 tausaga le matua;
 - (e) faaali le Pepa Tui o le Koviti 19 (COVID19 Vaccination card)
 - (i) fai talifofoga (face mask);
 - (o) tu vava (social distance).
- (4) Mo le faatinoina o leni poloaiga:
 - (a) o le "Supamaketi" e faatatau i fale oloa e faaoga faitotoa e ulufale atu ai le tagata e fa'atau ai oloa (groceries ma isi);
 - (e) "faleoloa laiti" o faleoloa e le o iai ni faitotoa mo le ulufale o tagata ae tu le tagata faatau i fafo o le faamalama ma fai lana faatau;
 - (i) "maketi" e aofia ai maketi faatau fua o faatoaga ae le aofia ai maketi i'a ma maketi faatau ai mea taulima (flea market);
 - (o) "pisinisi faatagaina" pisinisi e pei on tuuina mai i lalo o le Poloaina 5(1);
 - (u) "taimi faatapula'aina" o itula o le 8 i le taeao i le 2 i le aoauli, i le Aso 25 Ianuari 2022 ma le 27 Ianuari 2022.

6. Faatau oloa i magaala ma tafaala:

(1) Ua tapu ona fa'atau savali oloa i luga o le auala.

(2) E matuā tapu ona faatau savali e tamaiti e i lalo ifo o le 16 tausaga ni oloa i soo se taimi.

7. Faatauina o le Ava Malosi:

Ua tapu le faatauina o le ava malosi i soo se faleoloa (faleoloa laiti ma supamaketi) ma pa pia i totonu o Faletalimalo.

8. Aoga:

Ua tapunia uma aoga o le malo, Ekalesia, aoga tumaoti faapea Iunivesete ma aoga maualuluga.

9. Falema'i, ma'i, tausima'i ma siigama'i:

Ua matua tapu ona toe ulufale se tagata i soo se falema'i sei vaganā se faalavelave poo se gasegase fa'afuase'i.

10. Aiaiga mo galuega a le Malo:

Ua tapunia uma galuega a le Malo sei vagana ai auunaga moomia mo le soifua (essential services).

11. Tiute o le Matagaluega o Soifua Maloloina:

Ia faatinoina e le Matagaluega o Soifua Maloloina le unaia o polokalame falauiloa o le pui puiga o le pipisi o le fa'ama'i o le Korona Vairasi 19, mo le nofo silafia o le atunu'u.

12. Malosia'ga o le Matagaluega o Leoleo:

(1) Ua tuuina atu ile Matagaluega o Leoleo le malosiaga e faamalosia ai le mata'ituina o leni Poloaiaga.

- (2) Ua tuuina atu le malosiaga i le Matagaluega o Leoleo le vaevae ina o sone o vaega a le atunuu e fuafua iai le tatala ina o auaunaga ina mataitu ai le femalagaina o tagata i taimi faatapulaa e pei ona tuuina atu i lalo o le Poloaina 5.

13. Malosiaga faapitoa o faauluuluga o Matagaluega:

- (1) Ua tuuina atu le malosiaga i faauluuluga o Matagaluega ma Ofisa uma o le Malo, o loo iai ā latou malosiaga fa'aletulafono e faatino ai ia malosiaga faaletulafono, faapea ai, malosiaga o faauluuluga e faatino ai Fuafuaga Mamao a le Malo i le tali atu i le Korona Vairasi 19 (Response Matrix).
- (2) E mafai e le Kapeneta ona faia Tulafono Faatonutonu poo tulafono laiti mo le faatinoina o gaioiga uma e Ofisa a le Malo mo galuega e tatau mo le soifua saogalemu o tagata, ma mo le tausiga o le nofo filemu.

14. Pepa faailoa o le Solia o se Poloaiga Faalavelave Faafuasei:

- (1) E mafai e leoleo ona tuuina atu le Pepa Faailoa o le Solia o se Poloaiga i soo se tagata ua solia aiaiga o Poloaiga ua faataoto i totonu o Poloaiga mo Faalavelave Faafuasei.
- (2) O Pepa Faailoa i lalo o lena poloaiga e tatau ona faamaonia e le Komesina o Leoleo.
- (3) Soo se tagata ua tuuina atu i ai se Pepa Faailoa o le Solia o se Poloaiga, e tatau ona ia totogi le sala tupe ua ta'ua i lea Pepa Faailoa, i totonu o le 24 itula talu ona tuuina atu iai le Pepa Faailoa.

15. Faasalaga:

- (1) E solitulafono le tagata e lē usitaia Poloaiga uma ua taua i luga seia vagana ai le poloaiga 1, ma o faasalaga nei:
- (a) sala tupe:
- (i) mo tagata ta'itoatasi, \$200 mo le solitulafono muamua, ma le \$500 i aso ta'itasi e faaauau ai lea solitulafono; ma

(ii) mo faalapotopotoga faatulafono, \$5,000 mo le solitulafono muamua, ma le \$7,000 i aso ta'itasi e faaauau ai lea solitulafono; poo le

(e) taofia i lalo o le vaaiga a Leoleo e lē sili atu i le 3 masina; poo le

(i) taofia i lalo o le vaaiga a Leoleo ma le sala tupe i lalo o le parakalafa (a).

(2) E solitulafono le tagata e lē usitaia le poloaiga 1 ma o fa'asalaga e nei:

(a) mo tagata ta'ito'atasi o le sala tupe \$2000 ; ma

(e) mo faalapotopotoga faatulafono po'o se kamupani o le sala tupe e \$15,000 mo le solitulafono muamua ma le \$20,000 i aso taitasi e faaauau ai lea solitulafono,

(3) E solitulafono le tagata e lē usitaia tuutuuga mo le faanofoesea e faatonuina e le Faatonu Sili o le Matagaluega o Soifua Maloloina, ma e ono faasala i se sala tupe e \$2,000.00

(4) O le totogiina o se sala tupe atoa i lalo o lenei poloaiga, o le a lē molia ai se tagata i se faamasinoga o soligatulafono mo le faasalaga i lalo o le Pepa Faailoa o le Solia o se Poloaiga i lalo o le poloaiga 14.

(5) A faamaonia le solitulafono a se tasi i lalo o nei poloaiga i luma o se faamasinoga o soligatulafono, e mafai ona faasala i se sala tupe e le sili atu i le \$10,000 poo le fale puipui e lē sili atu i le 12 masina, poo faasalaga uma e lua.

(6) Mo so'o se pisinisi latou te solia Poloaiga 5 o lenei Poloaiga, o lea faaleaogaina laisene pisinisi poo laisene ava malosi faatasi ai ma faasalaga o loo i lalo o Tulafono o loo aiaia ai laisene pisinisi ma ava malosi.

16. Komiti Fautua - Mataupu 108:

O le Komiti Fautua ua faatuina i lalo o le Mataupu 108, e puipuia mai i ni tagi faaletulafono e ono tulai faasaga i le Komiti i le faatinoina o tiute fai i lalo o le Mataupu 108.

17. Taulumaga:

- (1) Mo le nofo sauniuni mo se tulaga ogaoga mai auga o lenei faamai Korona Vairasi-19, ia mafai ona faataatia ese Tulafono o taulumaga a le Palemene ma le Kapeneta, ina ia mafai ai pea ona faia ni faaiuga tatau mo le atunuu.
- (2) Mo faaiuga tatau, o poloaiga i luga e le taofia ai ni taulumaga faanatinati o le Palemene ma le Kapeneta i lalo o malosiaga o le Tulafono Faavae.

18. Faatupeina:

O le faatupeina o fuafuaga a le Malo i lalo o lenei Poloaiga e faatupeina mai vaegatupe talafeagai a le Malo.

19. Aloaia:

- (1) Mo le faatinoina o le poloaiga 1, o galuega uma na faatinoina mai le aso 21 Me 2020 e oo mai i le asō, e aloaia i lalo o aiaiga o lenei Poloaiga.
- (2) Mo le faatinoina o le poloaiga 7, o galuega uma na faatinoina mo le faatauina o le ava malosi i le vaitaimi o le Aso Maliu mai i le Aso 1 Aperila 2021 i le 10 i le po, seia pāia le Aso 3 Aperila 2021 i le 6:00 i le taeao, e aloaia i lalo o aiaiga o lenei Poloaiga.
- (3) O se taimi faanofosea na faatonuina e le Faatonusili o le Soifua maloloina e ese mai le 21 aso, o se taimi faanofosea e aloaia i lalo o aiaiga o lenei Poloaiga.

20. Fuafuaga o Faalavelave Tutupu Faafuasei:

O nei poloaiga e aofia i totonu o Fuafuaga o Faalavelave Tutupu Faafuasei (National Disaster Management Plan) e pei ona aiaia i lalo o le Tulafono o le Faafoga o Faalavelave Matuia ma Faalavelave Faafuasei 2007.

E soloia le Poloaiga Faalavelave Faafuase'i Numera 62 o le Aso 22 o Ianuari 2022 e amata mai i le taimi e faamamaluina ai leni Poloaiga Faalavelave Faafuase'i Numera 63.

O leni Poloaiga Faalavelave Faafuase'i Numera 63 e amata faamamaluina i le itula e 6 i le afiafi o le Aso 24 Ianuari 2022 seia aulia le 6 i le afiafi o le Aso 27 Ianuari 2022.

Sainia i le Aso 24 Ianuari 2022



Tuimaleali'i ifano Vaeletoa Sualauvi II
(Tuimaleali'ifano Vaeletoa Sualauvi II)
AO O LE MALO



EMERGENCY ORDER 63

CONSTITUTION OF THE INDEPENDENT STATE OF SAMOA 1960 (ARTICLES 105/106)

I, TUIMALEALI'IFANO VA'ALETOA SUALAUVI II, Head of State of the Independent State of Samoa, in consultation with Cabinet under **FK (22) Faapitoa 04**, and pursuant to **Article 106** of the Constitution, make the following **ORDERS**:

1. International travel by plane, boat or ship:

- (1) All international travel to and from Samoa by plane or boat or ship are prohibited.
- (2) Cargo flights to Samoa are permitted to bring in cargo goods and any other passenger as pre-approved by Cabinet.
- (3) Airforce flights to Samoa are permitted as approved by Cabinet for:
 - (a) the carriage of firearms and ammunition, or
 - (b) the transporting of any assistance for emergency; or
 - (c) any other purpose in exceptional circumstances.
- (4) All boats and ships and yachts are prohibited access except for:
 - (a) trade and petroleum;
 - (b) any other category of ships, boats and yachts for offloading, refueling and the restock of necessary supplies only or as approved by Cabinet for exceptional circumstances.

2. Isolation and Quarantine

- (1) Any passenger, pilot and crew members travelling into Samoa by plane must complete the Medical Clearance Health Documentation Check in Form and

specifically declare whether or not they have been infected with the COVID19 virus, and must be quarantined on arrival in Samoa for 21 days or a period as determined by the Director General on the following terms and conditions:

(a) at the places and conditions to be determined by Cabinet and costs of accommodation, breakfast and lunch for Samoan citizen passengers only are to be borne by the Government but dinner will be their responsibility whilst in quarantine;

(b) at the passenger's home as approved by the Director General of Health upon prescribed conditions determined by him or her for approval for self-isolation quarantine.

(2) All frontline and support staff must isolate and quarantine if directed by the Director General in accordance with the terms and conditions as determined by the Director General of the Ministry of Health.

(3) The Ministry of Health is to continue with the approved medical clearance of all involved under this order.

3. Public gatherings:

(1) All Public gatherings and events are prohibited.

(2) All persons must be isolated and remain at their place of residence except for authorized personnel.

(3) For the purpose of this order, all persons must comply with the measures for the prevention of the spread of COVID 19 put in place by the Ministry of Health and National Emergency Operation Centre.

4. Domestic Travel:

(1) All public transport and commuting by buses, taxis and private vehicles

are prohibited.

- (2) Private vehicles under (1) are permitted on the road during the permitted times as defined in Order 5(4).
- (3) All domestic travel by Planes, Boats, and Ferries are prohibited except for the authorized cargo vessel permitted on 26 January 2022 for the purposes of offloading, refueling and the restock of necessary supplies only or as approved by Cabinet for exceptional circumstances.

5. Markets, small shops, supermarkets, and businesses:

- (1) All businesses must close except for the following:
 - (a) Markets which may open during permitted times;
 - (b) Supermarkets which may open during permitted times;
 - (c) Small shops which may open during permitted times;
 - (d) Banks and Money transfer Institutions which may open during permitted times;
 - (e) Pharmacies which may open during permitted times;
 - (f) Petrol stations which may open during permitted times;
 - (g) Electric Power Corporation Cash power outlets during permitted times.
- (2) All authorized staff of exempted businesses under Order 5(1):
 - (a) are permitted to commute to and from their place of work from 6am – 4.00pm; and
 - (b) must carry their Government issued authorization card.
- (3) All persons who enter exempted businesses under Order 5(1) must:
 - (a) be 12 years of age and above;
 - (b) show COVID19 Vaccination card;
 - (c) wear a face mask;
 - (d) enforce social distancing.
- (4) For the purposes of this Order:
 - (a) “supermarket” is a shop where a person walks in through doors to purchase any groceries, and any other item; and
 - (b) “small shop” means a small shop with no walk in doors, and where

purchase is made through the window opening/s;

(c) “markets” means markets selling fresh produce and fresh food items but does not include fish markets and flea markets;

(d) “exempted businesses” means the businesses identified in Order 5(1);

(e) “permitted times” means the hours of 8.00am to 2.00pm on 25 January 2022 and 27 January 2022.

6. Street vendors:

(1) The selling of goods by street vendors is prohibited.

(2) Children under the age of 16 years selling goods in public is strictly prohibited.

7. Selling of alcohol

The selling of alcohol by any shop (whether supermarket or small shop) and in hotels is prohibited.

8. Schools:

All schools and tertiary education institutions are to close until further notice.

9. Access to Health Facilities:

All persons are prohibited from accessing any health facility unless it is an emergency, or he or she is seeking urgent medical attention or assistance at any health facility.

10. Restriction for Government services:

All government services are suspended except for essential and emergency services.

11. Ministry of Health duties:

The Ministry of Health shall ensure to implement awareness programmes and measures for the prevention of the spread of the Covid-19.

12. Samoa Police Service:

- (1) The Samoa Police Service shall enforce this Order.
- (2) The Samoa Police Service is authorized to define zones to restrict public movement for the permitted times as defined under Order 5.

13. Special Powers of Government Chief Executive Officers:

- (1) All Chief Executive Officers of Government Ministries and Public Bodies are empowered to exercise their statutory functions, duties and powers provided under any legislation, or administrative functions for the implementation of the Sector Preparedness and Response Matrix Consolidated for Corona Virus Pandemic (“Response Matrix”).
- (2) Cabinet is empowered to make Regulations, Rules or Orders for the implementation of the public sector duties and responsibilities, for public health safety and the maintenance of peace and order.

14. Emergency Order Offence Notice:

- (1) A police officer may serve an Emergency Order Offence Notice on a person who has committed an offence to which this Emergency applies.
- (2) A Notice under this Order shall be in the form approved by the Commissioner of Police.
- (3) A person who has been served with a Notice must pay the fine stated in the Notice within 24 hours of the issuance of the Notice.

15. Penalties:

- (1) A person commits an offence where the person does not comply with any of the above orders except for order 1, attracting the following penalties:
 - (a) a fine of:
 - (i) for an individual, a fine of \$200 for a first offence, and a fine of \$500 for a continuous offence; or
 - (ii) for an organization or corporation or similar such legal entity, a fine of \$5,000 for a first offence, and a fine of \$7,000 for a continuous offence; or
 - (b) detainment by the Police not exceeding 3 months; or
 - (c) both detainment and fines prescribed under paragraph (a).
- (2) A person commits an offence where the person does not comply with order 1 attracting the following penalties:
 - (a) for an individual, a fine of \$2000;
 - (b) for an organization or company, a fine of \$15,000 for a first offence, and a fine of \$20,000 for a continuous offence.
- (3) A person commits an offence, where the person does not comply with quarantine requirements issued by the Director General of the Ministry of Health attracting a penalty of \$2,000.00.
- (4) The payment of a fine under this Order, shall avoid any further prosecution for the offence stipulated in the Notice issued under Order 14.
- (5) Where a person is convicted of an offence under these Orders, he or she shall be liable to a fine not exceeding \$10,000.00 or imprisonment not exceeding 12 months, or both.
- (6) Any business that breaches Order 5 under these Orders will have their business license revoked for the duration of the State of Emergency, in addition to penalties already provided under the relevant legislation regarding business licenses.

16. Advisory Board – Article 108:

The Advisory Board appointed under Article 108 of the Constitution, shall not incur any liability for actions done in good faith under Article 108.

17. Flexibility of procedures:

- (1) Given the pandemic Covid19, procedures of Cabinet and Parliament, may be relaxed during the State of Emergency, so that decision making for the good of the country may continue.
- (2) For effective decision making for the country, the above Orders do not bar any urgent and essential meetings of Cabinet and Parliament to take place during the State of Emergency.

18. Financing:

The financing of the implementation of this Order shall be funded by the appropriate budget approved by the Government.

19. Validation:

- (1) For the purpose of Order 1, all actions made to implement the requirements from 21st May 2020 to date, are treated as valid under this Order.
- (2) For the purpose of Order 7, all actions made to implement requirements for the selling of alcohol during the Easter period from 1st April 2021 at 10pm to 3rd April 2021 at 6am, are treated as valid under this Order.
- (3) The quarantine period determined by the Director General of Health of a period other than 21 days, is considered valid under this Order.

20. National Disaster Management Plan:

These Orders form part of the National Management Plan established under the Disaster and Emergency Management Act 2007.

The **Emergency Order 62** issued on **22nd January 2022** is revoked upon the commencement of this **Emergency Order 63**.

This **Emergency Order 63** commences from **6pm on 24th January 2022** to **6pm 27th January 2022**.

Dated this **24th day of January 2022**.



(Tuimaleali'ifano Va'aletoa Sualauvi II)

HEAD OF STATE