

New Zealand.



ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Administrator may require person to show cause why he should not be ordered to leave Samoa, or should not be removed to a place within Samoa. Administrator may make order if satisfied that person concerned</p> | <p>is preventing or hindering the due administration of the Territory.</p> <p>3. Administrator may order arrest and detention of person pending his deportation or removal.</p> <p>4. Offences against Act.</p> <p>5. Penalty for offences.</p> <p>6. Application of Act to Tokelau Islands.</p> |
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1927, No. 7.

AN ACT to amend the Samoa Act, 1921.

[5th August, 1927.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Samoa Amendment Act, 1927, and shall be read together with and deemed part of the Samoa Act, 1921 (hereinafter referred to as the principal Act).

2. (1) If the Administrator has reason to believe that any person is preventing or hindering the due performance by the Government of the Dominion of New Zealand of its functions and duties under the terms of the Mandate set forth in the First Schedule to the principal Act and of the Covenant of the League of Nations, or the due administration of the executive government of the Territory, he may, by writing under his hand, require such person to appear before him at a time and place to be named in such writing to show cause why the provisions of this Act should not be made applicable in his case.

(2) If such person shall duly appear as required the Administrator shall inform him generally of the matters which have induced such belief as aforesaid, and shall grant him full opportunity of denial or explanation.

(3) After hearing such person if he has appeared according to such requirement as aforesaid, or without such hearing if such person has refused or neglected to so appear, the Administrator, if satisfied that such person is preventing or hindering the due performance of the functions and duties or the due administration as aforesaid, may, by

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order under his hand, if authorized in that behalf by the Governor-General in Council, require such person,—

(a) If a European, to depart from Samoa and to remain absent from Samoa for a period not exceeding five years to be named in such order :

(b) If a Samoan, to remove to a place in Samoa defined in such order and not to depart therefrom for a period not exceeding two years to be named in such order.

(4) If after knowledge of the making of such order such person, if a European, fails to comply with the requirement within thirty days, or, if a Samoan, within fourteen days, he commits an offence against this Act.

(5) An order made by the Administrator under this Act may at any time be revoked by him, either absolutely or conditionally, if authorized in that behalf by the Governor-General in Council.

Administrator may order arrest and detention of person pending his deportation or removal.

3. (1) When the Administrator in pursuance of this Act has ordered any person to depart from Samoa, or to remove to a defined part of Samoa, he may by the same or any subsequent order, if he considers such a course necessary in the public interest, and whether or not default has yet been made in obedience to the order, authorize the arrest of that person and,—

(a) In the case of a European, authorize his deportation from Samoa on a vessel about to leave Samoa :

(b) In the case of a Samoan, authorize his removal under arrest to the place in Samoa defined in the order.

(2) Where a person is arrested pursuant to such authority he may be detained in custody until his deportation or removal is practicable.

Offences against Act.

4. (1) If a person required to depart from Samoa returns to Samoa before the expiration of the period defined in the order, or before the revocation of the order, he commits an offence against this Act.

(2) If a person ordered to remove to and remain in a defined part of Samoa leaves that defined part before the expiration of the period defined in the order, or before the revocation of the order, he commits an offence against this Act.

Penalty for offences.

5. Every person who commits an offence against this Act, or aids or abets any other person in the commission of an offence against this Act, is liable to imprisonment for a term not exceeding twelve months or to a fine not exceeding one hundred pounds.

Application of Act to Tokelau Islands.

6. For all the purposes of the preceding sections of this Act the Union (Tokelau) Islands shall be deemed to form part of Samoa.