



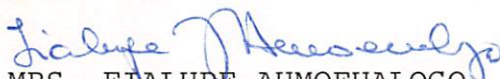
AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799
LEGISLATURE OF AMERICAN SAMOA

In reply refer to:

C E R T I F I C A T I O N

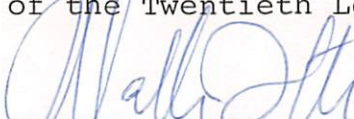
Senate Chamber
September 14, 1988

I certify that Senate Bill No. 146 passed third reading on this date in the Senate during its Fourth Regular Session of the Twentieth Legislature of American Samoa.


MRS. FIALUPE AUMOEUALOGO
Asst. Secretary of the Senate

House Chamber
September 21, 1988

I certify that Senate Bill No. 146 passed third reading on this date in the House of Representatives its Fourth Regular Session of the Twentieth Legislature of American Samoa.


WALLY F. UTU, Chief Clerk
House of Representatives

AMERICAN SMOKE BOUTIQUE
THE STATE OF AMERICA

CERTIFICATE

Senate Chamber
September 14, 1955

I certify that Senate Bill No. 145 passed third reading on this date in the Senate during its forty-fourth session of the Legislative Assembly of the State of America.

James H. [unclear]
Hon. [unclear]
Secretary of the Senate

House Chamber
September 15, 1955

I certify that Senate Bill No. 145 passed third reading on this date in the House of Representatives during its forty-fourth session of the Legislative Assembly of the State of America.

[Signature]
Hon. [unclear]
Clerk of the House of Representatives

THE TWENTIETH LEGISLATURE OF AMERICAN SAMOA

Fourth Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa
on Monday, the eleventh day of July
one thousand nine hundred and eighty eight

AN ACT AMENDING THE CHILD PROTECTION STATUTES CHANGING THE DEFINITION OF A RESPONSIBLE PERSON TO INCLUDE THAT OF A DAY CARE WORKER, AND MAKING NUMEROUS OTHER CHANGES SO THAT THE STATUTES WILL CONFORM TO FEDERAL REGULATIONS; AMENDING SECTIONS 45.2001, 45.2002, 45.2003, 45.2005, 45.2010, 45.2011, 45.2015, 45.2017, 45.2020 AND 45.2023 ASCA.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 45.2001 is amended to read:

"45.2001 Definitions.

As used in this chapter unless the context otherwise requires:

(a)(1) "Abuse" or "child abuse or neglect" means an act or omission in one of the following categories which seriously threatens the health or welfare of a child:

(A) when a child exhibits evidence of serious bruising, bleeding, malnutrition, failure to thrive, mental injury, burns, fracture of a bone, subdural hematoma, soft tissue swelling, or death, and the condition or death is not justifiably explained, or where the history given concerning the condition or death is at variance with the degree or type of the condition or death, or indicate that the condition or death may not be the product of an accidental occurrence.

(B) when a child is subject to the sexual offenses contained in 46.3601 to 46.3617 and 46.3802, or is allowed, permitted, or encouraged by the child's parents, legal guardian, custodian, or any other person responsible for the child's health and welfare, to engage in prostitution or be the subject of obscene or pornographic photographing, filming, or depicting;

(C) any case in which the child's parents, legal guardians, custodians or any other person responsible for the child's health and welfare fail to take the action to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take.

(2) In all cases, those investigating reports of child abuse shall take into account accepted child rearing practices of the culture. Nothing in subparagraph (a)(1)(B) refers to acts which could be construed to be a reasonable exercise of parental discipline as defined in subsection (2) of 45.0103.

(b) "Agency" means child protection agency of the department of human resources.

{b}(c) "Department" means the department of health public safety.

{e}(d) "Neglect" means acts which can reasonably be construed to fall under the definition of "child abuse or neglect" as defined in subsection (a) above.

{d}(e) "Receiving agency" means the department of health or law enforcement agency first receiving a report of alleged child abuse.

{e}(f) "Responsible person" means a child's parent, legal guardian, custodian, any employee of a residential facility, any staff person providing out-of-home care or under any other settings in which children are provided care, or any other person responsible for the child's health and welfare.

{f}(g) "Unfounded report" means any report made under this chapter which is not supported by some credible evidence."

Sec 2. 45.2002 is amended to read:

"45.2002 Mandated reports of abuse or neglect.

(a) Any person specified in subsection (b) who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect shall immediately report or cause a report to be made of that fact to the department-of-health agency, who immediately informs the law-enforcement-agency department.

(b) Persons required to report the abuse or neglect or circumstances or conditions includes any:

- (1) physician or surgeon, including a physician in training;
- (2) child health associate;
- (3) medical examiner or coroner;
- (4) dentist;
- (5) osteopath;
- (6) optometrist;
- (7) chiropractor;
- (8) chiropodist or podiatrist;
- (9) registered nurse or licensed practical nurse;
- (10) hospital personnel engaged in the admission, care, or treatment of patients;
- (11) christian science practitioner;
- (12) school official or employee;
- (13) social worker or worker in a family care home or child care center; and
- (14) mental health professional.

(c) In addition to those persons specifically required by this section to report known or suspected child abuse or neglect and circumstances or conditions which might reasonably result in abuse or neglect, any other persons are urged and authorized to report known or suspected child abuse or neglect and circumstances and conditions which might reasonably result in child abuse or neglect to a-law-enforcement-agency the department or the department-of-health agency.

(d) Any person who willfully violates the provisions of subsection (a):

- (1) commits a Class A misdemeanor; and
- (2) is liable for those damages proximately caused.

(e) If the agency feels there is evidence of possible child abuse, the department must be notified."

Sec 3. 45.2003 is amended to read:

"45.2003 Mandatory report to medical examiner--Post-mortem investigations.

Any person who is required by 45.2002 to report known or suspects suspected child abuse or neglect and anyone who has reasonable cause to suspect that a child died as a result of child abuse or neglect shall report that fact immediately to a-law-enforcement-agency the department. The law-enforcement agency department accepts the report for investigation and reports its findings to the attorney general and the department of-health agency."

Sec 4. 45.2005 is amended to read:

"45.2005 Protective custody.

A law enforcement officer or any officer of the department-of-health agency may take a child into custody without the consent of the parent or guardian, whether or not additional medical treatment is required if the circumstances or conditions of the child are such that continuing in his place of residence or in the care and custody of the parent, guardian, custodian or other person responsible for the child's care presents an imminent danger to that child's life or health; provided, however, that the custody does not exceed 96 hours and that the court and the department agency are notified immediately in order that the child-protective proceedings may be initiated. The department agency may give effective consent for medical, dental, health, and hospital services for any abused child."

Sec 5. 45.2010 is amended to read:

"45.2010 Reporting procedures.

(a) Reports of known or suspected child abuse or neglect made under this chapter are immediately made to the department or-the-law-enforcement-agency by a written report prepared by those persons required to report, if so requested by the receiving agency. The receiving agency forwards a copy of its own report to the central registry on forms supplied by the registry. If at any time a report of suspected child abuse or

neglect is made to the agency, the department must be notified. If a report of suspected child abuse or neglect is made to the department, the agency must be notified.

(b) The reports, when possible, shall include the following information:

- (1) the name, address, age, sex, religion and race of the child;
- (2) the name and address of the responsible person;
- (3) the nature and extent of the child's injuries, including any evidence of previous known or suspected abuse or neglect ~~to~~ of the child or the child's siblings;
- (4) the names and addresses of the persons responsible for the suspected abuse or neglect, if known;
- (5) the family composition;
- (6) the name, address, and occupation of the person making the report;
- (7) any action taken by the reporting source; and
- (8) any other information that the person making the report believes may be helpful in furthering the purposes of this chapter.

(c) ~~A-copy~~ Copies of the report of known or suspected child abuse or neglect are immediately transmitted by the receiving agency to the attorney general's office and to the ~~law-enforcement-agency~~ department.

(d) A written report from persons or officials required by this chapter to report known or suspected child abuse or neglect is admissible as evidence in any proceeding relating to child abuse."

Sec 6. 45.2011 is amended to read:

"45.2011 ~~Department~~ Agency duties upon receipt of report.

(a) The ~~department~~ agency makes a thorough investigation promptly upon receiving either the oral or the written report. The primary purpose of the investigation is the protection of the child.

(b) The investigation shall include the nature, extent and cause of the child abuse, sexual abuse, or neglect; the identity of the person responsible; the names and conditions of other children in the home; an evaluation of the parents or persons responsible for their care; and all other pertinent data.

(c) The investigation includes a visit to the child's home; a physical, and psychological, or psychiatric evaluation of all children in the home; and an interview with the subject child. If the admission to the home, school, or any other place that the child may be, or permission of the parent or other persons responsible for the children for the physical and psychological, or psychiatric evaluation cannot be obtained, then the court, upon cause shown, orders the parents and persons responsible and in charge of any place where the child may be to allow entrance for the interview, above evaluations and investigations.

(d) If, before the evaluation is complete, the opinion of the investigators is that immediate removal is necessary to protect children from further abuse or neglect, the court, on petition by the investigators and with good cause shown,

shall issue an order for temporary removal and custody.

(e) The department agency shall make a written report or case summary, together with services offered and accepted, to the central registry on forms supplied by the registry.

Sec 7. 45.2015 is amended to read:

"45.2015 Child abuse and child neglect diversion program.

(a) The attorney general upon recommendation of the department agency may refer a person accused or suspected of child abuse or neglect to a nonjudicial source of treatment or assistance upon conditions set forth by the department agency and the attorney general. If a person is so diverted from the criminal justice system, the attorney general shall not file charges in connection with the case if the person participates to the satisfaction of the department agency and the attorney general in the diversion program offered.

(b) The initial diversion shall be for a period not to exceed 2 years. This diversion period may be extended for 1 additional 1-year period by the attorney general if necessary. Decisions regarding extending diversion time periods shall be made following review of the person diverted by the attorney general and the department agency.

(c) If the person diverted successfully completes the diversion program to the satisfaction of the department agency and the attorney general, he is released from the terms and conditions of the program.

(d) Participation by a person accused or suspected of child abuse in any diversion program is voluntary."

Sec 8. 45.2017 is amended to read:

"45.2017 Court proceedings--Guardian ad litem.

(a) The ~~department of law enforcement agency~~ receiving a report under 45.2002 or 45.2003, in addition to taking immediate steps under paragraph (a)(2) of 45.0201 and 45.2005 as may be required to protect a child, shall inform the court within 72 hours that the child appears to be within the court's jurisdiction. Upon receipt of the information, the court makes an immediate investigation to determine whether protection of the child from further abuse is required and upon that determination may authorize the filing of a petition, as provided for in 45.0302.

(b) In any proceeding initiated under this section, the court shall name as respondents all persons alleged by the petition to have caused or permitted the abuse or neglect alleged in the petition. In each case, the responsible person is named as respondent. Summons is issued for all named respondents in accordance with 45.0311 to 45.0318.

(c) The court in each case filed under this section appoints a guardian ad litem in accordance with 45.0326. The guardian ad litem is given access to all reports relevant to the case made to or by any public agency or person under this chapter and 45.0304 and to reports of any examination of the responsible person made under this section. The guardian ad litem is charged in general with the representation of the

child's interests. To that end he makes further investigation he considers necessary to ascertain the facts, interview witnesses, and examine and cross-examine witnesses in both the adjudicatory and dispositional hearings and may introduce and examine his own witnesses, make recommendations to the court concerning the child's welfare, and participate further in the proceedings to the degree necessary to adequately represent the child.

(d) If the prayer of the petition is granted, the costs of this proceeding, including guardian ad litem and expert witness fees, may be charged by the court against the respondent. If the prayer of the petition is not granted, the costs may be charged against the Territory of American Samoa."

Sec 9. 45.2020 is amended to read:

"45.2020 Central registry--Establishment.

There is established within the ~~department~~ agency a central registry for child abuse, sexual abuse, or neglect under this chapter."

Sec 10. 45.2023 is amended to read:

"45.2023 Central registry--Availability of information.

Reports made under this chapter as well as any other information obtained, and reports written or photographs taken concerning those reports in the possession of the department and agency are confidential and are made available only to:

(1) attorney general at all times;

~~(1)~~(2) a physician who has before him a child whom he reasonably believes may have been abused, sexually abused, or neglected;


~~(2)~~(3) a person authorized to place a child in protective custody when that person has before him a child whom he reasonably believes may have been abused, sexually abused, or neglected and that person requires the information to determine whether to place the child in protective custody;


~~(3)~~(4) a another duly authorized agency having responsibility for the care or supervision of the subject or a report;

~~(4)~~(5) any person who is the subject of a report;

~~(5)~~(6) a court where it determines that information is necessary for the determination of an issue before the court; or

~~(6)~~(7) any person engaged in bona fide research after a showing that such information is essential to the research and after first obtaining written permission from both the director of health and the child through its representative."


LETULI TO'LOA
President of the Senate


TUANA'ITAU F. TUIA
Speaker of the House

NOFOAIGA LUASEFULU FONOFAITULAFONO O AMERIKA SAMOA

Fono Tele Lona Fa

Nofoaia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulutasi o Iulai
tasi le afe iva selau valusefulu valu

O SE TULAFONO E SUIA TULAFONO PUIPUIGA O TAMAITI E SUIA AI
LE FA'AMATALAGA O SE TAGATA FA'ATUATUAINA E AOFIA AI SE
TAGATA TAUSI TAMA, MA FAIA ISI LAVA SUIGA E TELE INA IA TALA-
FEAGAI MA POLOAIGA A LE MALO TELE; SUIA MAGA 45.2001, 45.2002,
45.2003, 45.2005, 45.2010, 45.2011, 45.2015, 45.2017, 45.2020
MA LE 45.2023 TFAS.

IA FA'ATULAFONOINA E LE FONOFAITULAFONO O AMERIKA SAMOA:

Maga 1. 45.2001 ua suia e faitauina:

"45.2001 Fa'amatalaga.

E pei ona fa'aaogaina i lenei mataupu vagana ua iai se
isi suiga mana'omia:

(a) (1) "Fa'ataumaoui" po'o "fa'ataumaoui tamaitiiti po'o le
tu'u lafoa'iina" o lona uiga o se amio pe le amanaia i le
tasi o tulaga ua fa'aalia i lalo e lamatia tele ai le soifua
po'o le manuia o se tamaitiiti:

(A) afai ua vaia i se tamaiti ni tulaga ogo'oa leaga,
toto, le fafagaina, le mafai ona gaoioi, manu'a o le mafaufau,
mu, gau se ivi, totoulia, fula, pe oti, ma o le tulaga po'o
le oti ua le mafai ona manino mai, pe o le tala ua maua e
tusa o le tulaga o le oti ua eseese ma le tulaga po'o le la'a-
saga o lea tulaga po'o le oti, ma ua aliali mai le tulaga
po'o le oti e le mafua mai se fa'alavelave fa'afuase'i;

(E) afai ua a'afia se tamaitiiti i solitulafono fai mea
sesē o lo'o i totonu o le 46.3601 e o'o i le 46.3802, pe ua
fa'ataga pe u'una'i e matua o le tamaitiiti, tagata tausia i
le tulafono, matua tausii, pe so'o se isi lava tagata ua iai
le fatuaiga o le soifua ma le manuia o le tamaitiiti, e faia
le talitane pe faia tulaga o le pu'eina o ata mataga telenoa,
ata tifaga pe tula'i pei se fa'atusa;

(I) so'o se tulaga e a'afia ai matua o le tamaitiiti,
tagata tausii i le tulafono, tagata tausii po'o se isi lava
tagata o iai le fatuaiga mo le soifua ma le manuia o le tama-
itiiti ua le faia se la'asaga e saunia lelei ai mea'ai, lava-
lava, fale, tausiga i le falema'i, po'o le va'avaaiga e pei
lava o le tausiga lelei a matua.

(2) I tulaga uma, o tagata o lo'o su'esu'eina ripoti o
le fa'ataumaoui tamaitiiti ia amanaia ituaiga tausii tamaiti

masani a le atunu'u. E leai se mea i le soaparakalafa (a) (1) (E) e fa'asino i galuega e taua o faiga lelei a matua e a'oa'i e pei ona fa'amatalaina i le soamaga (20) o le 45.0103.

(e) "Ofisa" o lona uiga o le ofisa puipuiga o tamaiti o le matagaluega tagata faigaluega.

{e} (i) "Matagaluega" o lona uiga o le matagaluega o le soifua saogalemu lautele.

{i} (o) "Tu'ulafoa'i" o lona uiga o galuega o taua e aofia ai le fa'amatalaga o le "fa'ataumaoui tamaitiiti po'o le tu'ulafoa'i" e pei ona fa'amatala i le soamaga (a) i luga.

{e} (u) "Ofisa talia" o lona uiga o le matagaluega o le soifua po'o le ofisa o le saogalemu lautele e taunu'u muamua iai se ripoti o le tu'ua'iina fa'ataumaoui tamaitiiti.

{u} {f} "Tagata fa'atuatuaina" o lona uiga o matua o le tamaitiiti, tagata tausii fa'aletulafono, tagata tausii, so'o se tagata faigaluega a se fale o tausiga, so'o se tagata o le 'aufaigaluega e ese i le tausiga a le aiga po'o lalo o se isi lava tulaga e tausii ai tamaiti, pe so'o se isi lava tagata e iai le fatuaiga mo le soifua ma le saogalemu o le tamaitiiti.

{f} (g) "Ripoti le fa'amaonia" o lona uiga so'o se ripoti e faia i lalo o lenei mataupu e le sapaapaia i ni mau fa'amaonia tatau."

Maga 2. 45.2002 ua suia e faitauina:

"45.2002 Ripoti fa'atonuina o fa'ataumaoui po'o le tu'ulafoa'i.

(a) So'o se tagata ua fa'ailoa mai i le (e) i lalo ua iai se talitonuga lelei pe masalomia fa'apea ua fa'ataumaoui se tamaitiiti pe tu'ulafoa'i pe ua vaia se tamaitiiti ua feagai ma tulaga fa'apea ia vave ripoti pe fa'atonu e faia se ripoti i le matagaluega-e-le-soifua ofisa, o i latou e logo vave i le matagaluega-saogalemu-lautele matagaluega.

(e) Tagata e mana'omia e ripoti se fa'ataumaoui po'o le tu'ulafoa'i po'omea tutupu po'o tulaga fa'apea e aofia ai so'o se:

(1) foma'i po'o se foma'i tipitipi, e aofia ai se foma'i o lo'o fa'aa'oa'o;

(2) tagata faigaluega fesoasoani o le soifua;

(3) tagata su'esu'e ma'i po'o le foma'i su'esu'e ma'i;

(4) foma'i nifo;

(5) foma'i fofō;

(6) foma'i mata;

(7) foma'i ivi;

(8) foma'i vae ma lima;

(9) teine foma'i fa'amauina po'o teine foma'i
laisene;

(10) tagata galue i le falema'i e faia pepa taofia,
tausiga, po'o le togafitiga po'o tagata mama'i;

(11) tagata saienisi lotu fa'amalolō ma'i;

(12) ofisa o le a'oga po'o tagata faigaluega;

(13) tagata galue mo le lautele pe galue i le tausiga
i aiga po'o se fale e tausii ai tamaiti; ma

(14) tagata faigaluega maoa'e o le mafaufau.

(i) E fa'aopoopo i ia tagata e mana'omia fa'apitoa e
lenei maga e ripotia tulaga ua iloa le fa'ataumaoui po'o le
tu'ulafoa'i i mea tutupu ma tulaga, so'o se isi lava tagata
ua pulunaunau ma fa'ataga e ripotia ni mea ua iloa o le
fa'ataumaoui po'o le tu'ulafoa'i i se-efisa-leelee le mata-
galuega po'o le matagaluega-e-le-seifua ofisa.

(o) So'o se tagata e solia loto iai aiaiga o le soamaga
(a):

(1) ua faia se solitulafono mamā Vasega A; ma

(2) ua ia te ia le tu'ua'iina o mea ua leaga.

(u) Afai ua manatu le ofisa ua iai ni molimau o fa'a-
taumaoui tamaititi, e tatau ona fa'aalia i le matagaluega."

Maga 3. 45.2003 ua suia e faitauina:

"45.2003 Ripoti fa'atonuina i foma'i--Su'esu'ega o le tino.

So'o se tagata e mana'omia e le 45.2002 e ripotia mea ua
iloa pe masalomia fa'ataumaoui po'o le tu'ulafoa'i ma so'o
se tasi ua iai se masalosologa tatau fa'apea ua oti le
tamaitiiti ona o le fa'atamala ia ripoti vave lenā mea i
leelee le matagaluega. O le efisa-e-leelee matagaluega e
talia le ripoti mo su'esu'ega ma fa'ailoa ana su'esu'ega i
le Loia Sili ma le matagaluega-e-le-seifua ofisa."

Maga 4. 45.2005 ua suia e faitauina:

"45.2005 Tausiga puipuia.

O se leoleo po'o se ofisa leoleo o le matagaluega-e-le-
seifua ofisa e mafai ona avea le tamaitiiti na te tausia e
aunoa ma se maliliega o matua po'o le tagata e tausia, pe
mana'omia pe leai se togafitiga tau falema'i pe afai o se
mea ua tupu po'o le tulaga o le tamaitiiti ua afaina pe afai
e nofo i lena nofoaga i le tausiga a matua, tagata e tausia
po'o isi tagata e tausia o ia o le a tupu ai se afaina i lona
ola ma le saogalemu; pe afai, o le tausiga ia le silia le
96 itula ma o le fa'amasinoga ma le matagaluega ofisa ua logo
vave ina ia vave ona tausii puipuia. O le matagaluega ofisa
le maliliega taualoa mo le togafitiga o le tino, nifo, ola ma
le falema'i mo so'o se tamaitiiti fa'ataumaoui."

Maga 5. 45.2010 ua suia e faitauina:

"45.2010 Tualumaga o ripoti.

(a) O ripoti ua iloa pe masalomia o fa'ataumaoui po'o le tu'ulafoa'i ua faia i lalo o lenei mataupu e faia vave i le matagaluega pe'e-le-efisa-e-leelee i se ripoti tusitusia e saunia e tagata ona faia ia ripoti pe a talosaga e le ofisa e taunu'u iai. O le ofisa e taunu'u iai e auina le ripoti i le resitala tutotonu i pepa ua saunia e le resitala. Afai so'o se taimi lava e iai se ripoti o se masalomia o fa'ataumaoui tamaiti po'o le tu'ulafoa'i ua faia i le ofisa, e tatau ona logoina le matagaluega. Afai o se ripoti o se masalomia o le fa'ataumaoui tamaitiiti po'o le tu'ulafoa'i ua faia i le matagaluega, e tatau ona logo le ofisa.

(e) O ripoti, pe a mafai, ia aofia tala ua fa'aalia i lalo:

(1) igoa, tuatusi, tausaga, ituaiga, lotu ma le lanu o le tamaitiiti;

(2) igoa ma le tuatusi o le tagata e tausia;

(3) uiga ma le tele o le manu'a o le tamaitiiti; e aofia ai molimau o mea sa tutupu muamua sa iloa pe masalomia o le fa'ataumaoui po'o le tu'ulafoa'i o le tamaitiiti po'o le pepe;

(4) igoa ma tuatusi o tagata sa faia le fa'ataumaoui po'o le tu'ulafoa'i, pe afai e iloa;

(5) tulaga o le aiga;

(6) igoa, tuatusi, galuega a le tagata o lo'o faia le ripoti;

(7) so'o se la'asaga sa faia e le tagata sa faia le ripoti; ma

(8) so'o se isi lava fa'amatalaga a le tagata o lo'o faia le ripoti e aoga i le fa'amalamalamaina o lenei mataupu.

(i) O se kopi o le ripoti o le tagata ua iloa pe masalomia se fa'ataumaoui po'o le tu'ulafoa'i e auina vave i le ofisa e ave iai i le ofisa o le Loia Sili ma le efisa-e-leelee matagaluega.

(o) O se ripoti tusitusia mai tagata po'o ofisa e mana'omia e lenei mataupu e ripotia mea ua iloa o le fa'ataumaoui tamaitiiti po'o le tu'ulafoa'i e talia e avea ma mau i so'o se iloiloga e tusa o le fa'ataumaoui tamaitiiti."

Maga 6. 45.2011 ua suia e faitauina"

"45.2011 Tiute o le matagaluega ofisa pe a maua le ripoti.

(a) O le matagaluega ofisa e faia su'esu'ega mae'a vave pe a maua le ripoti tautala pe tusitusia. O le ulua'i mafuaaga o le su'esu'ega o le puipuiga lea o le tamaitiiti.

(e) O le su'esu'ega ia aofia ai le uiga, tele ma le mafuaaga o le fa'ataumaoui, fai mea leaga, po'o le tu'ulafoa'i; tala o le tagata sa faia; igoa ma tulaga o isi tamaiti i le aiga; tala o matua po'o tagata o lo'o tausia i latou; ma isi lava tala aoga e tatau iai.

(i) O le su'esu'ega e aofia ai se asiasiga o le aiga o le tamaitiiti; se iloiloga o le tino, saikolosi, po'o mafau-fau o tamaiti uma i le aiga, ma se talanoaga ma le tamaitiiti o lo'o tupu ai le faigata. Afai e le talia i se aiga, a'oga, po'o se isi lava nofoaga e ave iai le tamaitiiti, po'o se fa'atagaga a matua po'o isi tagata e tausia tamaiti mo le tino, saikolosi, po'o le mafaufau e le mafai ona maua, o le fa'amasinoga, i se ala ua fa'aalia, e fa'atonu matua ma isi tagata o lo'o tausia so'o se nofoaga e iai le tamaitiiti e taga ona ulufale mo talanoaga, su'esu'ega ma iloiloga ua faia i luga.

(o) Afai, a'o le'i mae'a iloiloga, i le manatu o le tagata su'esu'e e tatau ona vave aveese le tamaitiiti mo lona puipuiga mai le fa'ataumaoui po'o le tu'ulafoa'i, o le talosaga i le fa'amasinoga a tagata su'esu'e i se mafuaaga tatau ua fa'aalia e tu'uina atu se fa'atonuga le tumau e aveese ma le tausiga.

(u) O le matagaluega ofisa ia faia se ripoti tusia po'o se oototoga o le ripoti, fa'atasi ma galuega sa tu'uina atu ma talia, i le resitala tutotonu i pepa ua saunia e le resitala.

Maga 7. 45.2015 ua suia e faitauina:

"45.2015 Polokalama tu'ufa'atasi fa'ataumaoui tamaitiiti ma le tu'ulafoa'i tamaitiiti.

(a) O le Loia Sili, mai fautuaga a le matagaluega ofisa e fa'asinoina se tagata ua tu'ua'iina pe masalomia i le fa'ataumaoui po'o le tu'ulafoa'i i se nofoaga e leai se fa'amasinoga mo le togafitia po'o le fesoasoani mai tulaga ua faia e le matagaluega ofisa fa'atasi ma le moliga a le ofisa o puipuiga o tamaiti e fa'asinoina se tagata ua tu'uaia pe masalomia i le fa'ataumaoui po'o le tu'ulafoa'i i se mea e leai se fa'amasinoga mo le togafitia po'o le fesoasoani mai tulaga ua faia e le matagaluega ofisa ma le Loia Sili. Afai o se tagata ua aveesea mai tulaga solitulafono, e le faia e le Loia Sili se tagi e tusa o le faigata ua iai pe afai o lea tagata sa auai i le malie o le matagaluega ofisa ma le Loia Sili i le tele o polokalama ua faia.

(e) O le ulua'i feso'otaiga e faia mo taimi e le silia le 2 tausaga. O lenei taimi e mafai ona fa'aopoopo i le tausaga e 1 e le Loia Sili pe a mana'omia. O iuga e fa'aopoopo o le taimi ia faia pe a uma le talanoaga o le tagata e le Loia Sili ma le matagaluega ofisa.

(i) Afai o le tagata sa aveesea ua mae'a lelei le polokalama i le malie o le matagaluega ofisa ma le Loia Sili, e fa'asa'oloto o ia mai aso ma tulaga o le polokalama.

(o) O le 'auai o se tagata ua tu'ua'iina pe masalomia i le fa'ataumaoui tamaitiiti i so'o se polokalama tu'ueseina e faia lava i le malie."

Maga 8. 45.2017 ua suia e faitauina:

"45.2017 Tualumaga fa'amasinoga--Tagata tausia i lea taimi.

(a) O le matagaluega ofisa po'o le leoleo e maua se ripoti i lalo o le 45.2002 po'o le 45.2003 e fa'aopoopo i le faia vave o la'asaga i lalo o parakalafa (a) (2) o le 45.0201 ma le 45.2005 ma e mana'omia e puipuia se tamaitiiti, ia logoina le fa'amasinoga i le 72 itula e tula'i ai le tamaitiiti i le pulega a le fa'amasinoga. Pe a maua le tala, ia faia vave e le fa'amasinoga le su'esu'ega e iloa ai pe tatau ona puipuia le tamaitiiti mai se isi fa'ataumaoui e mana'omia mai lena fuafuaga e fa'ataga ona failaina se talosaga, e pei ona saunia i le 45.0302.

(e) I so'o se fa'amasinoga e amataina i lalo o lenei maga, e fa'aailoa e le fa'amasinoga igoa o tagata tusi valaau ua taua i le talosaga sa tupu ai pe mafua ai fa'ataumaoui po'o le tu'ulafoa'i i le talosaga. Ia meata'itasi, o le tagata ua fa'aailoa mai o le tagata lena e tali atu. O tusi tagi e auina atu mo i latou uma ua fa'aigoa e tali atu e tusa ma le 45.0311 e o'o i le 45.0318.

(i) E tofia e le fa'amasinoga i tagi ta'itasi ua failaina i lalo o lenei maga se tagata e tausia i lea taimi e tusa ma le 45.0326. O le tagata e tausia i lea taimi e tu'u iai le avanoa i ripoti uma e tatau ma le tagi ua faia i so'o se ofisa lautele po'o se tagata i lalo o lenei mataupu ma le 45.0304 ma ripoti i so'o se suega o le tagata sa mafua ai ua faia i lalo o lenei maga. O le tagata e tausia i lea taimi ua tu'u iai le suiga lautele o le manaoga o le tamaitiiti. O le mafuaaga lena e faia ai e ia su'esu'ega atili e iloa e ia ua tatau e iloilo ai mau, su'esu'e ma toe fesili molimau i le fa'amasinoga ma le iloga o le iloilogaga ma e mafai ona fa'aulu ma su'esu'e ana lava molimau, faia fautuaga i le fa'amasinoga e uiga o le manuia o le tamaitiiti ma fa'atali atili i tualumaga i le tulaga e tatau e avea ma sui o le tamaitiiti.

(o) Afai e talia le talosaga, o le tau o lenei iloilogaga e aofia ai le tagata e tausia i lea taimi ma totogi o molimau fa'apitoa, e mafai ona pili e le fa'amasinoga i le tagata molia. Afai o le talosaga ua teena, e totogi le tupe e le teritori o Amerika Samoa."

Maga 9. 45.2020 ua suia e faitauina:

"45.2020 Fa'atuina o le resitala tutotonu.

(a) Ua fa'atuina i totonu o le matagaluega ofisa se resitala tutotonu mo le fa'ataumaoui tamaitiiti, fa'ataumaoui fai mea sa, po'o le tu'ulafoa'iina i lalo o lenei mataupu."

Maga 10. 45.2023 ua suia e faitauina:

"45.2023 Resitala tutotonu--Fa'aavanoaina o fa'amatalaga.

O ripoti ua faia i lalo o lenei mataupu e fa'apea fo'i isi lava fa'amatalaga e maua mai, ma ripoti tusitusia po'o

ata ua pu'eina e uiga i ia ripoti ua umia e le matagaluega
matagaluega ma ofisa e avea ma mealilo ma e avanoa na'o
i:

(1) o le Loia Sili i taimi uma lava;

~~(1)~~ (2) se foma'i ua ia te ia se tamaitiiti ua talitonu
lelei iai ua fa'ataumaoui, fa'ataumaoui fai mea sā, pe tu'u-
lafoa'iina;

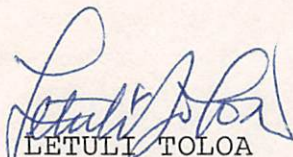
~~(2)~~ (3) se tagata ua fa'ataga e tu'u se tamaitiiti i le
tausiga puipuia pe afai ua tu'uina i lenā tagata se tamaiti-
iti ua ia talitonu ua fa'ataumaoui, pe ua tu'ulafoa'iina ma
e mana'omia e lenā tagata ni tala e iloa ai pe tu'uina atu
le tamaitiiti i le tausiga puipuia;

~~(3)~~ (4) se isi ofisa fa'atagaina e tausia ma va'avaaia pe
tausī vaaiā se tamaitiiti po'o se ripoti;

~~(4)~~ (5) so'o se tagata o lo'o i totonu o le ripoti;

~~(5)~~ (6) se fa'amasinoga e iloa ai le mana'omia o tala mo
le fuafuaga o le mataupu o lo'o tautalagia e le fa'amasinoga;
pe

~~(6)~~ (7) so'o se tagata o lo'o faia su'esu'ega tatau pe a
fa'aalia e aoga ia su'esu'ega pe a maua mai muamua se fa'a-
tagaga mai le fa'atonu o le soifua mo le tamaitiiti i
tagata o lo'o avea ma ona sui."



LETULI TOLOA
Peresetene, Maota Maualuga



TUANA'ITAU F. TUIĀ
Fofoga Fetalai, Maota o Sui

Hereby Approved this 29th day of September, 19 88


Governor of American Samoa