

WESTERN SAMOA AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Western Samoa Act 1961. The amendments are such as are necessary to recognise the fact that Western Samoa became a member of the Commonwealth on 25 August 1970.

Under that Act, all law for the time being in force in New Zealand applies to Western Samoa as if Western Samoa were part of Her Majesty's dominions and a member of the Commonwealth, but citizens of Western Samoa are aliens, though they are not required to register as such under the Aliens Act 1948.

Clause 1 relates to the Short Title and commencement. The Act is declared to have come into force on 25 August 1970.

Clause 2 amends section 5 of the principal Act, which provides that New Zealand law is to apply to Western Samoa as if Western Samoa were part of Her Majesty's dominions and were also a member of the Commonwealth.

The effect of the amendment is that all New Zealand law will apply to Western Samoa and also to things and persons connected with Western Samoa as if Western Samoa were part of Her Majesty's dominions. The reference to Western Samoa being treated as if it were a member of the Commonwealth is now unnecessary and is omitted.

Clause 3 repeals section 5A of the Aliens Act 1948 (as inserted by section 6 of the principal Act) and, consequentially, section 6 of the principal Act. The effect of section 5A is that citizens of Western Samoa, though aliens, are not required to register under the Aliens Act 1948. Section 5A is now unnecessary because, as a result of the amendment to section 3 (3) of the British Nationality and New Zealand Citizenship Act 1948 made by *clause 4* of this Bill, citizens of Western Samoa cease to be aliens.

Clause 4: The effect of this clause is that citizens of Western Samoa shall, by virtue of that citizenship, have the status of British subjects for the purposes of the British Nationality and New Zealand Citizenship Act 1948.

Right Hon. Sir Keith Holyoake

WESTERN SAMOA AMENDMENT

ANALYSIS

Title	3. Repeal of provisions of Aliens Act 1948 relating to citizens of Western Samoa
1. Short Title and commencement	4. Citizens of Western Samoa to have status of British subjects
2. Application of New Zealand law to Western Samoa	

A BILL INTITULED

An Act to amend the Western Samoa Act 1961

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

1. Short Title and commencement—(1) This Act may be cited as the Western Samoa Amendment Act 1970, and shall be read together with and deemed part of the Western Samoa Act 1961* (hereinafter referred to as the principal Act).

10 (2) This Act shall be deemed to have come into force on the 25th day of August 1970 (being the date on which Western Samoa became a member of the Commonwealth).

2. Application of New Zealand law to Western Samoa—
15 Section 5 of the principal Act is hereby amended by omitting the words “as it would have if the Independent State of Western Samoa were part of Her Majesty’s dominions and a member of the Commonwealth”, and substituting the words

*1961, No. 68

No. 99—1

“and to persons and things in any way belonging to or connected with the Independent State of Western Samoa as it would have had if the Independent State of Western Samoa were part of Her Majesty’s dominions”.

3. Repeal of provisions of Aliens Act 1948 relating to citizens of Western Samoa—(1) Section 5A of the Aliens Act 1948 (as inserted by section 6 of the principal Act) is hereby repealed. 5

(2) Section 6 of the principal Act is hereby consequentially repealed. 10

4. Citizens of Western Samoa to have status of British subjects—Section 3 of the British Nationality and New Zealand Citizenship Act 1948 is hereby amended by inserting in subsection (3) (as substituted by section 2 (1) of the British Nationality and New Zealand Citizenship Amendment Act 1965), after the word “Singapore”, the words “Western Samoa”. 15