



OFFICE OF THE GOVERNOR  
American Samoa Government  
Pago Pago, American Samoa 96799

A.P. Lutali, Governor  
Tauese P. Sunia, Lt. Governor

EXECUTIVE ORDER NO. 16-1995

Telephone:(684)633-4116  
Fax:(684)633-2269

**RESTRICTION ON SMOKING AT THE PORT FACILITY**

**WHEREAS**, the inhalation of passive tobacco smoke is a known public health hazard which contributes significantly to the total burden of disease, disability, and premature death in American Samoa; and

**WHEREAS**, the safety of the port facility is of paramount importance to the government and the people of American Samoa;

**WHEREAS**, the port facility often has hazardous materials on the port facility;

**WHEREAS**, the American Samoa Government, as the operator of the port facility wishes to improve the safety and prevent accidents from occurring at the port facility.

**SECTION I. Authority.**

This order is issued under authority vested in the Governor pursuant to the Revised Constitution of American Samoa, Article 6 and 7.

**SECTION II - Restriction On Smoking at the Port Facility.**

Smoking is prohibited at the Port Facility unless in a designated smoking area.

**SECTION III - Public Notification of Smoking Restriction.**

- (1) Every building located at the Port Facility shall prominently display immediately outside each entrance to such building a sign with letters of 3 inch minimum height stating **"SMOKING PROHIBITED INSIDE THIS BUILDING"**.
- (2) Every entrance to the Port Facility shall prominently display immediately outside each entrance to the Port Facility a sign with letters of 7 inch minimum height stating **"SMOKING PROHIBITED INSIDE THE PORT FACILITY"** and in 3 inch minimum height stating **"UNLESS IN A DESIGNATED SMOKING AREA"**

**SECTION IV. Enforcement action by ASG employees, Directors, and Port Users.**

- (1) Any ASG employees working at the Port Facility where smoking is prohibited by this executive order who observes a person in possession of a lighted tobacco product in violation of this order shall request the person to extinguish the tobacco product.
- (2) If the person fails to comply, the employee shall ask the person to leave.

**Section V - Enforcement of the Executive Order**

- (1) The Director of Port Administration together with heads of offices or agencies of the American Samoa Government using the Port Facility shall:
  - (a) enforce this executive order; and
  - (b) ensure that ASG employees, port users, and the general public are made aware of this Executive Order.


**Section VI. The Port Facility.**

The Port Facility includes all buildings located at the port facility, including but not limited to the Custom Warehouse, the GHC Reid Building and the Harbor Stevedoring Building.

**Section VIII. Effective date.**

This Executive Order becomes effective on signing.

Dated this 28th day of July, 1995.

  
TAUESE P. SUNIA  
ACTING GOVERNOR

**DISTRIBUTION:**

As per standard list