

COCOA ACTS REPEAL ACT

WESTERN SAMOA

Arrangement of Provisions

Title

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1990, No. 12

AN ACT to repeal the Cocoa Acts and to dissolve the  
Cocoa Board.

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

1. Short Title and commencement - (1) This Act may be  
cited as the Cocoa Acts Repeal Act 1990.

(2) This Act shall come into force on such date as shall  
be specified by the Head of State by Order.

2. Interpretation - "The Cocoa Board" means the Cocoa Board continued under the Cocoa Act 1981 and intended to be continued under the Cocoa Act 1988.

3. Dissolution of Cocoa Board (1) The Cocoa Board is dissolved and all of its assets real or personal and subject to the provisions of clause 4 of this Act all of its liabilities are vested in and assumed by the Government.

(2) All assets so vested shall be realised and the proceeds of the realisation shall be applied in satisfaction or partial satisfaction of the liabilities referred to in subsection (1) of this section. If such proceeds are insufficient to satisfy such liabilities in full, the residue shall be satisfied by payment from the Treasury Fund as statutory expenditure.

4. No liability for loss of contract - (1) Subject to subsections (2) and (3) of this section, on the coming into force of this Act all continuing contracts shall cease to exist.

(2) Notwithstanding the provisions of subsection (1) of this section, every lease previously entered into by the Cocoa Board and every option to purchase previously granted to the Cocoa Board for the purchase of any land or interest in land shall continue to exist and the interest of the Cocoa Board in such leases and options together with the liabilities thereunder shall by this Act vest in or become liabilities of the Government.

(3) Nothing in subsection (1) of this section shall apply to any indebtedness of the Cocoa Board existing at the date of the coming into force of this Act or to any subsequent

interest payable in respect of such indebtedness.

(4) Notwithstanding anything to the contrary expressed or implied in paragraph (c) of Section 19 of the Acts Interpretation Act 1974 or any other portion of that Act no person shall be entitled to any compensation as a result of the determination of any contract consequent upon or arising out of the dissolution of the Cocoa Board or consequent upon or arising out of any other provision of this Act.

5. Repeals and revocations - (1) The Acts referred to in the First Schedule to this Act are repealed.

(2) The regulations referred to in the Second Schedule to this Act are revoked.

(3) All orders, warrants, appointments, regulations and generally all acts of authority which originated under any of the enactments repealed or regulations revoked by this Act which are subsisting at the coming into force of this Act are revoked.

6. Savings - (1) All actions, matters and proceedings commenced under any of the enactments repealed by this Act and which are pending or in progress at the date that this Act comes into force, may be continued, completed and enforced under this Act by or against the Government as if the Government were the Cocoa Board.

(2) The Cocoa, Copra and Produce Inspection Fees Regulations 1983 shall by virtue of the Produce Export Ordinance 1961 continue in force.

7. Act to bind Government - This Act shall bind the Government.

FIRST SCHEDULE

ENACTMENTS REPEALED

The Cocoa Act 1981

The Cocoa Amendment Act 1981

The Cocoa Act 1988

SECOND SCHEDULE

REGULATIONS REVOKED

Cocoa Amendment Act (Commencement) Order 1984

TULAFONO E SOLOIA AI TULAFONO O LE KOKO

**SAMOA I SISIFO**

**Faatulagaina o Aiaiga**

Igoa

1. Igoa Puupuu ma le Amataga
2. Faamatalaina o uiga o upu
3. Faataapeina o le Komiti Faatino o le Koko
4. E leai se noataga mo le aveesea o konekalate
5. Soloia ma le faaleaogaina
6. Mea ua faasaoina
7. Tulafono e noatia ai le Malo

1990, Nu 12

O SE TULAFONO e soloia ai Tulafono o le Koko ma faataapeina ai le Komiti Faatino o le Koko.

UA FAIA e le Fono Aoaofaitulafono o Samoa i Sisifo i totonu o le Palemene ua potopoto e faapea:-

1. Igoa Puupuu ma le Amataga - (1) O lenei Tulafono e mafai ona ta'ua o le Tulafono e Soloia ai Tulafono o le Koko 1990.

(2) O lenei Tulafono o le a amata faamamaluina i se aso o le a faatulagaina e le Ao o le Malo i luga o se Tulafono Faa-Poloaiga.

2. Faamatalaina o uiga o upu - "O le Komiti Faatino o le Koko" o lona uiga o le Komiti Faatino o le Koko na faaauauina e tusa ai ma le Tulafono o le Koko 1981 ma le faamoemoe ina ia faaauauina e tusa ai ma le Tulafono o le Koko 1988.

3. Faataapeina o le Komiti Faatino o le Koko - (1) O le Komiti Faatino o le Koko ua faataapeina ma o ana mea totino tumau uma po o mea totino e le tumau ma i le noatia ma le fai fuafua i aiaiga o le fuaiupu 4 o lenei Tulafono o ana noataga uma o le a tuuina atu ma tauaveina e le Malo.

(2) O mea totino uma e pei ona tuuina atu o le a tatau ona faaliliuina i tino-i-tupe ma o vaega-tupe o le a maua mai ai o le a faaoga ina ia faamalieina ai po o le faamalieina ai e na o se vaega e pei ona faasinomia i ai le faafuaiupu (1) o lenei fuaiupu. Afai e le lava ia tupe e faamalieina ai le aofaiga atoa o ana noataga, o le vaega-tupe totoe o le a tatau ona faamalieina i le totogiina mai i Faaputuga-tupe a le Ofisa o Tupe e avea ai o ni tupe alu faatulafonoina.

4. E leai se noataga mo le aveesea o konekalate - (1) I le noatia ma le fai fuafua i le faafuaiupu (2) ma le (3) o lenei fuaiupu, i le aso o le a amata faamamaluina ai lenei Tulafono o konekalate uma o lo o faaauau o le a tatau ona faamutaina ona toe i ai.

(2) E ese mai ai na i lo aiaiga o le faafuaiupu (1) o lenei fuaiupu, o lisi uma na faia talu ai e le Komiti Faatino o le Koko ma aia uma e faatau ai e pei ona tuuina atu muamua i le Komiti Faatino o le Koko mo le faatauina mai o so o se fanua po o se aia i so o se fanua o le a faaauau pea ona i ai ma o aia a le Komiti Faatino o le Koko i ia lisi ma iloiloga faatasi ai ma noataga o lo o i ai o le a tatau ona tuuina mai i lenei Tulafono po o o le a avea ma noataga o le Malo.

(3) E leai se mea i le faafuaiupu (1) o lenei fuaiupu o le a tatau ona faaoga i so o se aitalafu a le Komiti

Faatino o le Koko o lo o i ai i le aso o le a amata faamamaluina ai lenei Tulafono po o i so o se tului e mulimuli mai ai e ao ona tologiina e tusa ai ma sea aitalafu.

(4) E ese mai ai na i lo so o se mea ua faamatalaina po o faafoliga i ai le parakalafa (c) o le Fuaiupu 19 o Tulafono o Faamatalaga o Tulafono 1974 po o so o se isi vaega o lena Tulafono e leai se tagata o le a agavaa i so o se tau e avea ai o se taunuuga o se fuafuaga o so o se konekalate e mulimuli mai ai i luga po o e faatupulaia mai le faamaapeina o le Komiti Faatino o le Koko po o i luga o se mea e mulimuli mai ai po o e faatupulaia mai i so o se isi aiaiga o lenei Tulafono.

5. Soloia ma le faaleaogaina - (1) O Tulafono e pei ona faasinomia i ai le Faamatalaga Muamua o lenei Tulafono ua soloia.

(2) O tulafono faatonutonu e pei ona faasinomia i ai le Faamatalaga Lona Lua o lenei Tulafono ua soloia.

(3) O Tulafono Faa-Poloaiga uma, poloaiga o faamaoniga, tofiga, tulafono faatonutonu ma i se tulaga lautele, o tulafono uma o i ai le pule faale-tulafono lea na afua mai i lalo o so o se Tulafono ua soloia po o tulafono faatonutonu ua soloia e lenei Tulafono o le a i ai pea i le aso o le a amata faamamaluina ai lenei Tulafono ua soloia.

6. Mea ua faasaoina - (1) O gaoioiga uma, mataupu ma taualumaga faale-tulafono ua amataina e tusa ai ma so o se Tulafono ua soloia e lenei Tulafono ma e lei faia i ai se faaiuga po o faagasolo pea i le aso o le a amata faamamaluina ai lenei Tulafono, e ono mafai ona faaauauina, faamaeaina ma faamalosi i lalo o lenei Tulafono e le Malo po o e faasaga i le

Malo e pei lava o le Malo o le Komiti Faatino lava lea o le Popo.

(2) O Tulafono Faatonutonu o Totogi Fuapauina o le Asiasia o Koko ma Popo ma Fua o Faatoaga 1983 o le a i lalo o le pule o le Tulafono o le Auina Atua o Oloa i Fafu 1961, le faaauau pea ona faamamaluina.

7. Tulafono e noatia ai le Malo - O leni Tulafono o le a noatia ai le Malo.

**FAAMATALAGA MUAMUA**

**TULAFONO SOLOIA**

Tulafono o le Koko 1981

Tulafono o Teuteuga o le Koko 1981

Tulafono o le Koko 1988

**FAAMATALAGA LONA LUA**

**TULAFONO FAATONUTONU UA SOLOIA**

Tulafono Faa-Poloaiga o le Teuteuga o le Koko (Amataga)  
1984