



## POLOAIGA FAALAVELAVE FAAFUASE'I NUMERA 65

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

**O AU NEL, TUIMALEALI'IFANO VA'ALETOA SUALAUVI II**, Ao o le Malo o Samoa, i luga o le fautuaga a le Kapeneta **FK (22) Faapitoa 07**, 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) vaa fagota mo le la'u ese o a latou uta (offload) ma le utuina (refuel) ma mo sapolai moomia po o se vaa fagota ua faataga mai e le Kapeneta i se tulaga e tatau ai; ma
    - (i) nisi ituaiga vaa, e aafia ai vaa failā ma nisi, e faamaonia e le Kapeneta mo le utuina (refuel) po o ni isi tulaga e tatau a.
- (5) Mo vaa fagota e faatagaina i lalo o le (4)(e) o aiaiga nei e tatau ona mataituina:

- (a) e nā o le 4 vaa fagota e faataga ona pipii i le Uafu i Matautu mo se taimi, ma:
- (i) mo vaa fagota tetele purse seiners ia lē silia i le 120 itula ona taula mo le la'ueseina o uta i'a, ma toe faatutumu o a latou sapaalai ao le'i tuuva'a ese atu ma Samoa; ma
  - (ii) mo vaa fagota long liners e oo atu le mamafa o latou uta i le 100 – 130 tone, ia lē silia i le 72 itula ona taula mo le la'ueseina o uta i'a, ma toe faatutumu o a latou sapaalai ao le'i tuuva'a ese atu ma Samoa; ma
- (e) ia usitaia siaki mo le soifua maloloina (quarantine) e pei ona faatonuina e le Faatonu Sili o le Matagaluega o Soifua Maloloina; ma
- (i) tapu ona o ese le auvaa mai i le vaa seia vagana ua faamaonia atu e le Kapeneta; ma
- (o) faamalosia le tuuina mai o le polokalame o femalagaiga o vaa fagota faatasi ai ma le lisi o auvaa (crew list) e fia ofi mai i le atunuu i le Pulega o Uafu, Matagaluega o Faatoaga ma Faigafaiva, Matagaluega o Leoleo ma Falepuipui, ma le Matagaluega o Soifua Maloloina; ma
- (u) ia lē i lalo ifo o le 28 aso talu ona tuua e le vaa fagota le uafu mulimuli sa taula ai, poo se fesuiaiga o le auvaa a o lei taunuu mai i le uafu i Matautu; ma
- (f) ia faailoa mai le talosaga a soo se vaa fagota i le Pulega o Uafu ma le Matagaluega o Faatoaga ma Faigafaiva e fia ulufale mai i Samoa I totonu o le lima (5) aso ao lei taunuu mai i le uafu i Matautu; ma
- (g) e tapu le fesui ai o auvaa i ogasami poo nisi galuega faatino i luga o le vaa e aofia ai isi vaa fagota.
- (6) E faataga ona pipii i le Uafu i Matautu o ni vaa oloa ua faataga i lalo o le (4)(a) se lua i le taimi e tasi, e fua i luga o ni mafuaaga tatau ma talafeagai ma le gafatia ona faatino vaega moomia mo le saogalemu e le Pulega o Uafu ma Taulaga ma isi Matagaluega ma Ofisa a le Malo.

## **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 aiaiaga nei:

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

(e) le faanofoesea o tagata i o latou aiga i luga o aiaiga 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 aiaiaga e pei ona fuafuaina e le Faatonusili o le Soifua Maloloina.

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

## **3. Potopotoga i nofoaga faitele:**

(1) Le tatalaina potopotoga toatele ma nofoaga faitele i lalo o aiaiaga nei:

(a) e le silia atu i le 30 o tagata;

(2) Mo le saogalemu o tagata i lalo o le poloaiga 3(1), e tapu soo se taaloga.

(3) Ua tapu nei ona toe tumutumu tagata i nofoaga o femalagaiga e pei o malaevaalele ma uafu, se'i vaganā o tagata e malaga.

(4) Mo le saogalemu o tagata i lalo o lenei poloaiga, e tatau ona utagia aiaiga mo le puipuiga 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:**

##### ***Pasi ma Taavale laupasese***

- (1) E faatagaina ona feoa'i pasi ma taavale la'u pasese I lalo o aiaiga nei:
- (a) mo pasi, na o le 20 tagata;
  - (b) mo taavale laupasese laiti (taxi) na o le toa 4 le pasese.

##### ***Vaa***

- (2) O femalagaiga o Vaa i le vā o Upolu ma Savaii ua tatala le femagalagaiga i taimi faatulagaina masani, e aofia ai ma le Aso Sā I lalo o aiaiga nei:
- (a) ia faamalosia le tutu va va;
  - (e) ona utagia aiaiga mo le puipuiga 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.

##### ***Vaalele***

- (3) O femalagaiga a vaalele i le vā o Upolu ma Savaii e tatala ua tatala femagalagaiga le femagalagaiga i taimi faatulagaina masani, e aofia ai ma le Aso Sā I lalo o aiaiga nei:
- (a) ia faamalosia le tutu vava;
  - (e) ona utagia aiaiga mo le puipuiga 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.

#### **5. Maketi, Faleoloa, Supamaketi ma Pisinisi:**

- (1) Mo maketi uma (e aofia ai le maketi o I'a ma le maketi e faatau ai mea taulima(flea market)):

(a) ua tatala ina mai le Aso Gafua I le Aso Toonai mai le 6.00 i le taeao i le 8.00 ile po; ma

(e) ua tapu ona toe momoe ai nisi i nei nofoaga i le po;

(2) Le tatala o Supamaketi o ma Faleoloa laity mai le Aso Gafua I le Aso Toonai mai le 6.00 I le taeao I le 8.00 I le po.

(3) Mo le faatinoina o lenei 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;

(4) Ua tapu taaloga fai tupe e pei o le Bingo, Casino, Ponesi ma le Lotto.

(5) E tatala faletalimalo:

(a) mo i nao latou e nonofo i totonu o le faletalimalo (In-House guests) mai le Aso Gafua i le Aso Sa

(e) e mafia ona tatala faleaiga ma faletalimalo mo i latou e aga’i atu i tua (non-guests) mo taumafutaga e takeaway mai le 6 I le taeao i le 8 i le po.

(6) E tatala faleaiga mo nao taumafutaga takeaway mai le 6.00 i le taeao i le 8.00 i le po i le Aso Gafua i le Aso toonai, ae tapunia i le Aso Sa.

(7) O isi uma pisinisi e mafia o tatala mai taimi masani mai le 6.00 I le taeao I le 8.00 I le po mai le Aso Gafua I le Aso Toonai sei vagana ai pisinisi nei:

(a) fale kalapu ma pa pia;

(e) fale faamalosi tino (fitness centre and gyms);

(i) fale fai ai taaloga tau tupe (Gaming facilities)

7. E tapu ona tatala pisinisi I le Aso Sa sei vagana ai:

(a) Maketi I’a mai le 4.00 I le taeao se ia oo le 9.00 I le taeao;

- (e) Maketi Fugalei mai le 4.00 I le taeao sei ia oo atu I le 9.00 I le taeao;
- (i) supamaketi ma faleoloa laiti mai le 12 I le aoauli sei oo I le 8.00 I le po;
- (o) Petroleum Products Supply Limited o le utuina o le suauu;
- (u) tatala pamu penisini mai le 12.00 I le aoauli I le 8.00 I le po;
- (f) Fale talavai mai le 12.00 I le aoauli I le 8.00 I le po

#### **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 tatalaina le faatau atu o le Ava malosi e pisinisi ua iai laisene (Retail Sale Licence ma le Wholesale licence) e pei ona tuuina atu I lalo o tulafono Faafoeina Ava malosi 2020, I lalo o aiaiga nei:

- (a) mai le Aso Gafua I le Aso Toonai I le 6 I le taeao I le 8 I le po;
- (e) e tapu ona faatau atu I le Aso Sa;
- (i) e tapu ona faatau atu i soo se tasi e i lalo ifo o le 21 tausaga le matua i soo se vaega.

#### **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:**

- (1) Ua matua tapu ona toe ulufale se tagata i soo se falema'i sei vaganā ai, ua moomia ona vaai se foma'i.
- (2) Mo le tagata ua taofia:
  - (a) ua nā o le tasi le tagata tausima'i e faataga; ma

(e) e nā o le toalua (2) tagata e faataga mo asiga.

(3) Ua taofia ona toe auina atu i Niu Sila o gasegase mo togafitiga i lalo o le Polokalame masani a le Malo, seia vagana ua faamaonia mai e le Kapeneta.

#### **10. Auaunaga moomia**

Ua faatagina le tatala ina o auaunaga moomia e pei ona faatagaina e le Kapeneta

#### **11. Aiaiga mo galuega a le Malo:**

(1) Ia faatino e le Komisi o Galuega a le Auaunaga a le Malo, (“Komisi”) ni aiaiga e alagataua ona faatino mo tagata faigaluega a le Malo, e faitiitia ai le ono pipisi o le fa’ama’i e pei o le galulue mai i le fale e faaoga ai initaneti.

(2) O aiaiga e faataatia e le Komisi, e aiaia uma ai Ofisa ma Matagaluega ma Faalapotopotoga a le Malo.

(3) Ua tapu malaga faavaolemalo sei vagana ua faatagaina e le Kapeneta.

#### **12. Tiute o le Matagaluega o Soifua Maloloina:**

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

#### **13. Malosiaga o le Matagaluega o Leoleo:**

(1) Ua tuuina atu ile Matagaluega o Leoleo le malosiaga e faamalosiaina ai le mata’ituina o leni Poloaga.

(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.

#### **14. Malosiaga faapitoa o faaululuga 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 gaoiga uma e Ofisa a le Malo mo galuega e tatau mo le soifua saogalemu o tagata, ma mo le tausiga o le nofo filemu.

### **15. 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 lenei 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 (e le aofia ai piliota o vavao i lalo o lenei poloaiga) talu ona tuuina atu iai le Pepa Faailoa.

### **16. 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 15.

(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.

### **17. 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.

### **18. 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 tualumaga faanatinati o le Palemene ma le Kapeneta i lalo o malosiaga o le Tulafono Faavae.

### **19. Faatupeina:**

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

### **20. 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.

### **21. 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 Faafoega o Faalavelave Matuia ma Faalavelave Faafuasei 2007.

**E soloia le Poloaiga Faalavelave Faafuase'i Numera 64 o le Aso 27 o Ianuari 2022 e amata mai i le taimi e faamamaluina ai lenei Poloaiga Faalavelave Faafuase'i Numera 65.**

O lenei **Poloaiga Faalavelave Faafuase'i Numera 65** e amata faamamaluina i le itula e **6** i le afiafi o le **Aso 28 Ianuari 2022**.

Sainia i le Aso **28 Ianuari 2022**

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**(Tuimaleali'ifano Fanoa'aletoa Sualauvi II)**  
**AO O LE MALO**



## EMERGENCY ORDER 65

### 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 07**, 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 suspended except as provided in exceptional circumstances approved by Cabinet.
- (2) Cargo flights to Samoa are permitted to bring in cargo goods and any other passenger as 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) fishing boats approved for offloading, refueling, and the restock of necessary supplies only or as approved by Cabinet for exceptional circumstances;

- (c) 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.
- (5) For fishing boats under (4)(b) above the following apply:
- (a) a maximum of 4 boats may dock at Matautu Wharf, for:
    - (i) purse seiners fishing boats, not more than 120 hours for transshipment, the offloading of fish and restocking of the supplies before leaving Samoa; and
    - (ii) long liners fishing boats whose cargo are between 100 – 130 tons, not more than 72 hours for the offloading of fish and restocking of the supplies before leaving Samoa; and
  - (b) medical and quarantine requirements issued by the Director General of the Ministry of Health are to be complied with; and
  - (c) no crew member is to leave the boat unless approved by Cabinet; and
  - (d) boat schedules and crew list must be submitted to the Samoa Ports Authority (SPA); Ministry of Agriculture and Fisheries (MAF); Ministry of Police and Prisons Services (MOPPS) and the Ministry of Health (MOH); and
  - (e) the date of departure from the last port, or the exchange of any crew members whilst at sea, must not be less than 28 days, before arrival at Apia wharf; and
  - (f) notification of arrival date must be received by the relevant authorities (MAF and SPA) 5 days prior; and
  - (g) there shall be no exchange of crew members whilst as sea.
- (6) For trade boats allowed under (4) (a) above, a maximum of 2 trade boats are permitted to be docked at Matautu Wharf at one time and must meet safety requirements set by Samoa Ports Authority and other relevant Government Ministries and Corporations.

## **2. Isolation and Quarantine**

- (1) Any passenger, pilot and crew members travelling into Samoa by plane exempted under Order 1(1) and (2) 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) Public gatherings and events in most places accessible by the public are permitted on the following conditions:
  - (a) restricted to no more than 30 people;
  - (b) must be 12 years of age and above;
  - (c) must show COVID-19 Vaccination card;
  - (d) observe social distancing.
- (2) For the purpose of Order 3(1), there shall be no sporting events and

tournaments and gaming of any kind.

- (3) All people are prohibited from gathering at airports or wharves unless it is permitted for travel.
- (4) For the purpose of this order, all persons must comply with the measures for the prevention of the spread of COVID 19 as advised by the Ministry of Health and National Emergency Operation Centre from time to time.

#### **4. Domestic Travel:**

##### ***Buses and Taxis***

- (1) Travel by buses and taxis is permitted according to the usual schedule, including resuming the normal schedule of bus transport on Sundays on the following conditions:
  - (a) operators of buses must not carry more than 20 passengers; and
  - (b) operators of taxis must not carry more than 4 passengers.

##### ***Ferries***

- (2) Ferry services between Upolu and Savaii shall operate according to the normal schedule including Sundays on the following conditions:
  - (a) must observe social distancing; and
  - (b) must comply with the measures for the prevention of the spread of COVID 19 as advised by the Ministry of Health and National Emergency Operation Centre from time to time.

##### ***Domestic Flights***

- (3) Domestic flight services between Upolu and Savaii may operate according to the normal schedule including Sundays on the following conditions:
  - (a) must observe social distancing; and
  - (b) must comply with the measures for the prevention of the spread of COVID 19 as advised by the Ministry of Health and National

Emergency Operation Centre from time to time.

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

- (1) For markets (including flea markets and fish market or any market which the public have access to):
  - (a) are permitted to open from Monday to Saturday, from 6.00am – 6.00pm; and
  - (b) no person is to sleep overnight at any marketplace.
- (2) The supermarkets and small shops are permitted to open from Monday – Saturday from 6.00am to 8.00pm.
- (3) 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.
- (4) All gaming is prohibited (including Bingos, Casinos, bonuses and lotto).
- (5) Hotels may open on the following conditions:
  - (a) for in-house hotel guests for room service and takeaway only from Monday to Sunday; and
  - (b) hotel restaurants may open from Monday to Saturday for non-guests from 6.00am to 8.00pm for takeaway only.
- (6) Restaurants are opened for take away from 6.00am to 8.00pm from Monday to Saturday, and are to close on Sundays.
- (7) All other businesses are permitted to operate from 6.00am to 8.00pm from Monday to Saturday except for the following businesses which are to close until further notice:
  - a. Nightclubs and Bars;
  - b. Fitness centres and Gyms;
  - c. Gaming Facilities.
- (8) All businesses must close on Sunday, except:



- (a) Fish Markets from 4.00am to 9.00am; and
- (b) Fugalei Market from 4.00am to 9.00am; and
- (c) Supermarkets and small shops from 12noon to 8.00pm; and
- (d) Petroleum Products Supply Limited for the purpose of refueling; and
- (e) Petrol stations which may open from 12 noon – 8.00pm; and
- (f) Pharmacies which may open from 12 noon – 8.00pm.

**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 business that has a Retail sale licence or a wholesale licence issued under the Alcohol Control Act 2020 must only be done on the conditions below:

- (a) from Mondays to Saturdays from 6:00am to 8:00pm;
- (b) must not be sold on Sunday; and
- (c) must not be sold to any person under the age of 21 years of age.

**8. Schools:**

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

**9. Access to Health Facilities:**

- (1) 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.
- (2) A person that is admitted to the hospital may:

- (a) only have one carer to tend to him or her; and
  - (b) only be visited by 2 people at any one time.
- (3) All patients intended for travel overseas under the Samoa Medical Treatment Scheme are hereby suspended unless approved by Cabinet.

**10. Essential Services:**

All essential and emergency services are permitted to operate as approved by Cabinet.

**11. Government Services:**

- (1) The Public Service Commission (“Commission”) is to determine conditions in which employees are to continue working under, with the objective of ensuring minimal spread of infection.
- (2) The Commission’s conditions shall apply to all Government Ministries, Public Bodies and other Government Agencies.
- (3) All Government trips overseas are hereby suspended unless approved by cabinet.

**12. 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.

**13. Samoa Police Service:**

The Samoa Police Service shall enforce this Order.

**14. 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.

**15. Emergency Order Offence Notice:**

- (1) A police officer may serve an Emergency Order Offence Notice (“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 (not including any period in which the country is in lockdown) of the issuance of the Notice.

**16. 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 15.
- (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.

#### **17. 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.

#### **18. 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.

#### **19. Financing:**

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

**20. Validation:**

- (1) For the purpose of Order 1, all actions made to implement the requirements from 21<sup>st</sup> 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 1<sup>st</sup> April 2021 at 10pm to 3<sup>rd</sup> 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.

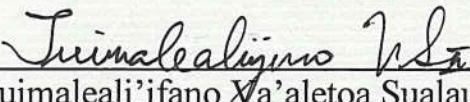
**21. National Disaster Management Plan:**

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

The **Emergency Order 64** issued on **27<sup>th</sup> January 2022** is **revoked** upon the **commencement** of this **Emergency Order 65**.

This **Emergency Order 65** commences from **6pm on 28<sup>th</sup> January 2022**.

Dated this **28<sup>th</sup> day of January 2022**.

  
\_\_\_\_\_  
(Tuimaleali'ifano Va'aletoa Sualauvi II)  
**HEAD OF STATE**