

Examined and Certified

Clerk of

The Head of State

WESTERN SAMOA RED CROSS ACT 1993

HEAD OF STATE

WESTERN SAMOA

Arrangement of Provisions

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1993, No. 13

AN ACT to grant statutory protection against the use within Western Samoa of the name Red Cross and the distinctive emblem of the Red Cross by any person or body not authorised by the Red Cross Society.

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 Red Cross Act 1993.

(2) This Act shall come into force on the date upon which it is assented to by the Head of State.

2. **Interpretation** - In this Act unless the context otherwise requires -

"Body" means any legally constituted entity;

"Distinctive Emblem" means the sign of the Red Cross with vertical and horizontal arms of the same length on and completely surrounded by a white ground.

"Red Cross Society" means the Western Samoa Red Cross Society.

3. **Protection of the term Red Cross and its distinctive emblem** - (1) Upon the commencement of this Act, no person or body other than the Red Cross Society may use the term Red Cross or its distinctive emblem for any purpose or activity.

(2) The Red Cross Society may in accordance with its statutes rules and regulations authorise any other person or body to use the term Red Cross or its distinctive emblem. Any such person or body so authorised by the Society shall use the term Red Cross or its distinctive emblem in accordance with any condition or conditions specified by the Society.

4. **Offence against the use of the term Red Cross or its emblem or any imitation thereof** - (1) Any person or body who uses the term Red Cross or its distinctive emblem in contravention of section 3 of this Act commits an offence.

(2) Any person or body that makes a written or oral representation to the effect that they have been authorised by the Red Cross Society to use the term Red Cross or use its distinctive emblem without being so authorised commits an

offence under this Act.

(3) Any person or body who uses any word or design which constitutes an imitation or close resemblance that is capable of being mistaken for or understood to be referring to or confused with the term Red Cross or its distinctive emblem for any purpose or activity commits an offence under this Act.

5. **Offence against Officers of a body for contravention of Section 4** - Where an offence has been committed under section 4 of this Act by a body, then every officer, which such expression means any director, manager, secretary, partner, trustee or other servant or any person purporting to act under such capacity, for the body who authorised or permitted the contravention mentioned in section 4 shall, in addition to the body be guilty of an offence and be liable upon conviction to the penalties imposed under section (6).

6. **Penalties** - Any person or body charged with an offence under section 4 or section 5 of this Act shall upon conviction be liable to a fine not exceeding \$10,000 tala or to imprisonment for a period not exceeding one year or to both such fine and imprisonment.

**TULAFONO TAU FAAOFI O LE KOLUSE MUMU
A SAMOA I SISIFO 1993**

SAMOA I SISIFO

Faatulagaina o Aiaiga

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|---|---|
| 1. Igoa puupuu ma le amataga | 5. Solitulafono faasaga i tagata ofisa o le faalapotopotoga ua solia aiaiga o le fuaiapu 4. |
| 2. Faamatalaina o uiga o upu | |
| 3. Puipuia o le faaupuga Koluse Mumu ma lona tagavai iloga | 6. Faasalaga |
| 4. Solitulafono faasaga i le faaaogaina o le faaupuga Koluse Mumu po o lona tagavai iloga po o so o se mea faafoliga i ai | |

1993, Nu. 13

O SE TULAFONO e tuuina atu ai puipuiga faale-tulafono faasaga i le faaaogaina i totonu o Samoa i Sisifo le igoa Koluse Mumu ma le tagavai iloga o le Koluse Mumu e so o se tagata po o se faalapotopotoga e le i faatagaina e le Sosaiete o le Koluse Mumu.

UA FAIA, e le Fono Aoaofa o Samoa i Sisifo i totonu o le Palemene ua potopoto e faapea:

1. Igoa puupuu ma le amataga-(1) E mafai ona taua lenei Tulafono o le Tulafono o le Koluse Mumu 1993.

(2) O lenei Tulafono o le a amata faamamaluina i le aso e tuuina i ai le maliega a le Ao o le Malo.

2. Faamatalaina o uiga o upu - I totonu o lenei

Tulafono, ae vagana ai ona ua manaomia e le faaupuga nisi uiga e ese ai -

"Faalapotopotoga" o lona uiga o so o se faalapotopotoga ua faavaeina faale-tulafono;

"Tagavai Iloga" o lona uiga o le faailoga o le Koluse Mumu o ona lima e tutusa o laua uumi e faatu i luga ma lalo le i si ae faalava le i si ma e siomia atoa i le lanu paepae.

"Sosaiete o le Koluse Mumu" o lona uiga o le Sosaiete o le Koluse Mumu a Samoa i Sisifo.

3. Puipuia o le faaupuga Koluse Mumu ma lona Tagavai Iloga-(1) I le amata faamamaluina o leni Tulafono, e le tatau i so o se tagata po o se faalapotopotoga e ese mai le Sosaiete o le Koluse Mumu ona faaogaina le faaupuga Koluse Mumu po o lona tagavai iloga mo nisi faamoemoe po o galuega fai.

(2) E mafai e le Sosaiete a le Koluse Mumu e tusa ai ma ana Tulafono, Tulafono Faafae ma Tulafono Faatonutonu ona faatagaina so o se tagata po o se faalapotopotoga e faaoga le faaupuga Koluse Mumu po o lona tagavai iloga. O sea tagata po o sea faalapotopotoga e pei ona faatagaina e le Sosaiete e tatau ona faaogaina le faaupuga Koluse Mumu po o lona tagavai iloga e tusa ai ma so o se tuutuuga po o ni tuutuuga ua tuuina i ai e le Sosaiete.

4. Solitulafono faasaga i le faaogaina o le faaupuga Koluse Mumu po o lona Tagavai iloga-(1) So o se tagata po o se faalapotopotoga o i latou ia e faaogaina le faaupuga

Koluse Mumu po o lona tagavai iloga e le tusa ai ma aiaiga o le Vaega 3 o lenei Tulafono ua faia e i latou se solitulafono.

(2) So o se tagata po o se faalapotopotoga e faia se tusitusiga po o se tautalaga e atagia ai faapea ua faatagaina e le Sosaiete o le Koluse Mumu e faaoga le faaupuga Koluse Mumu po o lona tagavai iloga e aunoa ma se faatagana ua faia se solitulafono i lalo o lenei Tulafono.

(3) So o se tagata po o se faalapotopotoga o i latou ia ua faaogaina so o se upu po o se ata e atagia ai se ata faafoliga po o se faafoliga tau lalata i ai e ono aveseina pe ono faapea o lo o faatatau i po o ua fenumiai ma le faaupuga Koluse Mumu po o lona tagavai iloga mo so o se faamoemoe po o galuega fai ua faia se solitulafono i lalo o lenei Tulafono.

5. Solitulafono faasaga i Tagata Ofisa o se faalapotopotoga ua solia alaiga o le fuaiupu 4- A fai o se solitulafono ua faia i lalo o le Fuaiupu 4 o lenei Tulafono e se faalapotopotoga, o tagata ofisa uma, ua faamatalaina faapenei o so o se faatonu, pule, failautusi, paaga, tausi mavaega po o i si tagata faigaluega po o so o se tagata ua fuafua e galue i sea tulaga, mo le faalapotopotoga ua faamaonia po o faatagaina le solitulafono e pei ona taua i le Fuaiupu 4 o le a, e faapoopo atu i le faalapotopotoga ona molia i le solitulafono ma o le a noatia i luga o se moliaga i le faasalaga o le a faaeina i ai e le fuaiupu (6).

6. Faasalaga- So o se tagata po o se faalapotopotoga ua molia i se solitulafono i lalo o le fuaiupu 4 po o le fuaiupu

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5 o lenei Tulafono e tatau i luga o se moliaga ona noatia i se faasalaga e le sili atu i le \$10,000 Tala po o le nofosala i le falepuipui mo se vaitaimi e le sili atu i le tasi le tausaga po o le faasalaina i le sala tupe atoa ma le faa-falepuipuiina.