



SAMOA

ARMS ORDINANCE 1960

Arrangement of Provisions

- | | |
|---|---|
| 1. Short title and commencement | 15. Presenting firearms at other persons |
| 2. Interpretation | 16. Obstruction of Police |
| 2A. Appointment of Arms Officers | 17. Arrest of offenders |
| 3. Dealers in arms and ammunition to be licensed | 18. Offences by companies |
| 4. Record of dealings by licensed dealers | 19. Occupier of premises deemed to be in possession of arms, ammunition or explosives found thereon |
| 5. Arms Officer may seize firearms or ammunition held by licensed dealers | 20. Search of suspected persons and seizure of arms, ammunition or explosives |
| 6. Permits for import of firearms | 21. Search of land or buildings for arms, ammunition or explosives |
| 6A. Importation of fireworks | 21A <i>Repealed</i> |
| 7. Permits for possession | 21B Mandatory reporting of wound caused by firearm |
| 8. Sale to and possession by young persons of firearms and ammunition | 22. Application of Ordinance to property of Government |
| 8A. Sale of fireworks to children | 23. Restoration of articles seized under this Ordinance |
| 9. Registration of firearms | 24. Forfeiture |
| 9A Amnesty | 25. Authorising disposal of firearms, ammunition or explosives detained by Police |
| 10. Certificate of registration may be refused or existing certificate revoked | 26. Protection of persons acting under the authority of this Ordinance |
| 11. Unregistered firearm to be surrendered to Police | 27. Regulations |
| 12. Possession of unlawful weapon | 28. Repeal and savings |
| 13. Carriage or possession of arms, ammunition, or explosives, except for proper purposes, prohibited | |
| 14. Unlawful acquisition of firearms, ammunition, or explosives | Schedules |

ARMS ORDINANCE 1960**1960****No. 11**

AN ORDINANCE to make provision for the importation, sale, and licensing of firearms and ammunition in Samoa.

[Assent date: 11 August 1960]

[Date of commencement: 1 January 1961]

1. Short title and commencement – This Ordinance may be cited as the Arms Ordinance 1960, and comes into force on 1 January 1961.

2. Interpretation – In this Ordinance, unless the context otherwise requires:

“approved sporting competition” means a shooting sport competition approved by the Minister;

“Arms Officer” means a member of police appointed as an Arms Officer by the Commissioner of Police and in default of such appointment means the Commissioner of Police;

“Court” means the District Court;

“explosive” includes any article of which an explosive forms a part and which is capable of a destructive force by way of an explosion, but does not include any firework of a type approved by the Commissioner of Police under section 6A;

“licensed dealer” means the holder of a dealer’s licence issued under this Ordinance;

“member of police” means a member of the Police Service of Samoa;

“Minister” means the Minister responsible for the Police Service;

“Ministry” means the Ministry of Police Service established under the Police Service Act 2009”;

“owner” in relation to firearms includes any person in possession of or having control of a firearm;

“pistol” includes any firearm the barrel of which does not exceed 12 inches in length;

“public place” includes any public way or any building, place or conveyance which is open or used by the public whether upon the payment of money or otherwise;

“shot-gun” means a firearm having a smooth-bore barrel and primarily designed to discharge pellets of shot;

“unlawful weapon” means any pistol, machine-gun and any other firearm of whatever type except a .22 single-shot rifle, an air-gun or a shot-gun;

2A. Appointment of Arms Officer – (1) The Commissioner of Police may appoint 1 or more members of the Police, as Arms Officers for the purposes of this Ordinance.

(2) If no appointment has been made under subsection (1), the Commissioner of Police shall exercise the powers and functions of an Arms Officer.

3. Dealers in arms and ammunition to be licensed – (1) A person must not sell or offer for sale, or have in the person’s possession for sale, in the way of the person’s business, any firearms or ammunition, or manufacture for sale any firearms, unless the person is the holder of a dealer’s licence issued to him or her by the Arms Officer.

(2) A dealer’s licence may, on payment of the prescribed fee, be issued in respect of both firearms and ammunition, or in respect of ammunition only, and each licence shall be issued only in respect of one place of business.

(3) *(Repealed by section 10 of the Arms Amendment Ordinance 1978).*

(4) A dealer’s licence may be issued for any period not exceeding 1 year and expires on 31 March next ensuing after the issue of the licence, and may be revoked by the Arms Officer if he or she thinks fit.

(5) A person who breaches this section commits an offence and is liable on conviction to a fine not exceeding 50 penalty units or imprisonment for a term not exceeding 5 years, or both.

4. Record of dealings by licensed dealers – (1) A licensed dealer shall keep at the place of business referred to in his or her licence a book in which the dealer shall record such particulars as may be prescribed by regulations made under this Ordinance, and if there are no regulations, as may be required by the Arms

Officer, relating to the receipt, manufacture, sale, or delivery by him or her of all ammunition, and of any firearms.

(2) A licensed dealer shall at all times:

- (a) permit a member of Police to inspect and make copies of any entries in the book so kept by the dealer under subsection (1); and
- (b) on demand provide any member of Police all further information in his or her possession with respect to any dealings by him or her relating to firearms or ammunition.

(3) A licensed dealer who breaches this section commits an offence and is liable on conviction to a fine not exceeding 200 penalty units.

5. Arms Officer may seize firearms or ammunition held by licensed dealers – (1) The Arms Officer, at any time if the Officer thinks fit so to do, may seize and take possession of all or any firearms or ammunition in the possession of a licensed dealer and for that purpose may enter into or upon any land or building in or upon which he or she has reason to suspect that any such firearms or ammunition may be.

(2) All firearms or ammunition seized under this section may be detained by the Arms Officer for such period as Officer thinks fit, or may, in the discretion of the Head of State signified in writing to the owner and to the Arms Officer, become the property of the Government free and discharged from any right, title, estate, or interest possessed in respect thereof by any other person.

(3) If firearms or ammunition lawfully held by a licensed dealer have become the property of the Government under subsection (2), the Minister of Finance shall, without further appropriation than this Ordinance, pay out of the Treasury Fund any compensation, as may be agreed upon between the Minister of Finance and the dealer, and in default of agreement, as may be determined by the Court.

6. Permits for import of firearms – (1) Subject to section 14 of the Police Powers Act 2007, no person shall bring or cause to be brought or sent into Samoa any ammunition or any firearms otherwise than under a permit issued to the person for that

purpose under this section and on payment of the appropriate prescribed fee. The permit may be in respect of a firearm or ammunition imported by a person for the person's own use, or in respect of firearms imported by a dealer or in respect of firearms or ammunition imported by a person participating in an approved sporting competition in any year ending on the next ensuing 31 March.

(2) An application for a permit under this section must be made to the Arms Officer, and the Arms Officer may require the applicant to produce for examination and testing the firearm or any sample or any firearm or ammunition referred to in the application as the Arms Officer thinks fit.

(2A) The Arms Officer may grant or refuse to grant an application for a permit under subsection (2) in respect of any ammunitions or any firearms.

(2B) The Minister may grant an application for a permit under subsection (2) in respect of any unlawful weapon if the Minister is satisfied that there are special reasons why the unlawful weapon should be allowed into Samoa.

(2C) The Minister may revoke a permit issue under subsection (2B) at any time without notice."

(3) The Arms Officer:

- (a) may revoke any permit to import firearms issued under this section; or
- (b) must not issue a permit to import firearms under this section,

if it is in contravention of section 6(2) of the Conventional Arms Act 2017.

(4) If a member of the Police of any rank, or any officer of Customs has reasonable grounds to suspect that firearms have been brought into Samoa in breach of this section, or have been brought into Samoa territorial waters and are intended to be brought into Samoa in breach of this section, that member or officer may seize and detain the firearms.

(5) No person shall import into Samoa otherwise than in a manufactured cartridge for any firearm any dynamite, gelignite, nitroglycerine, blasting powder, or any other explosive of any nature whatsoever except by and on behalf of the Government:

PROVIDED THAT nothing in this section prohibits the importation of fireworks of types approved by the Commissioner

of Police under section 6A.

(6) A person who breaches or attempts or conspires to breach this section commits an offence and is liable on conviction to a fine not exceeding 200 penalty units or to imprisonment for a term not exceeding 5 years, or both, and the burden of proving the existence of any permit lies on the defendant.

6A. Importation of fireworks – The Commissioner of Police may approve the importation of fireworks of the types and in the quantities, as the Commissioner thinks fit and may revoke the approval.

7. Permits for possession – (1) Subject to this Ordinance, no person shall, whether by way of purchase or in any other manner, procure possession of any firearm or ammunition otherwise than pursuant to a permit under this section.

(2) No person shall, whether by way of sale or in any other manner, deliver possession of any firearm or ammunition to any person other than to a licensed dealer authorised to deal in firearms and ammunition or ammunition only, as the case may require, or to a person entitled to obtain the firearm or ammunition by virtue of any permit referred to in subsection (1).

(3) A permit under this section may be issued by the Arms Officer on payment of the prescribed fee.

(4) A person who breaches or attempts to breach this section commits an offence and is liable on conviction to a fine not exceeding 20 penalty units or to imprisonment for a term not exceeding 2 years, or both, and the burden of proving the existence and terms of any such permit as aforesaid lies on the defendant.

(5) A permit issued under this section remains in force for a period not exceeding 7 days, as may be specified in the permit.

(6) A permit issued under this section may be revoked by the Arms Officer.

(7) Nothing in this section applies to firearms known as humane killers.

8. Sale to and possession by young persons of firearms and ammunition – (1) A person must not sell or supply any firearm or ammunition to a person under the age of 21 years.

(2) A person under the age of 21 years must not use or carry or have in his or her possession any firearm, explosive or ammunition.

(3) For the purpose of subsections (1) and (2), a person under the age of 21 is exempted if he or she:

- (a) participates in an approved sporting competition; and
- (b) is supervised –
 - (i) during training in preparation for an approved sporting competition; and
 - (ii) on the day of the approved sporting competition,by a person who holds a firearm certificate of registration; and
- (c) only uses a firearm or ammunition within the compound or area approved by the Minister –
 - (i) for training in preparation for an approved sporting competition; and
 - (ii) for the approved sporting competition to be held; and
- (d) is a fit and proper person to be in possession of the firearm or ammunition in the opinion of the Arms Officer.

(4) A person who breaches or attempts to breach this section commits an offence and is liable to a fine not exceeding 50 penalty units.

8A. Sale of fireworks to children – (1) It is not lawful to sell or supply any fireworks approved for importation under section 6A to a child apparently under the age of 12 years.

(2) A person who breaches or attempts to breach this section commits an offence and is liable to a fine not exceeding 20 penalty units.

9. Registration of firearms – (1) A person, other than a licensed dealer, must not be in possession of any firearm for a period longer than 7 days unless the person is registered as the owner of the firearm under this section.

(2) Registration under this section is effected by paying the prescribed fee and obtaining a certificate of registration from the Arms Officer.

(3) The Arms Officer may, before issuing a certificate of registration, require the firearm to be produced for his or her inspection, and may refuse to issue a certificate if the Officer considers that the firearm is in an unsafe condition, and may, if the Officer considers the firearm to be a danger to the public, confiscate the firearm.

ss (4) – (6) are repealed by section 5 of the Arms Amendment Act 2019, No. 21.

(7) A certificate of registration issued under this section expires on 31 March next following the issue thereof and may be renewed by application made to a member of Police and on payment of the prescribed fee. Such application shall contain such particulars as may be prescribed by the Arms Officer.

(7A) For the avoidance of doubt, a certificate of registration expires on 31 March each year and, subject to subsection (1), it is an offence under subsection (11) for a person other than a licensed dealer to fail to renew a certificate of registration or to be in possession of a firearm without a certificate of registration after that date.

(8) The member of Police to whom application for renewal is made may, before renewing any certificate of registration, call on the registered owner to produce the firearm for inspection and if the member considers the firearm to be unsafe the member shall seize the firearm and refuse to renew the certificate of registration. Any registered owner who fails to produce a firearm when so called upon or who fails to account for his or her non-possession of the firearm commits an offence and is liable on summary conviction to a fine not exceeding 50 penalty units or to imprisonment for a term not exceeding 2 years, or both.

(9) A person who is aggrieved by the decision of a member of Police in relation to the renewal of a certificate of registration may appeal to the Commissioner of Police, whose decision is final.

(10) If a certificate issued under this section is accidentally destroyed, defaced, or lost, the Arms Officer may, if the Officer is satisfied as to the destruction, defacement, or loss of such certificate, and upon payment of the prescribed fee, issue to the person in whose name the certificate was originally granted a new certificate and endorse thereon a statement reciting such

destruction, defacement, or loss and the new certificate shall have the same force and effect as the original certificate.

(11) A person who breaches this section commits an offence and is liable on conviction to a fine not exceeding 50 penalty units or to imprisonment for a term not exceeding 2 years, or both. In any prosecution for the offence, if the defendant is proved to have been in possession of the firearm, the burden of proving that the defendant was the holder of a valid certificate of registration in respect thereof as aforesaid, or that the defendant has not been in possession thereof for more than 7 days, or that the defendant was lawfully in possession thereof pursuant to this section, lies on the defendant.

9A.Amnesty – (1) The Minister may in writing declare a firearm amnesty period.

(2) A person who hands a firearm in at a police station during a firearm amnesty period does not commit the offence under section 9 of being in possession of a firearm without a certificate or registration for that firearm.

(3) A person who hands ammunition, explosives or dangerous weapons in at a police station during a firearm amnesty period does not commit the offence under section 13 of carrying or being in possession of that ammunition, explosive or dangerous weapon except for a lawful, proper and sufficient purpose.

(4) Any firearm, ammunition, explosive or dangerous weapon handed in during a firearm amnesty period may immediately be disposed of in such manner as the Commissioner may direct.

10. Certificate of registration may be refused or existing certificate revoked – (1) No person shall be registered as the owner of a firearm who, in the opinion of the Arms Officer, is not a fit and proper person to be in possession of the firearm.

(1A) For the purposes of the Ordinance, a person is not a fit and proper person if the person:

- (a) has within the last 5 years been convicted of an offence for which a term of imprisonment of more than 2 years but less than 5 years may be imposed; or
- (b) has at any time been convicted of an offence for which

a term of imprisonment of 5 years or more may be imposed; or

(c) is a person who, in the opinion of the Arms officer, is otherwise not a fit and proper person.

(2) If a person who is registered as the owner of any firearm is, in the opinion of the Arms Officer, not a fit and proper person to be in possession of the firearm or if, in the opinion of the Arms Officer, the firearm is unsafe, the Arms Officer may, by notice in writing signed by the Officer, revoke the certificate of registration, and the person so registered shall on demand surrender the certificate to any member of Police.

(3) On the revocation of a certificate of registration pursuant to this section, the person to whom the certificate was issued ceases to be the registered owner of the firearm to which it relates, whether or not the certificate has been surrendered.

11. Unregistered firearm to be surrendered to Police – (1)

On the revocation of any certificate of registration under section 10 or on the refusal of the Arms Officer to issue a certificate of registration or on refusal of renewal of registration pursuant to an application under section 9, the owner or other person for the time being in possession of the firearm to which the certificate or application relates, shall, on demand, deliver the firearm to a member of Police.

(2) The owner of any firearm in respect of which an application for a certificate of registration or renewal of registration has been refused may at any time within 3 months thereafter, or such longer period as the Arms Officer allows, sell or otherwise dispose of the firearm to a person approved for the purpose by the Arms Officer, unless the Arms Officer considers that the weapon is unsafe, in which case the Officer shall prohibit the sale or disposition.

(3) Subject to subsection (2), all firearms delivered to the Arms Officer pursuant to this section may be detained by the Officer for such period as the Officer thinks fit, or may, in the discretion of the Minister become the property of the Government of Samoa, free and discharged from all right, title or interest possessed in respect thereof by any other person.

(4) The Minister of Finance shall without further appropriation than this section pay out of the Treasury Fund

compensation for the value of all firearms delivered to the Arms Officer under this section and which have become the property of the Government under subsection (3), the amount of such compensation to be agreed upon between the Minister of Finance and the owner, and in default of agreement, to be determined by the Court.

(5) A person who breaches this section commits an offence and is liable on conviction to a fine not exceeding 50 penalty units or to imprisonment for a term not exceeding 2 years, or both.

12. Possession of unlawful weapon – (1) Except as provided in subsection (2), a person who is at any time in possession of an unlawful weapon, or of any part or parts of an unlawful weapon, or of any part or parts specially intended or adapted for use as part of an unlawful weapon, or any ammunition for an unlawful weapon, shall forthwith cause the weapon or the parts or the ammunition to be destroyed, exported from Samoa, or delivered to the Arms Officer.

(2) The Minister may, by licence in writing and on payment of the prescribed fee, authorise any person in any special case and for any special reason to have in his or her possession any unlawful weapon or any ammunition for an unlawful weapon, subject to such conditions as to use or custody as the Minister may impose. The licence may be revoked at any time by the Minister without notice.

(2A) (Repealed by section 41 of the Police Powers Act 2007)

(2AA) The Minister may not authorise a person under subsection (2) if that person:

- (a) has within the last 5 years been convicted of an offence for which a term of imprisonment of more than 2 years but less than 5 years may be imposed; or
- (b) has at any time been convicted of an offence for which a term of imprisonment of 5 years or more may be imposed.

(3) A person who is in possession of any weapon or parts or ammunition contrary to this section, or who fails to comply with any condition imposed under subsection (2), commits an offence and is liable on conviction to a fine not exceeding 100 penalty units or to a term of imprisonment for a term not exceeding 5 years, or both.

13. Carriage or possession of arms, ammunition, or explosives, except for proper purposes, prohibited – (1) No person shall carry or be in possession of any firearm, ammunition, explosive, or dangerous weapon except for some lawful, proper, and sufficient purpose, and the burden of proving such purpose lies on the defendant.

(2) No person who, while under the influence of drink or drugs to such an extent as to be incapable of having proper control of the firearm, shall be in charge of any firearm.

(3) A person who is in possession of any explosive, including a detonator, shall, when called on so to do by a member of the Police of any rank, state the source from which such explosive or detonator was obtained, and the purpose for which it is intended to be used.

(4) A person who breaches this section commits an offence and is liable on conviction to a fine not exceeding 50 penalty units or to imprisonment for a term not exceeding 2 years, or both.

14. Unlawful acquisition of firearms, ammunition, or explosives – A person who procures or attempts to procure or conspires to procure the possession of any firearm, ammunition or explosive, by way of trespass or otherwise, without lawful right or title thereto, commits an offence and is liable on conviction to a fine not exceeding 50 penalty units or to imprisonment for a term not exceeding 2 years, or both.

15. Presenting firearms at other persons – A person who, except for some lawful and sufficient purpose, presents a firearm, whether loaded or unloaded, at any other person, commits an offence and is liable on conviction to a fine not exceeding 50 penalty units or to a term of imprisonment not exceeding 2 years, or both.

16. Obstruction of Police – A person who obstructs a member of the Police of any rank in the exercise of any right of search, seizure, or detention conferred by this Ordinance commits an offence, and is liable on conviction to a fine not exceeding 20 penalty units or to imprisonment for a term not exceeding 1 year, or both.

17. Arrest of offenders – A person reasonably suspected of having committed an offence against this Ordinance which is punishable by imprisonment may be arrested by any member of the Police of any rank without warrant.

18. Offences by companies – When an offence against this Ordinance punishable by imprisonment (whether or not it is also punishable by fine) is committed by an incorporated company, the company is liable on conviction to a fine not exceeding 100 penalty units.

19. Occupier of premises deemed to be in possession of arms, ammunition or explosives found thereon – For the purposes of this Ordinance, a person in occupation of any land or building on which any firearms, ammunition, or explosives are found is, though not to the exclusion of the liability of any other person, taken to be in possession of those arms, ammunition, or explosives, unless the person proves that they were in the possession of some other person or satisfies the Court that he or she had no reasonable grounds for believing that they were on such land or building.

20. Search of suspected persons and seizure of arms, ammunition or explosives – (1) If a member of Police has reasonable grounds to suspect that a person is carrying or is in possession of any firearm, ammunition, or explosive in breach of this Ordinance, the member may without warrant search that person, or any vehicle, package, or other thing there in the person's possession or under the person's control, and may detain that person for the purpose of any such search, and may seize any such firearm, ammunition, or explosive, and detain the same.

(2) If a member of Police of any rank has reasonable grounds to suspect that:

- (a) a person has in the person's possession or under the person's control in any place any firearm, ammunition, or explosive; and
- (b) that person is of unsound mind, or is under the influence of drink or a drug to such an extent as to be incapable of having proper control of the

firearm, ammunition, or explosive, or may kill or do bodily injury to himself or any other person,—
the member of Police may, without warrant, search that person or place and may detain that person for the purpose of any such search, and may seize any such firearm, ammunition, or explosive and detain the same.

21. Search of land or buildings for arms, ammunition or explosives – If any commissioned officer of Police has reason to suspect that there is in any house, building, land, vehicle, vessel, or other premises any firearms, ammunition, or explosives in respect of which an offence under any Act has been or is about to be committed or which may be evidence of any such offence, the commissioned officer, or any member or members of the Police of any rank authorised by him or her, may:

- (a) enter any such house, building, land, vehicle, vessel, or premises, and either by day or by night, and search the same or any part thereof; and
- (b) seize and detain any firearms, ammunition, or explosives found therein.

21A. (Repealed by section 87 of the Proceeds of Crime Act 2007)

21B. Mandatory reporting of wound caused by firearm – (1) If a doctor or nurse reasonably suspects that a person the doctor or nurse is treating has recently suffered a wound caused by a firearm, the doctor or nurse must as soon as practicable report to the police officer the name of the person they are treating and the grounds of their suspicion.

(2) A doctor or nurse who fails to report to a police officer as required under subsection (1), commits an offence and is liable to a fine not exceeding 100 penalty units or to imprisonment for a term not exceeding 2 years, or both.

22. Application of Ordinance to property of Government – Nothing in this Ordinance renders unlawful the carriage or possession of firearms, ammunition, or explosives belonging to the Government and lawfully in the possession of any member of Police, any duly authorised person employed in the Public

Service (as defined in Article 83 of the Constitution) or any member of the armed forces of the Government.

23. Restoration of articles seized under this Ordinance –

On application to the Court, the Court may make such order as it thinks just and expedient for the restoration of any firearms, ammunition, or explosives seized and detained in pursuance of the right of search, seizure, or detention conferred by this Ordinance.

24. Forfeiture –

When a person is convicted of using, carrying or having in possession any arms, ammunition or explosives in breach of this Ordinance, the convicting Court shall, as part of the conviction, order that any such arms, ammunition or explosives shall be forfeited, and they shall thereupon become forfeited to the Government accordingly, and may be disposed of in such manner as the Commissioner of Police directs.

25. Authorising disposal of firearms ammunition or explosives detained by Police –

Without limiting other provisions of this Ordinance as to the disposal of firearms, ammunition or explosives seized or detained under this Ordinance, any such firearms, ammunition or explosives that have been detained for not less than 6 months may be disposed of in such manner as the Commissioner of Police may direct.

26. Protection of persons acting under the authority of this Ordinance –

No action, claim, or demand whatsoever lies or is to be made or allowed by or in favour of any person against the Government, a Minister, or any person lawfully acting in execution or intended execution of this Ordinance.

27. Regulations – (1)

The Head of State, acting on the advice of Cabinet, may make regulations for any purpose for which regulations are contemplated by this Ordinance and for the due administration thereof.

(2)

Without limiting subsection (1), regulations may provide for the following matters:

- (a) prescribing the forms of permits, licences and certificates under this Ordinance and the conditions and manner of their grant;
 - (b) making provision for the marking of firearms with identifying marks before the issue of certificates of registration;
 - (c) applying the provisions of this Ordinance to any guns, rifles or pistols or rifles not included in this Ordinance;
 - (d) excluding any firearms from the provisions of this Ordinance;
 - (da) prescribing fees and charges for the purposes of this Ordinance;
 - (e) generally for any other purpose deemed by the Head of State to be necessary for giving effect to the full intent and purposes of this Ordinance;
 - (f) declaring any weapon to be an unlawful weapon.
- (2A)** The amount of a fee or charge prescribed in subsection (2)(da):
- (a) shall be proposed by the Ministry; and
 - (b) is subject to the consideration and approval of the National Revenue Board under the Public Finance Management Act 2001.
- (3)** Regulations made under this Ordinance may be made to apply generally throughout Samoa, or to any specified part or parts thereof.
- (4)** The Minister shall lay all regulations made under this section before the Legislative Assembly within 28 days after the making thereof if the Assembly is then in session; or, if not, to lay them before the Assembly within 28 days after the commencement of the next ensuing session.

28. Repeal and savings – (1) The enactments specified in Schedule 2 are repealed.

(2) Without limiting the Acts Interpretation Act 2015, the repeal of any provision by this Ordinance shall not affect any permit, licence, certificate, appointment or document granted or anything whatsoever done under the provision so repealed and every such permit, licence, certificate, appointment, document or thing, so far as it is subsisting or in force at the time of the repeal

and could have been granted, made, or done under this Ordinance, continues and has effect as if it had been made or done under the corresponding provision of this Ordinance and as if that provision had been in force when the permit was granted, or licence, certificate, appointment or document was made, or the thing was done.

SCHEDULES

SCHEDULE 1

repealed

**SCHEDULE 2
(Section 28 (1))**

ENACTMENTS REPEALED

No. 24 - 1921	:	The Arms Ordinance 1921.
No. 2 - 1923	:	The Arms Amendment Ordinance 1923.
No. 2 - 1933	:	The General Laws (No. 3) Ordinance 1933, section 2.
No. 3 - 1951	:	The Ordinance Amendment Ordinance 1951, section 4.
No. 1 - 1958	:	The Ordinance Amendment Ordinance 1958, section 6.
No. 3 - 1959	:	The Status Disabilities Removal Ordinance 1959, section 2.

REVISION NOTES 2008 – 2024

This is the official version of this Ordinance as at 31 December 2024.

This Ordinance has been revised by the Legislative Drafting Division from 2008 – 2024 respectively under the authority of the Attorney General given under the *Revision and Publication of Laws Act 2008*.

The following general revisions have been made:

- (a) Amendments have been made to conform to modern drafting styles and to use modern language as applied in the laws of Samoa.
- (b) Amendments have been made to up-date references to offices, officers and statutes:

- (i) Substituted reference to “Acts Interpretation Act 1974” with “Acts Interpretation Act 2015” in section 28(2) as “Acts Interpretation Act 2015” which came into force on 5 November 2015 has repealed “Acts Interpretation Act 1974”.
- (c) Insertion of the commencement date
- (d) Other minor editing has been done in accordance with the lawful powers of the Attorney General.
 - (i) “Every” and “any” changed to “a”
 - (ii) “shall be” changed to “is” and “shall be deemed” changed to “is taken”
 - (iii) “shall have” changed to “has”
 - (iv) “shall be guilty” changed to “commits”
 - (v) “notwithstanding” changed to “despite”
 - (vi) “pursuant to” changed to “under”
 - (vii) “it shall be lawful/not lawful” changed to “may”/must not
 - (viii) “it shall be the duty” changed to “shall”
 - (ix) Numbers in words changed to figures
 - (x) “hereby” and “from time to time” (or “at any time”) removed
 - (xi) Removed “etc.” and provided complete sentences.

The following amendments have been made to this Act since the publication of the *Consolidated and Revised Statutes of Sāmoa 2007*:

By the *Police Powers Act 2007, No.27* (commenced on 19 November 2007):

- Section 6(1)** - amended to make section 6 subject to section 14 of the Police Powers Act 2007.
- Section 12(2A)** - repealed.

By the *Fees and Charges (Miscellaneous Amendments) Act 2017, No. 13* (commenced on 4 July 2017):

- Section 2** - inserted definition of “Ministry”;
- Sections 3(2), 6(1), 7(3), 9(2) and 12(2)** – replaced “fee prescribed in Schedule 1” with “prescribed fee”;
- Section 27(2)** - insert new paragraph (da) and new subsection (2A);
- Schedule 1** - repealed

By the *Conventional Arms Act 2017 No. 26* (commenced on 1 August 2018):

- Section 6(3)** - substituted.

By the *Arms Amendment Act 2019, No. 21* (commenced on 1 July 2019):

- Section 2** - new definition of “approved sporting competition” inserted;
- Section 6** - subsection (1) revised;
substituted subsection 2 and inserted new subsections 2A, 2B and 2C.
- Section 8** - substituted section 8;
- Section 9** - subsections (4), (5) and (6) are repealed.

*This Ordinance is administered by the
Ministry of Police, Prisons and Correction Services.*