



POLOAIGA FAALAVELAVE FAAFUASE'I NUMERA 78

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 22**, 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 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.
- (3) 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 tuusaunoa mai le faatinoina 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.
- (4) 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.
- (5) 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 ai;
 - (u) vaa e faatagaina mo le faigamalaga i le va o Samoa, Tokelau ma Amerika Samoa poo ni isi lava atunuu e pei ona faamaonia e le Kapeneta;
 - (f) tapu ona o ese le auvaa mai i le vaa seia vagana ua faamaonia atu e le Kapeneta.
- (6) Mo vaa fagota e faatagaina i lalo o le (6)(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 se'ia 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.
- (7) E le tatau ona sili atu ma le lua vaa oloa poo isi vaa e faatagaina i lalo o le 6(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.
- (8) Mo vaa e faatagaina i lalo o le (6)(o) 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;
- (9) Ua faatonuina le Matagaluega o le Soifua Maloloina ina ia matua faamalosia puipuiga mo tagata uma i lalo o lenei poloaiga.
- (10) 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. Faanofosea

(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(1), (2) ma le (3) 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::

(a) Faanofosea (quarantine) pe afai e positive latou suega (test) pe a taunuu mai i Samoa mo aso e faatonuina e le Faatonusili o le Matagaluega o Soifua Maloloina i lalo o aiaiaiga nei:

(i) 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 faanofosea ai, taumafataga o le taeao faatasi ai ma le aoauli ae totogi e le tagata lava ia lana meatausami o le afaifi;

(ii) le faanofosea o tagata i o latou aiga i luga o aiaiga faatulagaina e le Faatonusili o le Matagaluega o Soifua Maloloina; poo

(e) le faanofosea o tagata i o latou aiga pe a manuia latou suega (negative test) i luga o aiaiga faatulagaina e le Pule Faatonu o le Matagaluega o Soifua Maloloina.

(2) Le faamalosia ona faanofosea 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 lenei poloaiga.

3. Potopotoga i nofoaga faitele:

(1) Le tatalaina potopotoga toatele ma nofoaga faitele (e aofia ai taelega i le sami, matafaga, vaitaele faapea fale aau) i lalo o aiaiaiga nei:

(a) faaali le pepa tui (COVID19 Vaccination Card);

(e) faamalosia le tutu/nofo vava;

(i) faamalosia le fai o tali fofoga (face masks) (seia vagana ai taimi e taele ai); ma
(o) e faatagaina mai le 6:00 i le taeao i le 10:00 i le po mai le Aso Gafua i le Aso
Toonai ma le 12:00 i le aoauli i le 10:00 i le po i le Aso Sa.

(2) Mo le saogalemu o tagata i lalo o lenei Poloaiga, e na o le aufaigaluega ma
taavale ua faatagaina mo auaunaga moomia mo le soifua e faatagaina i luga o
le auala mai le Aso Gafua i le Aso Sa pea faamamalu le vavao i le 10 i le po i
le 6 ile taeao a’o faamamaluina lenei Poloaiga.

4. Auai atu i Tapuaiga Faalelotu ma Faalapotopotoga Faalelotu

(1) Ua faatagaina le auai atu i tapuaiga faalelotu ma faalapotopotoga
faalelotu i aiaiga nei:

(a) faaali le pepa tui (COVID19 Vaccination Card);

(e) faamalosia le tutu/nofo vava;

(i) faamalosia le fai o tali fofoga (face masks).

(2) O tapuaiga faalelotu ma faalapotopotoga faalelotu e faatagaina mai
le 6:00 i le taeao i le 10:00 i le po i so’o se aso.

5. Femalagaiga faalotoifale:

(1) *Pasi ma Taavale laupasese laiti*

E faatagaina ona feoa’i pasi ma taavale la’u pasese mai le Aso Gafua i le Aso
Toonai mai le 6 i le taeao i le 11:00 i le po ma le Aso Sa mai le 12:00 i le aoauli i
le 11:00 i le po i lalo o aiaiga nei:

(a) faaali le pepa tui (COVID19 Vaccination Card);

(e) faamalosia le tutu/nofo vava;

(i) faamalosia le fai o tali fofoga (face masks).

(2) *Vaa*

O femalagaiga o Vaa i le vā o Upolu ma Savaii ua tatala le femagalagaiga mai le
6:00 i le taeao i le 10:00 i le po mai le Aso Gafua i le Aso Toonai, ae mo le Aso Sa
mai le 12:00 i le aoauli ile 10:00 i le po i aiaiga nei:

(a) e faataga le aofa’i o pasese e mafai ai ona mata’ituina pea tulafono mo le
saogalemu e pei ona fautuaina e le Matagaluega o le Soifua Maloloina
po’o le NEOC mai lea taimi i lea taimi;

- (e) faaali le pepa tui (COVID19 Vaccination Card);
- (i) faamalosia le tutu/nofo vava
- (o) faamalosia le fai o tali fofoga (face masks);
- (u) 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 masani mai le Aso Gafua i le Aso Sā i aiaiga nei:

- (a) faaali le pepa tui (COVID19 Vaccination Card);
- (e) faamalosia le tutu/nofo vava;
- (i) faamalosia le fai o tali fofoga (face masks);
- (o) 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. **Taimi Faatapula'aina mo Pisinisi:**

(1) Le tatalaina o pisinisi i lalo o aiaiga nei:

- (a) ua tatalaina mai le Aso Gafua i le Aso Toonai mai le 6.00 i le taeao i le 10:00 i le po ma le Aso Sa mai le 12:00 i le aoauli i le 10:00 i le po; ma
- (e) ua tapu ona toe momoe ai nisi i le maketi i le po;
- (i) faaali le pepa tui (COVID19 Vaccination Card);
- (o) faamalosia le tutu/nofo vava (1 – 2 mita);
- (u) faamalosia le fai o tali fofoga (face masks);
- (f) 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.

(2) Le tatala o Faletalimalo mo malo o loo nonofo ai i soo taimi.

(3) O pisinisi uma ua tatalaina mo le mamalu o le atunuu e iai le matafaioi o le fa'amautinoaina o tagata uma o lo'o tausisia aiaiga ma faiga o lo'o ta'ua i luga.

7. Faatau oloa i magaala ma tafaala:

(1) Ua faatagaina ona fa'atau savali oloa i luga o le auala mai le Aso Gafua i le Aso Toonai mai le 6.00 i le taeao i le 10:00 i le po ma le Aso Sa mai le 12:00 i le aoauli i le 10:00 i le po.

(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) Le faatagaina o le fa'atauina atu o le 'ava mālosi e so'o se pisinisi o loo iai se laisene ava malosi e pei ona tu'uina atu i lalo o le Tulafono e Fuafua Tatau ai le Ava Malosi 2020 (Alcohol Control Act 2020) mai le Aso Gafua i le Aso To'ona'i mai le 6:00 i le taeao i le 10:00pm.

(2) I lalo o lenei Poloaga ua faatagaina le faatau atu o nisi ituaiga o 'ava malosi seia vagana ai 'ava malosi ua faasaina e se Faasilasilaga ua tuuina atu e le Komiti Faatino e Fuafuaina Tatau le Ava Malosi (Alcohol Control Board).

9. Aoga:

(1) Le toe amatalia o aoga a le fanau o loo a'otauina i le Iunivesite Aoao o Samoama isi aoga tau tertiary education..

(2) E amata tatala uma isi aoga a le malo, Ekalesia, aoga tumaoti ma aoga maualuluga i le masina o Me 2022 i aiaiga ua fa'ataoto manino mai e le Vaega Maoti o Aoga. (Education Sector).

(3) E tuuina atu i le Matagaluega o Aoga, Taaloga ma Aganuu le tapenaina o isi auala mo a'oa'oga (i.e online learning) ma polokalame mo le faatino ina o a'oa'oga ma faaitiitia ai le aafia o faagasologa o le polokalama.

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

- (1) Ua matua tapu ona toe ulufale se tagata i soo se falema'i (hospital) se'iavaganā ai ua moomia ona vaai se foma'i i se faalavelave fa'afuase'i pe ua iai se faatagana mai i le Faatonu Sili o le Matagaluega o Soifua Maloloinai lalo o aiaiga nei:
 - (a) faaali le pepa tui (COVID19 Vaccination Card);
 - (e) faamalosia le tutu/nofo vava;
 - (i) faamalosia le fai o tali fofoga (face masks).
- (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'ia vagana ua faamaonia mai e le Kapeneta.

11. Auaunaga manaomia

Faatagaina le tatalaina o auaunaga manaomia ua faamaonia 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 alagatatau ona faatino mo tagata faigaluega a le Malo, e faaitiitia ai le ono pipisi o le fa'ama'i e pei o le galulue mai i le fale e faaaoga ai initaneti.
- (2) O aiaiga e faataatia e le Komisi, e aiaia uma ai Ofisa ma Matagaluega ma Faalapotopotoga a le Malo.
- (3) E taua atu aiaiga e faataatia e le Komisi i lo'o le Labour and Employment Relations Act 2013 ma isi tulafono e faatatau i Ofisa ma Matagaluega ma Faalapotopotoga a le Malo.
- (4) 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 fa'alauiloa 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 faafemalagaaiga mo faigamalaga faavaomalo mo le puipuiga o le pipisi o le fa'ama'i o le Korona Vairasi 19.
- (3) E iai le malosiaga a le Pule Sili a le Matagaluega o Soifua Maloloina mo:
 - (a) le faatinoina o tui puipui mo le fanau laiti;
 - (e) le faatino ina o suega o le Korona Varasi 19 (Rapid Antigen Tests) i falemai, nofoaga ua fuafua e faatino ai ma le faaoga o tafaala e faagaioi ai suega (tests) ma tuiga (vaccination) mo le atunuu.

14. Malosiaga o le Matagaluega o Leoleo:

Ua tuuina atu ile Matagaluega o Leoleo le malosiaga e faamalosia ai le mata'ituina o lenei Poloaiga.

15. Malosiaga o le Matagaluega o Pulega o Tineimu ma Fa'alavelave Tutupu Fa'afuase'i a Samoa:

E fa'aauau pea auaunaga a le Matagaluega o Pulega o Tineimu ma Faalavelave Tutupu Faafuasei a Samoa mo faalavelave faafuasei.

16. 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 le tausiga o le nofo filemu.

17. 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.

18. 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 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 17.
- (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 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.

19. Komiti Fautua - Mataupu 108:

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

20. Taulumaga:

- (1) Mo le nofo sauniuni mo se tulaga ogaoga mai auga o lenei faamai Korona Vairasi-19, e 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 le faia o poloaiga tatau, e mafai ona faia fonotaga faanatinati ma ni faaiuga o le Palemene poo le Kapeneta i lalo o malosiaga o le Tulafono Faavae.

21. Faatupeina:

O le faatupeina o fuafuaga a le Malo i lalo o lenei Poloaiga e faatupeina mai vaegatupe talafeagai a le Malo. O totonu o le faatupeina i lalo o lenei faalavelave faafuasei e tatau ona maioio lelei ma aofia ai fa'amatalaga au'ili'ili ma pepa fa'asoa fa'atasi ai ma pepa lagolago talafeagai.

22. 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 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.

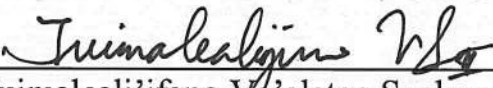
23. Fuafuaga o Faalavelave Tutupu Faafuasei:

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 77 o le Aso 19 Aperila 2022 e amata mai i le taimi e faamamaluina ai lenei Poloaiga Faalavelave Faafuase'i Numera 78.

O lenei Poloaiga Faalavelave Faafuase'i Numera 78 e amata faamamaluina mai le 12:00am i le taeao i le Aso 4 o Me 2022 se'ia oo i le 11:59pm o le Aso 17 o Me 2022.

Sainia i le Aso 3 o Me 2022



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



EMERGENCY ORDER 78

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 22**, 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 and from Samoa are permitted to bring in or take cargo goods every week and any other passenger as approved by Cabinet.
- (3) 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.

(4) 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.

(5) 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;
- (f) no crew member is to leave the boat unless approved by Cabinet.

(6) For fishing boats under (6)(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 Matautu 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.
- (7) For trade boats and ships allowed under (6) (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.
- (8) For a boat approved under (6)(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.
- (9) The Ministry of Health is to continue with the approved medical clearance of all involved under this order.
- (10) 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), (2) and (3) 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: :

(a) if they are tested positive on arrival in Samoa, they must be quarantined for a period as determined by the Director General on the following terms and conditions:

(i) 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;

(ii) 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; or

(b) if they are tested negative to isolate at their place of residence as directed by the Director General of Health.

(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 (including beaches and swimming locations) are permitted on the following conditions:

(a) must show COVID-19 Vaccination card;

(b) observe social distancing;

(c) must wear face masks (except when swimming);

- (d) only premitted from 6:00am to 10:00pm from Monday to Saturday and from 12noon to 10:00pm on Sundays.
- (2) For the purposes of this Order, only authorized personnel and authorized vehicles are permitted on the road from 11pm to 6am which is the curfew while this Order is in force.

4. Church worship and gatherings

- (1) All church worship and gatherings are permitted on the following conditions:
- (a) must show COVID-19 Vaccination card;
 - (b) observe social distancing;
 - (c) must wear face masks.
- (2) Church worship and gatherings are permitted from 6:00am to 10:00pm on any day.

5. Domestic Travel:

(1) *Buses and Taxis*

Travel by buses and taxis is permitted from Monday to Saturday from 6:00am to 11:00pm and on Sunday from 12:00pm to 11:00pm, on the following conditions:

- (a) must show COVID-19 Vaccination card;
- (b) observe social distancing;
- (c) must wear face masks.

(2) *Ferries*

Ferry services between Upolu and Savaii shall operate from 6:00am to 10:00pm from Monday to Saturday and from 12:00pm to 10:00pm on Sunday on the following conditions:

- (a) Maximum number of passengers allows for social distancing and observing of safety rules as advised by the Ministry of Health or the NEOC from time to time;

- (b) must show COVID-19 Vaccination card;
- (c) observe social distancing;
- (d) must wear face masks;
- (e) 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 normal schedule from Monday to Sundays on the following conditions:

- (a) must show COVID-19 Vaccination card;
- (b) observe social distancing;
- (c) must wear face masks; and
- (d) 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. Operating hours for all businesses:

- (1) All businesses are permitted to open on the following conditions::
 - (a) from Monday to Saturday, from 6.00am to 10:00pm and on Sunday from 12:00noon to 10:00pm; and
 - (b) no person is to sleep overnight at any marketplace;
 - (c) must show COVID-19 Vaccination card;
 - (d) observe social distancing (1 – 2 metres);
 - (e) must wear face masks; and
 - (f) 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.
- (2) Hotels may open for inhouse guests at all times.
- (3) All businesses open to the public have the responsibility of ensuring all persons comply with the conditions and measures set out above.

7. Street vendors:

- (1) The selling of goods by street vendors are permitted from Monday to Saturday, from 6.00am to 10:00pm and on Sunday from 12:00noon to 10:00pm.
- (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 business with any alcohol licence issued under the Alcohol Control Act 2020 is permitted from Monday to Saturday from 6:00am to 10:00pm.
- (2) For the purpose of this Order some types of alcohol are permitted to be sold except for alcohol prohibited by any Notice issued by the Alcohol Control Board.

9. Schools:

- (1) All tertiary education institutions can commence opening..
- (2) All other schools to commence opening in the month of May 2022 in accordance with the plan to be clearly set out by the Education Sector.
- (3) The Ministry of Education Sports and Culture must ensure that the alternative modes of delivery (i.e online learning) are activated for all schools and children to minimize disruption to school operations.

10. Access to Health Facilities:

- (1) Unless permitted by the Director General, all persons are prohibited from accessing any hospital unless it is an emergency, or he or she is seeking urgent medical attention or assistance at any health facility on the following conditions:

- (a) must show COVID-19 Vaccination card;
 - (b) observe social distancing;
 - (c) must wear face masks.
- (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) The Commission’s conditions supersede the Labour and Employment Relations Act 2013 and other public body legislation during the State of Emergency.
- (4) 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.

(3) The Director General of the Ministry of Health is to determine and coordinate:

(a) the continuation of vaccination for children;

(b) the screening and testing of people for COVID19 (Rapid Antigen tests) in hospitals and health facilities, and other areas determined to conduct tests and vaccinations.

14. Samoa Police Service:

The Samoa Police Service shall enforce this Order.

15. Samoa Fire and Emergency Services Authority

The Samoa Fire and Emergency Services Authority to continue Ambulance Service, Fire Suppression and Rescue operation for public.

16. 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.

17. 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.

18. 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 17.
- (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 6 and 8 under these Orders will have their business or alcohol 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.

19. 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.

20. 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 or Parliament to take place during the State of Emergency.

21. Financing:

The financing of the implementation of this Order shall be funded by the appropriate budget approved by the Government. Payments under emergency should include detailed payment statements and vouchers with relevant supporting documents.

22. 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.


23. 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 77** issued on **19th April 2022** is **revoked** upon the **commencement** of this **Emergency Order 78**.

This **Emergency Order 78** commences from **12:00am** on **4th May 2022** until **11:59pm** on **17th May 2022**.

Dated this 3rd day of May 2022.


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