POLOAIGA FAALAVELAVE FAAFUASE'I NUMERA 48

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(21) 20,** ma le **Mataupu 106** o le **Tulafono Fa'avae**, ou te faia ai nei **POLOAIGA**:

VAEGA A

1. **Vaiaso Anapogi ma le Tatalo:**

   Ia faamamaluina e aiga uma o Samoa, le vaiaso anapogi ma tatalo mai le Aso Sa 22 Mati 2020 i le Aso Sa 29 Mati 2020, mai le 6.00 i le taeao seia aulia le 12.00 i le aoauli.

2. **Femalagaiga Faavaomalo vaalele ma vaa a lalo:**

(1) E tapunia femalagaiga faavaomalo i vaalele sei vagana vaalele ua faataga e le Kapeneta i se tulaga faanatinati ma tatau ai.

(2) E tatau i se pasese, pailate ma le auvaa e malaga mai i Samoa i se vaalele ua faatagaina i lalo o le (1) ma le (4) ona faatumu pepa faamaonia faale-soifua Maloloina e pei ona tuuina atu, ma sainia se tautoga faaletulafono tusitusia (declaration) pe na ia aafia muamua pe leai i le siama o le COVID19, ma faanofoesea pea taunuu mai i Samoa mo aso e 21 po o se isi vaitaimi e faatonuina e le Faatonusili o le Soifua Maloloina i lalo o aiaiaga nei:

(a) i nofoaga ma aiaiaga e faamaonia e le Kapeneta atoa ai ma le 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 afiafi;

(e) le faanofoesea o tagata i o latou aiga i luga o aiaiga faatulagaina e le Pule Faatonu o le Matagaluega o Soifua Maloloina.

(3) 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 mo se malaga pu'upu'u.

(4) Mo malaga ma faigamalaga i le va o Samoa ma Amerika Samoa, ia 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 tāpā 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.

(5) E faatagaina ona malaga mai i Samoa vaalele mo uta (cargo flights) i vaiaso taitasi e aumai uta (cargo) ma pasese e faamaonia e le Kapeneta, seia vagana ua toe faia iai se faaiuga a le Kapeneta.

(6) E ui lava o iai aiaiga mo le faanofoesea i lalo o le (2), o pasese na faamaonia e le Kapeneta e malaga mai i Samoa i lalo o le (5), 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) ile maea ai o le faatinoga o taotoga mo tino maliu, le toe malaga ese atu o tagata mai i Samoa i se taimi vave,

(e) mo isi pasese, 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 ma nisi tutuuga e faatonuina e le Pule Faatonu o le Matagaluega o Soifua Maloloina.

(7) 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.

(8) Ua tapu le toe ulufale mai o soo se ituaiga vaa seia vagana ai: (a) vaa oloa ma vaa suauu; ma

(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; ma

(i) 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; ma

(o) 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.

(9) 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 pipii i le Uafu i Matautu mo se taimi e lē silia i le 48 itula 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 fesuiai o auvaa i ogasami poo nisi galuega faatino i luga o le vaa e aofia ai isi vaa fagota.

(10) E faataga ona pipii i le Uafu i Matautu o ni vaa oloa ua faataga i lalo o le (7)(a) se lua i le taimi e tasi, e fua i luga o ni mafuaaga tatau ma talafeagai ma le gafatia ona faatino vaega moomia mo le saogalemu e le Pulega o Uafu ma Taulaga ma isi Matagaluega ma Ofisa a le Malo.

(11) Mo vaa e faatagaina i lalo o le (7)(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;

(12) 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 faitele:

(1) Ua tatala le numera o tagata i soo se potopotoga poo nofoaga faitele, a 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 taeele i matafaga ma vaitafe i aso uma o le vaiaso ae tapu i le Aso Sā.

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

4. Femalagaiga faalotoifale:

Pasi ma Taavale laupasese

(1) Mo auaunaga o pasi:

(a) ua tatala le femalagaiga o pasi i taimi masani; ma

(e) e tapu le feoai o pasi i le Aso Sā.

(2) E faataga le faaaogaina o taavale la'u pasese laiti, e i lalo o le lima (5) pasese, ma taavale a aiga pe a moomia.

Vaa

(3) O femalagaiga o Vaa i le vā o Upolu ma Savaii i lalo o aiaiga nei: (a) e tapu le feoai o vaa i le Aso Sā; ma

(e) mai le Aso Gafua i le Aso Toonai e feoai vaa i taimi masani. (4)

E lē noatia i lalo o le (3)(a) o le feoai o va'a i le Aso Sā:

(a) i le va o Upolu ma Savaii mo le auina atu o le suau'u ma oloa mai i le 3.00 i le aoauli; ma

(b) le faigamalaga e tasi (1) mai Savaii i Upolu i le Itula e 5:00 i le afiafi mo pasese, ma moe ai le va'a i Mulifanua.

Vaalele

(5) O femalagaiga a vaalele i le vā o Upolu ma Savaii e tatala i aso Sā mai le 12.00 i le aoauli.

5. Maketi, Faleoloa, Supamaketi ma Pisinisi:

(1) Mo maketi uma:

(a) e aofia ai maketi i Savalalo, Fugalei, Salelologa, Vaitele, Taufusi ma Afega, maketi o i'a ma isi ituaiga maketi i nofoaga faitele:

(i) e faatapulaa itula e tatala ai mai le 6.00 i le taeao i le 7.00 ile po; ma

(ii) ua tapu ona toe momoe ai nisi i nei nofoaga i le po; (e) e tapu ona tatala i le Aso Sā e aofia ai:

(i) maketi i Savalalo, Fugalei, Salelologa, Vaitele, Taufusi; ma

(ii) maketi o i'a i Savalalo, Vaigaga, Fasitoo-Uta, Afega ma so'o se faatauga i'a i autafa o auala; ma

(iii) so'o se ituaiga maketi i nofoaga faitele.

(2) Mo Supamaketi:

(a) mai le Aso Gafua i le Aso Toonai e tatala i le 6.00 i le taeao – 10.00 i le po; ma

(e) mo le Aso Sā, e tatala i le 3.00 i le aoauli – 10.00 i le po. (3)

E tapu ona tatala soo se pisinisi i le Aso Sā vagana:

(a) faleoloa laiti, e faatoa tatala faatasi ma supamaketi i le 3.00 i le aoauli; ma

(e) Supamaketi i taimi faatapula'a ua taua i luga i le (2)(e); ma

(i) Petroleum Products Supply Ltd mo le faatumuina o le suauu mo Samoa; ma

(o) Pamu penisini e tatala mai i le 3.00 ile aoauli – 10.00 i le po; ma

(u) Faletalavai Tumaoti e tatala mai i le 3.00 i le aoauli – 10.00 i le po.

(4) 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.

(5) Ua tatala falekalapu ma pā pia i lalo o aiaiga nei:

(a) mai i le 6.00 i le taeao i le 11.00 i le po mai i le Aso Gafua i le Aso Toonai, ae tapu le Aso Sā, seia vaganā ai le vaitaimi o le Faiga Palota Aoao 2021 e pei ona aiaia i lalo o le Poloaiga 7(2); 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 tapu le faatinoina o ni polokalame o suega tupe.

(6) E tapu ona faatino ni taaloga tau tupe sei vagana taaloga o loo taua i lalo:

(a) mo taaloga bingo e mafai ona faia:

(i) mai le Aso Gafua i le Aso Faraile, mai le 6.00 i le taeao i le 11.00 i le po;

(ii) i le Aso Toonai mai le 6.00 i le taeao e oo i le 6.00 i le afiafi; ma

(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 tatau ona tapunia i le 12.00 i le valuāpō ae tapu i le Aso Sā;

(7) Mo fale talimalo, o aiaiga nei e tatau ona mulimulitaia:

(a) seia vagana ai le vaitaimi i le Faiga Palota Aoao 2021 e pei ona aiaia i lalo o le Poloaiga 7(2), e mafai ona tatala pā pia i fale talimalo mai le Aso Gafua i le Aso Toonai mai le 6:00 i le taeao i le 11:00 i le po, ma e mafai ona tatala i le Aso Sā mo na o i latou o loo nonofo i Faletalimalo;

(e) e tatala faafiafiaga i totonu o fale tali malo;

(i) le tatala mo taumafataga o le aoauli ma le afiafi i le Aso Sā mo i latou e lē o nonofo i totonu o faletalimalo mai le 12.00 i le aoauli i le 10.00 i le po.

(8) E tatala fale tifaga i taimi masani.

(9) Mo faleaiga e tatala i lalo o aiaiga nei:

(a) mo taumafataga po o le oka e aveesea mai i le 6.00 i le taeao i le 11.00 i le po mo le Aso Gafua i le Aso Toonai;

(e) e tatala i Aso Sā mai i le 12.00 i le aoauli i le 10.00 i le po mo taumafutaga po o oka e aveese mai.

6. Faatau oloa i magaala ma tafaala:

(1) Ua tatala le fa'atau savali o oloa i le taulaga o Apia i luga o aiaiga ua taua i lalo:

(a) na o fualaau aina taumafa mata ma fualaau faisua ma isi taumafa faavela lelei, atoa ai ma ie mamanu elei;

(e) le tapu ona faatau savali ni faguinu/apainu suamalie ma bongo;

(i) faamalosia o le faia o Health Cards mo i latou uma o le a tapenaina nei taumafa mo le tausisia o le tumama moomia;

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

7. Faatauina o le Ava Malosi:

O le faatauina o le ava malosi i soo se faleoloa (faleoloa laiti ma supamaketi) ma pa pia i totonu o Faletalimalo e faatauina i aiaiga nei:

(a) e na o le Aso Gafua i le Aso Toonai mai i le 6:00 ile taeao i le 10:00 i le po;

(e) e tapu le Aso Sā; ma

(i) e tapu ona faatau atu i soo se tasi e i lalo ifo o le 21 tausaga le matua i soo se vaega.

8. Aoga:

(1) E tatala uma aoga i Samoa i le aso Gafua 4 Me 2020 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 faaitiitia ai le tumutumu i pasi ma nofoaga faitele.

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

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

(1) Ua matua tapu ona toe ulufale se tagata i soo se falema'i sei vaganā ai, ua moomia ona vaai se foma'i.

(2) Mo le tagata ua taofia:

(a) ua nā o le tasi le tagata tausima'i e faataga; ma

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

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

10. 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 faitiitia 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 a le Malo.

(3) Ua taofia uma malaga faalemalo i atunuu i fafo seia vagana ua faamaonia mai e le Kapeneta.

11. Tiute o le Matagaluega o Soifua Maloloina:

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.

12. Malosia'ga o le Matagaluega o Leoleo:

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

13. 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 mo le tausiga o le nofo filemu.

14. 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 mafai ona ia totogi le sala tupe ua ta'ua i lea Pepa Faailoa, i totonu o le 24 itula talu ona tuuina atu iai le Pepa Faailoa.

15. Faasalaga:

(1) E solitulafono le tagata e lē usitaia Poloaiga uma ua taua i luga seia vagana ai le poloaiga 2, 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 2 ma o fa'asalaga e nei:

(a) mo tagata ta'ito'atasi o le sala tupe $2000 ; ma

(e) mo faalapotopotoga faatulafono po'o se kamupani o le sala tupe e $15,000 mo le solitulafono muamua ma le $20,000 i aso taitasi e faaauau ai lea solitulafono,

(3) 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 2(3), 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 faanofoesea ai.

(4) 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

(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 14.

(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 5(5)(e), (i) poo le Poloaiga 7 (i) 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.

16. 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.

17.Taualumaga:

(1) Mo le nofo sauniuni mo se tulaga ogaoga mai auga o lenei faamai Korona Vairasi-19, ia mafai ona faataatia ese Tulafono o taualumaga 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 taualumaga faanatinati o le Palemene ma le Kapeneta i lalo o malosiaga o le Tulafono Faavae.

18. Faatupeina:

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

19. Aloaia:

(1) Mo le faatinoina o le poloaiga 2, o galuega uma na faatinoina mai le aso 21 Me 2020 e oo mai i le asō, e aloaia i lalo o aiaiga o lenei Poloaiga.

(2) Mo le faatinoina o le poloaiga 7, o galuega uma na faatinoina mo le faatauina o le ava malosi i le vaitaimi o le Aso Maliu mai i le Aso 1 Aperila 2021 i le 10 i le po, seia pāia le Aso 3 Aperila 2021 i le 6:00 i le taeao, e aloaia i lalo o aiaiga o lenei Poloaiga.

(3) O se taimi faanofoesea na faatonuina e le Faatonusili o le Soifua maloloina e ese mai le 14 aso, o se taimi faanofoesea e aloaia i lalo o o aiaiga o lenei Poloaiga.

20. 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.

Ua **soloia** le **Poloaiga Faalavelave Faafuase'i Numera 47** o le **Aso 14 Me 2021**.

O lenei Poloaiga e amata faamamaluina i le **Aso 18 Me 2021 seia aulia le Aso 6 Iuni 2021.**

Sainia i le Aso **18 Me 2021**

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

EMERGENCY ORDER 48

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 (21) 20,** and pursuant to **Article 106** of the Constitution, make the following **ORDERS**:

1. **National fasting and prayer:**

   A national period of fasting and prayer is to be observed by every family in Samoa from Sunday 22 March 2020 until Sunday 29 March 2020 from 6.00am – 12.00pm daily.

2. **International travel, planes and ships:**

(1) All international travel to and from Samoa by plane are suspended except as provided in exceptional circumstances approved by Cabinet.

(2) Any passenger, pilot and crew members travelling into Samoa by plane exempted under (1) and (5) 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 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.

(3) 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 for a short-term trip.

(4) Travel between Samoa and American Samoa is 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 National Emergency Operation Centre ("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;

(d) an approval of the Government of American Samoa must first be obtained to allow flights from Samoa to American Samoa.

(5) Cargo flights to Samoa are permitted to bring in cargo goods every week and any other passenger as approved by Cabinet, unless the Cabinet determines otherwise.

(6) Despite quarantine requirements under (2) above, passengers approved by Cabinet to travel to Samoa under (5) 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;

(b) for any other passenger, he or she produces proof before travel to Samoa that he or she has been administered with a COVID -19 immunization vaccine and meets any other requirement determined by the Director General.

(7) 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.

(8) All boats and ships and yachts are prohibited access, except:

(a) for trade and petroleum;

(b) fishing boats approved for offloading, refueling, and the restock of necessary supplies only or as approved by Cabinet for exceptional circumstances;

(c) any other category of ships, boats and yachts for offloading, refueling and the restock of necessary supplies only or as approved by Cabinet for exceptional circumstances;

(d) a boat as approved by Cabinet for travel between Samoa, and American Samoa or any other country.

(9) For fishing boats under (7)(b) above the following apply:

(a) a maximum of 4 boats may dock at Matautu Wharf for not more than 48 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.

(10) For trade boats allowed under (7) (a) above, a maximum of 2 trade boats are permitted to be docked at Matautu Wharf at one time and must meet safety requirements set by Samoa Ports Authority and other relevant Government Ministries and Corporations.

(11) For a boat approved under (7)(d) for travelling 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.

(12) The Ministry of Health is to continue with the approved medical clearance of all involved under this order.

3. Public gatherings:

(1) Public gatherings 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 National Emergency Operation Centre from time to time.

(2) Swimming at beaches and rivers is permitted, except on Sunday.

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

4. Public transport:

Buses and Vehicles

(1) For bus transport:

(a) buses may continue normal operation; and
(b) no bus service is to operate on Sunday.

(2) Operators of public transport that carry less than 5 people are permitted to continue operation.

Ferries

(3) Ferry services between Upolu and Savaii are on the following terms:

(a) there shall be no ferry services on Sunday; and

(b) ferry services are on Monday to Saturday, operating the normal schedules.

(4) Despite (3) (a) above, ferry services may operate on Sunday:

(a) from 3.00pm, for transporting fuel and cargo only between Upolu and Savaii; and

(b) At 5:00pm for transporting passengers only from Savaii to Upolu and the ferry to dock at the Mulifanua wharf for the night.

Domestic flight

(5) Domestic flight services between Upolu and Savaii may operate on Sundays from 12noon.

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

(1) For markets:

(a) the markets at Savalalo, Fugalei, Salelologa, Vaitele, Taufusi and Afega, and all other flea markets, fish market or any market which the public have access to:

(i) are permitted to open from Monday to Saturday, from 6.00am – 7.00pm; and

(ii) no person is to sleep overnight at any marketplace; and

(b) all markets are closed on Sunday, inclusive of:

(i) the markets at Savalalo, Fugalei, Salelologa, Vaitele, Taufusi, Afega; and

(ii) the Fish Markets at Savalalo, Vaigaga, Fasitoo Uta, Afega, and any other roadside fish selling; and

(iii) any such market where the public has access to.

(2) For supermarkets:

(a) from Monday – Saturday, the opening hours are from 6.00am -10.00pm; and

(b) for Sunday, the opening hours are from 3.00pm-10.00pm.

(3) All businesses must close on Sunday, except:

(a) small shops which may operate from 3.00pm; and

(b) the supermarkets in the restricted opening hours under (2)(b) above; and

(c) Petroleum Products Supply Limited for the purpose of refueling; and

(d) Petrol stations from 3.00pm – 10.00pm; and

(e) Pharmacies which may operate from 3.00pm – 10.00pm.

(4) 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.

(5) Nightclubs and bars may open on the following conditions:

(a) from 6.00am to 11.00pm from Monday to Saturday and must remain closed on Sunday, except during the General Elections 2021 period pursuant to Order 7(2);

(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) all fundraising dances are strictly prohibited.

(6) All gaming is prohibited except for the following:

(a) Bingo may be held:

(i) on Monday to Friday, from 6.00am to 11.00pm;

(ii) on Saturday from 6.00am to 6.00pm; and

(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.

(7) For Hotels on the following conditions apply:

(a) except during the General Elections period pursuant to Order 7(2) hotel bars may open from Monday to Saturday from 6.00am to 11.00pm and may open on Sundays for hotel guests only;

(b) entertainment shows, including Samoan *faafiafiaga* and floor shows, are permitted;

(c) non-guests are permitted to have lunch or dinner on Sundays from 12.00pm to 10.00pm.

(8) Theatres may open for normal business hours.

(9) Restaurants are opened:

(a) for dining and take away from 6.00am to 11.00pm from Monday to Saturday; and

(b) for Sunday from 12noon to 10.00pm for dining in or take away.

6. Street vendors:

(1) The selling of goods by street vendors in Apia is permitted, but on the following conditions:

(a) only fruits, vegetables, cooked food and designed/*elei* materials/lavalava are allowed to be sold;

(b) selling of fizzy drinks and bongo is prohibited;

(c) encourage the use of Health Cards for those who are preparing the food allowed to be sold in Apia for hygiene purposes required;

(d) the ban on selling goods on the footpath remains in effect.

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

7. Selling of alcohol

The selling of alcohol by any shop (whether supermarket or small shop) and in hotels must only be done on the conditions below, as provided in (2) below:

(a) from Mondays to Saturdays from 6:00am to 10:00pm;

(b) must not be sold on Sunday; and

(c) must not be sold to any person under the age of 21 years.

8. Schools:

(1) Schools open on Monday 4 May 2020, 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.

9. Access to Health Facilities:

(1) All persons are prohibited from accessing any health facility unless he or she is seeking medical attention at any health facility.

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

(a) only have one carer to tend to him or her; and

(b) only be visited by 2 people at any one time.

(3) All patients intended for travel overseas under the Samoa Medical Treatment Scheme are hereby suspended unless approved by Cabinet.

10. Restriction for 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 and Public Bodies.

(3) All Government trips overseas are hereby suspended unless approved by Cabinet.

11. Ministry of Health duties:

The Ministry of Health shall ensure to implement awareness programmes for the prevention of the spread of the Covid-19.

12. Samoa Police Service:

The Samoa Police Service shall enforce this Order.

13. 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.

14. Emergency Order Offence Notice:

(1) A police officer may serve an Emergency Order Offence 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 may elect to pay the fine stated in the Notice within 24 hours of the issuance of the Notice.

15. Penalties:

(1) A person commits an offence where the person does not comply with any of the above orders except for order 2, 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 2 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 for a short-term trip, breaches Order 2(3) 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 14.

(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 5 (5) (b), (c) or Order 7(c) under these Orders will have their business license or liquor license, or both, revoked for the duration of the State of Emergency, in addition to penalties already provided under the relevant legislation regarding business licenses and liquor licenses.

16. 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.

17. 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.

18. Financing:

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

19. Validation:

(1) For the purpose of Order 2, 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 7, 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 14 days, is considered valid under this Order.

20. 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 47** issued on **14th May 2021** is **revoked**.

This Order commences on **18th May 2021 until 6th June 2021**.

Dated this **18th** day of **May 2021**.

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