



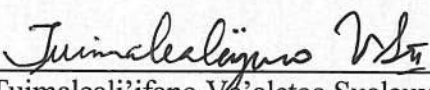
POLOAIGA
FAALAVELAVE TUTUPU FAAFUASEI
MATĀ'UPU 105
FAAVAE O LE MALO TUTOATASI O SAMOA

O A'U, TUIMALEALI'IFANO VA'ALETOA SUALAUVI II, o Le Ao o le Mālō Tutoatasi o Sāmoa, ina ua uma ona felogona'i ma le Kapeneta e ala i le FK(22) 04 ua fa'amalieina tu'utu'uga e fa'apea, o se fa'alavelave tupu fa'afuase'i mamafatū ua o'o mai e aveva ma ala o le a ono lamatia ai le saogalēmū poo le olaga tau le tamāo'āiga, soifua maloloina ma le tamaoaiga o Sāmoa, ma o lea UA OU FA'AALIA MANINO atu ai:

UA I AI NEI SĀMOA I SE TŪLAGA O FA'ALAVELAVE TUTUPU FAAFUASE'I

e faaauau le faamamaluina mai i le Aso 14 Fepuari 2022 seia oo atu i le Aso 13 Mati 2022.

Faia i leni aso 11 Fepuari 2022.


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



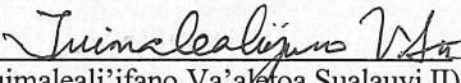
**PROCLAMATION OF EMERGENCY
ARTICLE 105
CONSTITUTION OF THE INDEPENDENT STATE OF SAMOA**

I, TUIMALEALI'IFANO VA'ALETOA SUALAUVI II, Head of State of the Independent State of Samoa, after consultation with Cabinet as set out in FK(22)04, am satisfied that a grave emergency exists whereby the security or economic life of Samoa is threatened by a catastrophe and therefore, **PROCLAIM** that a:

STATE OF EMERGENCY

is in force in Samoa and will continue and is extended from **14th February 2022 until 13th March 2022**.

Dated this **11th day of February 2022**.


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



POLOAIGA FAALAVELAVE FAAFUASE'I NUMERA 68

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

O AU NEI, TUIMALEALI'IFANO VA'ALETOA SUALAUVI II, Ao o le Malo o Samoa, i luga o le fautuaga a le Kapeneta **FK (22) Faapitoa 09**, 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 i vaalele sei vagana vaalele poo vaa ua faataga e le Kapeneta i se tulaga faanatinati ma tatau ai.
- (2) E tapu se tagata Samoa e umia nisi sitiseni ona faaaogaina se tusi folau a se isi atunu'u mo le malaga atu ai i fafo o Samoa, ma toe taliu mai ai i le tusi folau Samoa poo se tusi folau ua iai se pemita faataga e ulafale ai i totonu o Samoa (visa exemption) mo se malaga pu'upu'u.
- (3) Mo malaga ma faigamalaga i le va o Samoa ma Amerika Samoa i vaalele ia faaoga ai le Samoa Airways poo le Talofa Airways, po o vaa-a-lalo, ia faatonuina e le Nataional Emergency Operation Centre (NEOC) ma ia feutagai aso talafeagai mo femalagaai e aofia ai le faaaogaina o pemita, ma utagia aiaiga nei:
 - (a) ia usitaia uma aiaiga faalesoifua maloloina e pei ona fa'atonuina e le Faatonusili o Soifua Maloloina faapea ma fautuaga mo femalagaiga e tuuina mai e le Matagaluega o Soifua Maloloina;
 - (e) ia muai tuuina mai i le Matagaluega o le Va-i-Fafo ma Fefa'atauaiga le lisi o pasese e fia auina i Amerika Samoa ma pasese e fia aumai i Samoa mo le tuuina atu i le Komiti o Faalavelave Faafuasei;
 - (i) e tatau ona tãpã o se faatagana mai le Komiti o Faalavelave Faafuasei mo soo se pasese e fia auina mai Amerika Samoa i Samoa nei a o lei tuua Amerika Samoa;
 - (o) ia tuuina mai se faatagaga mai le Malo o Amerika Samoa e malaga mo se malaga atu o se vaalele mai i Samoa i Amerika Samoa.

- (4) E faatagaina ona malaga mai i Samoa ma toe foi vaalele mo uta (cargo flights) e aumai ai ma toe ave uta (cargo) ma pasese i vaiaso taitasi e faamaonia e le Kapeneta, seia vagana ua toe faia iai se faaiuga a le Kapeneta.
- (5) E ui lava o iai aiaiga mo le faanofoesea i lalo o le Poloaiga 2, o pasese na faamaonia e le Kapeneta e malaga mai i Samoa e mafai ona tuusaunua mai le faatinoaina o aiaiga a le soifua maloloina mo le faanofoesea i Samoa, i lalo o aiaiga nei:
- (a) mo fomai suesue faapitoa mo tino maliu ma inisinia mo le fale-maliu:
 - (i) e tatau ona tuuina mai e le pasese se faamaoniaga ua maea ona faia lona tui puipui mo le Koviti-19 a o lei malaga mai i Samoa;
 - (ii) e utagia e le pasese isi aiaiga faalesoifua maloloina e aofia ai le faia o ofu faapitoa a o faatino taotoga mo tino maliliu;
 - (iii) i le maea ai o le faatinoga o taotoga mo tino maliu, le toe malaga ese atu o tagata mai i Samoa i se taimi vave.
- (6) 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.
- (7) 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 sapalai moomia po o se vaa fagota ua faataga mai e le Kapeneta i se tulaga e tatau ai;
 - (i) vaa ua faatagaina mo le avatu ai cable supplies ma mea faigaluega mo submarine cables mai le nofoaga tutotonu (hub) o loo teu ai nei cable supplies;
 - (o) 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;
 - (u) vaa e faatagaina mo le faigamalaga i le va o Samoa ma Amerika Samoa poo ni isi lava atunuu e pei ona faamaonia e le Kapeneta.
- (8) Mo vaa fagota e faatagaina i lalo o le (7)(e) o aiaiga nei e tatau ona mataituina:

- (a) e nā o le 4 vaa fagota e faataga ona taula 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 sapalai 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 sapalai 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.
- (9) E le tatau ona sili atu ma le lua vaa oloa poo isi vaa e faatagaina i lalo o le 7(a) ma le (i) ona taula i se taimi e tasi i le Uafu i Matautu ma e tatau ona faamalieina vaega manaomia mo le saogalemu a le Pulega o Uafu ma Taulaga ma isi Matagaluega ma Ofisa a le Malo.

- (10) Mo vaa e faatagaina i lalo o le (7)(u) mo faigamalaga i le va o **Samoa ma Tokelau**, o le a aiaia e faapea:
- (a) le faatagaina o le ulufale mai o tagata Tokelau i Samoa, sei vagana ua logoina e le Matagaluega o le Va-i-Fafo ma Fefaatauaiga le taofia ona ulufale mai;
 - (e) e tatau ona logoina o le Matagaluega o le Va-i-Fafo ma Fefaatauaiga i le mafuaaga ma le aso tonu o le faigamalaga a o le'i malaga mai;
- (11) Ua faatonuina le Matagaluega o le Soifua Maloloina ina ia matua faamalosia puipuiga mo tagata uma i lalo o le nei poloaiga.
- (12) Ia feutagai le Matagaluega o le Va-i-Fafo ma Fefa'atauaiga e feutaga'i ma le Malo o Niu Sila mo le faamautuina o aiaiga talafeagai uma e ao ona malilie iai atunuu e lua, mo le toe tatalaina o faigamalaga (travel bubble) i le va o **Samoa ma Niu Sila**.

2. Faanofoesea

- (1) E tatau i se pasese, pailate ma le auvaa e malaga mai i Samoa i se vaalele po o se vaa faatagaina i lalo o le Poloaiga 1 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 aiaiaiga nei:
- (a) i nofoaga ma aiaiaiga e faamaonia e le Kapeneta atoa ai ma le totogi e le Malo mo na'o tagatanu'u Samoa o apitaga ua faanofoesea ai, taumafataga o le taeao faatasi ai ma le aoauli ae totogi e le tagata lava ia lana meatausami o le afaifi;
 - (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 faamalosia 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 aiaiaiga e pei ona fuafuaina e le Faatonusili o le Soifua Maloloina.
- (3) Ua faatonuina le Matagaluega o le Soifua Maloloina ina ia matua faamalosia puipuiga mo tagata uma i lalo o le nei poloaiga.

3. Potopotoga i nofoaga faitete:

- (1) Le tatalaina o potopotoga toatele ma nofoaga faitete, ae ia mata'itu le saogalemu o tagata e pei ona fautuaina e le Matagaluega o Soifua Maloloina po o le National Emergency Operation Centre.
- (2) E tatala le taele i matafaga ma vaiata i aso uma o le vaiaso seia vagana ai le Aso Sā, e fa'atō'ā tatala mai i le 12 i le aoauli.
- (3) Ua tatala isi faamoemoe faamalositino e pei o savaliga i le mauga mai le 12 i le aoauli.
- (4) 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. Auai atu i Tapuaiga Faalelotu ma Faalapotopotoga Faalelotu

Ua faatagaina le auai atu i tapuaiga faalelotu ma faalapotopotoga faalelotu ma e tatau i tagata ona mata'itu le saogalemu o tagata e pei ona fautuaina e le Matagaluega o Soifua Maloloina po o le National Emergency Operation Centre.

5. Femalagaiga faalotoifale:

(1) *Pasi ma Taavale laupasese*

E faatagaina ona feoa'i pasi ma taavale la'u pasese i taimi masani e aofia ai ma le Aso Sā.

(2) *Vaa*

O femalagaiga o Vaa i le vā o Upolu ma Savaii ua tatala le femalagaiga i taimi faatulagaina masani, e aofia ai ma le Aso Sā ma 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.

(3) *Vaalele*

O femalagaiga a vaalele i le vā o Upolu ma Savaii ua tatala i taimi faatulagaina masani, e aofia ai ma le Aso Sā ma e tatau ona utagia aiaiga mo le puipuiga o le pipisi o le fa'ama'i o le Korona Vairasi 19 (COVID-19) e pei

ona fautuaina e le Matagaluega o Soifua Maloloina po o le National Emergency Operation Centre.

6. 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 10:00 i le po; ma

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

(2) Le tatala o Supamaketi ma faleoloa laiti mai le Aso Gafua i le Aso Toonai mai le 6.00 i le taeao i le 10:00 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 tatala falekalapu ma pā pia i lalo o aiaiga nei:

(a) mai i le 6.00 i le taeao i le 12.00 i le vaeluaga o le po mai i le Aso Gafua i le Aso Toonai, ae tapu le Aso Sā; ma

(e) tapu ona faatau atu o se pia i se tasi e i lalo ifo o le 21 tausaga;

(i) tapu ona faatagaina le ulufale atu o soo se tasi e i lalo ifo o le 21 tausaga le matua i soo se falepia poo se falekalapu;

(o) e tatala le faatinoina o ni polokalame mo suega tupe ae ia tausisia pea itula e tapunia ai o lo'o ta'ua i le parakarafa (a) o lo'o i luga.

(5) E faataga ona faatino taaloga fai tupe ua faalaiseneina se'ia vagana taaloga o loo taua i lalo:

(a) mo taaloga bingo e mafai ona faia mai i le Aso Gafua i le Aso Toonai, mai le 6.00 i le taeao i le 11.00 i le po;

(e) mo taaloga i casino mai le Aso Gafua i le Aso Toonai, mai i le itula e 4:00 i le afiafi, i le itula e 4:00 i le vaveao, se ia vagana ai le aso Toonai e tataua ona tapunia i le 12.00 i le valuāpō ae tapu i le Aso Sā.

(6) E tatala faletalimalo i itula masani e tusa ai ma aiaiga i lalo o lenei Poloaiga.

(7) E tatala fale tifaga i taimi masani.

(8) E tatala faleaiga mai i le 6:00 i le taeao i le 10:00 i le po mai le Aso Gafua i le Aso Toonai.

(9) E tapu ona tatala pisinisi i le Aso Sa, se'ia vagana ai:

(a) Maketi uma (e aofia ai le maketi o i'a ma le maketi e faatau ai mea taulima(flea market)) e tatala mai le 4 i le vaeao i le 9 i le taeao :

(e) Supamaketi ma faleoloa laiti e tatala mai le 12:00 i le aoauli i le 10:00 i le po;

(i) Petroleum Products Supply Limited mo le utuina o le suauu;

(o) tatala pamu penisini mai le 12:00 i le aoauli i le 10:00 i le po;

(u) Fale talavai tumaoti (private) e tatala mai le 12.00 i le aoauli i le 10:00 i le po; ma le

(f) Faleaiga e tatala mai i le 12.00 i le aoauli i le 10:00 i le po.

(10) 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.

7. Faatau oloa i magaala ma tafaala:

(1) Ua tatala le fa'atau savali o oloa i le taulaga o Apia i luga o le aiaiga le faamalosia o le faia o Health Cards mo i latou uma o le a tapenaina nei taumafa mo le tausisia o le tumama moomia;

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

8. Faatauina o le Ava Malosi:

(1) Ua tatalaina le faatau atu o le Ava malosi i soo se faleoloa (faleoloa laiti ma supamaketi) mai le Aso Gafua i le Aso Toonai mai le 6:00 i le taeao i le 10:00 i le po.

(2) Ua tatalaina le faatau atu o le Ava malosi i soo faletalimalo i lalo o aiaiga nei:

(a) mai le Aso Gafua i le Aso Toonai mai le 6:00 i le taeao i le 10:00 i le po; ma

(e) i le Aso Sa i na o e o loo nonofo i totonu o le faletalimalo (hotel guests) mai le 12 i le aoauli.

(3) Ua tatalaina le faatau atu o le Ava malosi i soo se faleaiga mai le Aso Gafua i le Aso Toonai mai le 6:00 i le taeao i le 10:00 i le po.

(4) Ua tatalaina le faatau atu o le Ava malosi i soo se falepa pia poo se falekalapu mai le Aso Gafua i le Aso Toonai mai le 6:00 i le taeao seia oo atu i le 12 i le valuapo.

9. Aoga:

(1) E tatala uma aoga i Samoa seia iai se isi faaliga.

(2) E tuuina atu i le Matagaluega o Aoga, Taaloga ma Aganuu le tapenaina o polokalame ma faatulagaga o aso taitasi e faatino ai aoga mo aoga uma (ekalesia, aoga ale Malo, aoga tumaoti).

(3) E fautuaina matua i le faaaogaina o taavale e momoli ai fanau pe a mafai, ina ia faaititia ai le tumutumu i pasi ma nofoaga faitele.

(4) Ia faaititia le soona tumutumu o tamaiti aoga i nofoaga faitele e pei o fale faatalipasi ma maketi.

10. 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, se'ja vagana ua faamaonia mai e le Kapeneta.

11. Auaunaga manaomia

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

12. Aiaiga mo galuega a le Malo:

- (1) Ia faatino e le Komisi o Galuega a le Aufaigaluega a le Malo, (“Komisi”) ni aiaiga e alagataua ona faatino mo tagata faigaluega a le Malo, e faaititia 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.

13. Tiute o le Matagaluega o Soifua Maloloina:

- (1) Ia faatinoina e le Matagaluega o Soifua Maloloina le unaia o polokalame falauiloa o le puipuiga o le pipisi o le fa’ama’i o le Korona Vairasi 19, mo le nofo silafia o le atunu’u.
- (2) E iai le malosiaga a le Pule Sili a le Matagaluega o Soifua Maloloina e tuuina atu ai fautuaga mo femalagagaiga mo e faimalaga mai fafo ma fautuaga faafemalagagaiga mo faigamalaga faavaomalo mo le puipuiga o le pipisi o le fa’ama’i o le Korona Vairasi 19.

14. Malosia’ga o le Matagaluega o Leoleo:

Ua tuuina atu ile Matagaluega o Leoleo le malosiaiga e faamalosia ai le mata’ituina o leni Poloaga.

15. Malosiaga faapitoa o faauluuluga o Matagaluega:

- (1) Ua tuuina atu le malosiaiga i faauluuluga o Matagaluega ma Ofisa uma o le Malo, o loo iai ā latou malosiaiga fa’aletulafono e faatino ai ia malosiaiga

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.

16. 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.

17. 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 usitaja le poloaiga 1 ma o fa'asalaga 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) Soo se tagata e umia nisi sitiseni e faaogaina se tusi folau a se isi atunu'u mo le malaga atu ai i fafo o Samoa, ma toe taliu mai ai i le tusi folau Samoa mo se malaga pu'upu'u, ma solia ai le fuaiupu 1(2), e faasala i se sala tupe e \$2,000.00, faaopopo ai ma le totogi e lea lava tagata o lona aumau ai i le nofoaga o le a faanfooesa ai.
- (4) E solitulafono le tagata e lē usitaia tuutuuga mo le faanfooesa e faatonuina e le Faatonu Sili o le Matagaluega o Soifua Maloloina, ma e ono faasala i se sala tupe e \$2,000.00.
- (5) 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.
- (6) 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.
- (7) Mo so'o se pisinisi latou te solia Poloaiga 6 ma le 8 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.

18. 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.

19. 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.

20. Faatupeina:

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

21. 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 8, 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 faanofoesea na faatonuina e le Faatonusili o le Soifua maloloina e ese mai le 21 aso, o se taimi faanofoesea e aloaia i lalo o aiaiga o lenei Poloaiga.

22. 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 67 o le Aso 4 Fepuari 2022 e amata mai i le taimi e faamamaluina ai lenei Poloaiga Faalavelave Faafuase'i Numera 68.

O lenei Poloaiga Faalavelave Faafuase'i Numera 68 e amata faamamaluina mai le 6 i le afiafi o le Aso 11 Fepuari 2022.

Sainia i le Aso 11 Fepuari 2022



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



EMERGENCY ORDER 68

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 09**, 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) It is prohibited for a person who holds more than one citizenship to use a foreign passport to travel out of Samoa, and returns to Samoa using his or her Samoan passport or foreign passport with a visa exemption for a short-term trip.
- (3) Travel between Samoa and American Samoa, whether by plane using the Samoa Airways and Talofa Airways or by boat, is to be managed by the National Emergency Operation Centre ("NEOC") which will be responsible for coordinating the agreed days for travel during the week and the issuance of permits, and all such travels are subject to the following conditions:
 - (a) medical requirements issued by the Director General of Health and travel advisories issued by the Ministry of Health must be complied with by every person;
 - (b) a list of passengers travelling to American Samoa and those travelling to Samoa must be provided to the Ministry of Foreign Affairs and Trade for referral to the NEOC;

- (c) all passengers must be approved by NEOC to travel to Samoa from American Samoa before the departure of the flight from American Samoa; and
 - (d) an approval of the Government of American Samoa must first be obtained to allow flights from Samoa to American Samoa.
- (4) Cargo flights to and from Samoa are permitted to bring in or take cargo goods every week and any other passenger as approved by Cabinet.
- (5) Despite quarantine requirements under Order 2, passengers approved by Cabinet to travel to Samoa may be exempt from quarantine requirements on the following conditions:
- (a) for a forensic pathologist and morgue technician:
 - (i) the passenger produces proof before travel to Samoa that he or she has been administered with a COVID -19 immunization vaccine; and
 - (ii) the passenger complies with all other health requirements including wearing the PPE gear whilst carrying out the post mortem examinations; and
 - (iii) that upon the completion of the post mortem examinations, the passengers depart Samoa immediately.
- (6) 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.
- (7) 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) ships approved for uplifting submarine cable supplies from the Samoa Cable Hub;
 - (d) 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;
 - (e) a boat as approved by Cabinet for travel between Samoa and American Samoa, Tokelau or any other country.
- (8) For fishing boats under (7)(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.

- (9) For trade boats and ships allowed under (7) (a) and (c) above, a maximum of 2 trade boats or ships 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.
- (10) For a boat approved under (7)(e) for **travel between Samoa and Tokelau**, the following conditions apply:
- (a) Travel is permitted except where the Ministry of Foreign Affairs and Trade instructs that travel shall cease or is not permitted;
 - (b) The Ministry of Foreign Affairs and Trade must be informed of intended travel of every person to Samoa, the purpose of travel and the date of intended arrival of every person travelling from Tokelau.
- (11) The Ministry of Health is to continue with the approved medical clearance of all involved under this order.
- (12) The Ministry of Foreign Affairs and Trade shall coordinate travel arrangements with the New Zealand Government on terms and conditions agreeable for the commencement of a **travel bubble between Samoa and New Zealand**.

2. Isolation and Quarantine

- (1) Any passenger, pilot and crew members travelling into Samoa by plane or boat exempted under Order 1(1) and (4) 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 and the public are required to observe safety rules as advised by the Ministry of Health or the NEOC from time to time.

(2) Swimming at beaches and rivers is permitted every day except on Sundays where it is only permitted from 12 noon onwards.

(3) Exercise activities such as hiking on mountains are permitted on Sunday from 12 noon.

(4) All people are prohibited from gathering at airports or wharves unless it is permitted for travel.

4. Church worship and gatherings

All church worship and gatherings are permitted and all persons attending church worships and gatherings are required to observe safety rules as advised by the Ministry of Health or the NEOC from time to time.

5. Domestic Travel:

(1) *Buses and Taxis*

Travel by buses and taxis is permitted according to the usual schedule, including resuming the normal schedule of bus transport on Sundays.

(2) *Ferries*

Ferry services between Upolu and Savaii shall operate according to the normal schedule including Sundays and 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.

(3) *Domestic Flights*

Domestic flight services between Upolu and Savaii may operate according to the normal schedule including Sundays and 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.

6. 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 – 10:00pm; 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 10.00pm.
- (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) Nightclubs and bars may open on the following conditions:
 - (a) from 6.00am to 12.00am from Monday to Saturday and must remain closed on Sunday;
 - (b) must not sell alcohol to any person under the age of 21 years;

- (c) must not allow any person under the age of 21 years to enter its premises;
 - (d) for fundraising activities subject to closing hours prescribed in paragraph (a) above.
- (5) All gaming is permitted in accordance with their licences except for the following:
- (a) Bingo may be held on Monday to Saturday from 6:00am to 11:00pm;
 - (b) Casinos may open on the conditions that is opened from Monday to Saturday from 4:00pm to 4:00am except on Saturday on which it must close at 12.00 midnight.
- (6) Hotels may open for normal business hours subject to restrictions as provided in this Order.
- (7) Theatres may open for normal business hours.
- (8) Restaurants are permitted to open from 6:00am to 10.00pm from Monday to Saturday.
- (9) All businesses must close on Sunday, except:
- (a) All markets (including flea markets and fish market or any market which the public have access to) from 4:00am until 9:00am; and
 - (b) Supermarkets and small shops from 12:00pm to 10.00pm; and
 - (c) Petroleum Products Supply Limited for the purpose of refueling; and
 - (d) Petrol stations which may open from 12 noon – 10:00pm; and
 - (e) Pharmacies which may open from 12 noon – 10:00pm; and
 - (f) Restaurants may open from 12noon to 10.00pm.
- (10) 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.

7. Street vendors:

- (1) The selling of goods by street vendors is permitted, on the condition that for hygiene purposes the use of Health Cards is required for those

who prepare food allowed to be sold in Apia..

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

8. Selling of alcohol

- (1) The selling of alcohol by any shop (whether supermarket or small shop) is permitted from Monday to Saturday from 6:00am to 10:00pm.
- (2) The selling of alcohol by Hotels is permitted on the following conditions:
 - (a) from Monday to Saturday from 6:00am to 10:00pm; and
 - (b) Sunday for Hotel guests only from 12 noon.
- (3) The selling of alcohol by Restaurants is permitted from Monday to Saturday from 6:00am to 10:00pm.
- (4) The selling of alcohol by Bars and Nightclubs is permitted from Monday to Saturday from 6:00am to 12:00am.

9. Schools:

- (1) Schools may open until further notice.
- (2) The Ministry of Education, Sports and Culture is to design and determine appropriate programs and schedules i.e. which classes to attend school on which days of the week, what programs to undertake under the modes of teaching available to MESC at the time, for all schools (church, government, private) and so on.
- (3) Where possible, parents and guardians are encouraged to use private vehicles for the drop off and pick up of children, to discourage crowdedness at schools, bus stops and other public places.
- (4) There shall be no crowding in public places such as bus stops and markets by students.

10. 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.

11. Essential Services:

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

12. 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.

13. Ministry of Health duties:

- (1) The Ministry of Health shall ensure to implement awareness programmes and measures for the prevention of the spread of the Covid-19.
- (2) The Director General of the Ministry of Health is to determine and coordinate a Health Travel Advisory for travelers entering Samoa for the measures for the prevention of the spread of the Covid-19.

14.Samoa Police Service:

The Samoa Police Service shall enforce this Order.

15.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.

16.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.

17.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 who holds more than one citizenship, who uses a foreign passport to travel out of Samoa, and returns to Samoa using his or her Samoan passport or foreign passport with a visa exemption for a short-term trip, breaches Order 1(2) and is subject to a fine of \$2000.00 in addition to being subject to paying his or her own costs for quarantine as required.
- (4) 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.
- (5) The payment of a fine under this Order, shall avoid any further prosecution for the offence stipulated in the Notice issued under Order 15.
- (6) 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.
- (7) Any business that breaches Order 6 and 8 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 and alcohol licenses.

18. 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.

19. 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.

20. Financing:

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

21. 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 8, 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.

22. National Disaster Management Plan:

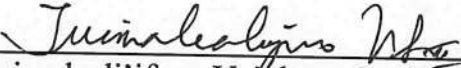
These Orders form part of the National Management Plan established under

the Disaster and Emergency Management Act 2007.

The **Emergency Order 67** issued on **4th February 2022** is **revoked** upon the **commencement** of this **Emergency Order 68**.

This **Emergency Order 68** commences from **6pm** on **11th February 2022**.

Dated this **11th day of February 2022**.



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