

THE THIRTIETH LEGISLATURE OF AMERICAN SAMOA

Third Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa
on Monday, the fourteenth day of January
two thousand and eight

AN ACT MODERNIZING THE NOTARY PUBLIC OFFICE BY ESTABLISHING RULES, PROCEDURES, GUIDING PRINCIPLES, DEFINING DUTIES AND RESPONSIBILITIES, AND PROVIDING FOR SANCTIONS FOR NOTARIES PUBLIC OF THE TERRITORY OF AMERICAN SAMOA, AND TO ASSURE THE INTEGRITY OF DOCUMENTS ESSENTIAL TO COMMERCIAL AND LEGAL TRANSACTIONS; AMENDING SECTION 4.0604 A.S.C.A.; AND CREATING A NEW CHAPTER 03 UNDER TITLE 31 A.S.C.A.

Preamble:

WHEREAS, the Notary shall, as a government officer and public servant, serve all of the public in an honest, fair and unbiased manner; and

WHEREAS, the Notary shall act as an impartial witness and not profit or gain from any document or transaction requiring a notarial act, apart from the fee allowed by statute; and

WHEREAS, the Notary shall require the presence of each signer and oath-taker in order to carefully screen each for identity and willingness, and to observe that each appears aware of the significance of the transaction requiring a notarial act; and

WHEREAS, the Notary shall not execute a false or incomplete certificate, nor be involved with any document or transaction that is false, deceptive or fraudulent; and

WHEREAS, the Notary shall give precedence to the rules of law over the dictates or expectations of any person or entity; and

WHEREAS, the Notary shall act as a ministerial officer and not provide unauthorized advice or services; and

WHEREAS, the Notary shall affix a seal on every notarized document and not allow this universally recognized symbol of office to be used by another or in an endorsement or promotion; and

WHEREAS, the Notary shall record every notarial act in a bound journal or other secure recording device and safeguard it as an important public record; and

WHEREAS, the Notary shall respect the privacy of each signer and not divulge or use personal or proprietary information disclosed during execution of a notarial act for other than an official purpose; and

WHEREAS, the Notary shall seek instructions on notarization, and keep current on the laws, practices and requirements of the notarial office.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 4.0604 is amended to read:

“4.0604 Jurisdiction of the Administrative Law Judge.

The Office of the Administrative Law Judge shall have jurisdiction to conduct hearings and issue decisions, with regards to the following matters:

(a) claims for workmen’s compensation in accordance with the procedures set forth in sections 32.0635 to and including 32.0646. All other authorities of the Workmen’s Compensation Commission under Chapter 06 of Title 32 A.S.C.A., shall remain with the commission.

(b) Controversies, grievances and administrative appeals by government employees on matters pertaining to employment, including matters pertaining to hiring, termination, suspension and discipline. The responsibilities formerly held by the Personnel Advisory Board pursuant to section 7.0102, with regards to the said matters are now transferred to the Office of Administrative Law Judge. All other functions of the Personnel Advisory Board not otherwise affected herein shall remain with the board.

(c) Appeals from the decision of the Immigration Board in all matters except decisions with respect to deportation of aliens as provided in section 41.0208 - 41.0212. Appeal of deportation decisions of the board shall be made to the Appellate Division of the High Court as provided by law. All other decisions of the board may be appealed to the Administrative Law Judge.

(d) All disputes and controversies pertaining to claims for unpaid or improperly paid wages and hours pursuant to Chapter 03 of Title 32

A.S.C.A., except in matters relating to the rulemaking authority of the wage and hour board.

(e) All appeals filed by applicants and notaries public pursuant to the Notary Act of 2007, Title 31, Chapter 03, sections 31.0309(e) and 31.0358(c) A.S.C.A.

(e) (f) To take appeals of procurement officer's final decision in a procurement bidding dispute as described in section 10.0282 A.S.C.A. The Governor's authority to appoint a three member board to hear disputes of matters pertaining to procurement disputes is hereby repealed.

(f) (g) Any other contested case, grievance or controversy that agencies, offices and departments of the government may be referred to the Office of the Administrative Law Judge for disposition providing that the Office of Administrative Law Judge has jurisdiction over such matter.

(g) (h) All appeals from administrative rulings or decisions of any administrative agency, except those matters specifically exempted herein or by statute, of a department, office, agency, commission, board or committee of the Executive branch or the American Samoa Government, shall first be made to the Office of the Administrative Law Judge. Decisions of the Administrative may be appealed to the Appellate Division of the High Court of American Samoa.

(h) (i) In cases involving the administrative suspension of drivers licenses pursuant to Title 22, Chapter 06 of this Code, the Administrative Law Judge shall have jurisdiction to hold hearings and issue decisions regarding the suspension of drivers licenses for refusal to submit to testing pursuant to A.S.C.A., 22.0601 et. seq."

Sec 2. There is created a new Chapter 03 under Title 31 A.S.C.A. which reads:

**"Chapter 03
NOTARY PUBLIC**

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Part I: General Provisions and Definitions

- 31.0301 Short Title.

This Act may be cited as the Notary Act of 2007.

- 31.0302 Purposes.

This Act shall be construed and applied to advance its underlying purposes, which are:

- (1) to promote, serve, and protect the public interest;
- (2) to simplify, clarify, and modernize the law governing notaries;
- (3) to foster ethical conduct among notaries;
- (4) to enhance cross-border recognition of notarial acts;
- (5) to integrate procedures for traditional notarial acts; and
- (6) to unify Territorial and state notarial laws.

- 31.0303 Interpretation.

In this Act, unless the context otherwise requires, words in the singular include the plural, and words in the plural include the singular.

31.0304 Prospective effect.

The existing seal, length of commission term, and liability of current notaries commissioned before this Act's effective date may not be invalidated, modified, or terminated by this Act, but those notaries shall comply with this Act in performing notarizations and in applying for new commissions.

31.0305 Severability clause.

If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

31.0306 Effective date.

This Act shall take effect 180 days from the day it is signed by the Governor.

31.0307 Definitions.

For purposes of this title:

(a) "Acknowledgment" means a notarial act in which an individual at a single time and place:

(1) appears in person before the notary and presents a document;

(2) is personally known to the notary or identified by the notary through satisfactory evidence; and

(3) indicates to the notary that the signature on the document was voluntarily affixed by the individual for purposes stated within the document and, if applicable, that the individual had due authority to sign in a particular representative capacity.

(b) "Affirmation" means a notarial act, or part thereof, which is legally equivalent to an oath and in which an individual at a single time and place:

(1) appears in person before the notary;

(2) is personally known to the notary or identified by the notary through satisfactory evidence; and

(3) makes a vow of truthfulness or fidelity on penalty of perjury, based on personal honor and without invoking a deity or using any form of the word "swear."

(c) "Commission" means both to empower to perform notarial acts and the written evidence of authority to perform those acts.

(d) "Copy certification" means a notarial act in which a notary:

(1) is presented with a document that is neither a vital record, a public record, nor publicly recordable;

(2) copies or supervises the copying of the document using a photographic or electronic copying process;

(3) compares the document to the copy; and

(4) determines that the copy is accurate and complete.

(e) "Credible witness" an honest, reliable, and impartial person who personally knows an individual appearing before a notary and takes an oath or affirmation from the notary to vouch for that individual's identity.

(f) "Journal of notarial acts" and "journal" mean a device for creating and preserving a chronological record of notarizations performed by a notary.

(g) "Jurat" means a notarial act in which an individual at a single time and place:

(1) appears in person before the notary and presents a document;

(2) is personally known to the notary or identified by the notary through satisfactory evidence;

(3) signs the document in the presence of the notary; and

(4) takes an oath or affirmation from the notary vouching for the truthfulness or accuracy of the signed document.

(h) "Notarial act" and "notarization" mean any act that a notary is empowered to perform under this Act.

(i) "Notarial certificate" and "certificate" mean the part of, or attachment to, a notarized document that is completed by the notary, bears the notary's signature and seal, and states the facts attested by the notary in a particular notarization.

(j) "Notary public" and "notary" mean any person commissioned to perform official acts under this Act.

(k) "Oath" means a notarial act, or part thereof, which is legally equivalent to an affirmation and in which an individual at a single time and place:

(1) appears in person before the notary;

(2) is personally known to the notary or identified by the notary through satisfactory evidence; and

(3) makes a vow of truthfulness or fidelity on penalty of perjury while invoking a deity or using any form of the word "swear."

(l) "Official misconduct" means:

(1) a notary's performance of any act prohibited, or failure to perform any act mandated, by this Act or by any other law in connection with a notarial act by the notary; or

(2) a notary's performance of an official act in a manner found by the Secretary of American Samoa to be negligent or against the public interest.

(m) "Appears in person before the notary" means that the principal and the notary are physically close enough to see, hear, communicate with, and give identification documents to each other.

(n) "Personal knowledge of identity" and "personally knows" mean familiarity with an individual resulting from interactions with that individual over a period of time sufficient to dispel any reasonable uncertainty that the individual has the identity claimed.

(o) "Principal" means:

(1) a person whose signature is notarized; or

(2) a person, other than a credible witness, taking an oath or affirmation from the notary.

(p) "Regular place of work or business" means a stationary office or workplace where one spends all or some of one's working or business hours.

(q) "Satisfactory evidence of identity" means identification of an individual based on:

(1) at least one current document issued by a federal, state, territorial, or tribal government agency bearing the photographic image of the individual's face and signature and a physical description of the individual, though a properly stamped passport without a physical description is acceptable; or

(2) the oath or affirmation of one credible witness unaffected by the document or transaction who is personally known to the notary and who personally knows the individual, or of 2 credible witnesses unaffected by the document or transaction who each personally knows the individual and shows to the notary documentary identification as described in subparagraph (a) of this subsection.

(r) "Seal" means a device for affixing on a paper document an image containing a notary's name, jurisdiction, commission expiration date, and other information related to the notary's commission.

(s) "Secretary" means the Secretary of American Samoa.

(t) "Signature witnessing" means a notarial act in which an individual at a single time and place:

(1) appears in person before the notary and presents a document;

(2) is personally known to the notary or identified by the notary through satisfactory evidence; and

(3) signs the document in the presence of the notary.

(u) "United States National" means anyone born in the Territory of American Samoa, or a citizen of the United States, and owes permanent allegiance to the United States.

(v) "Verification of fact" means a notarial act in which a notary reviews public or vital records to ascertain or confirm any of the following facts regarding a person:

(1) date of birth or death;

(2) name of parent, offspring, or sibling;

(3) date of marriage or divorce; or

(4) name of marital partner.

31.0308 Authority to adopt rules.

The Secretary shall adopt administrative rules pursuant to A.S.C.A. 4.1001 et seq. to implement the provisions of this title.

Part II: Notary Public

31.0309 Qualifications.

(a) Except as provided in subsection (c), the Secretary shall issue a notary commission to any qualified person who submits an application in accordance with this article.

(b) A person qualified for a notary commission shall:

- (1) be at least 18 years of age;
- (2) have a regular place of work or business in the Territory of American Samoa; as defined in section 31.0307(p);
- (3) reside legally in the Territory of American Samoa;
- (4) read and write English;
- (5) pass a course of instruction requiring a written examination under section 31.0316; and

(6) submit fingerprints to allow a criminal background check.

(c) The Secretary may deny an application based on:

(1) submission of an official application containing material misstatement or omission of fact;

(2) revocation, suspension, restriction, or denial of a notarial commission or professional license by this or any other state or territory or nation, but in no case may a commission be issued to the applicant within 5 years after such disciplinary action; or

(3) an official finding that the applicant had engaged in official misconduct as defined in section 31.0307(l), whether or not disciplinary action resulted.

(d) The Secretary shall deny an application based on:

(1) the applicant's conviction or plea of admission or nolo contendere for any felony;

(2) the applicant's conviction or plea of admission or nolo contendere for any misdemeanor involving dishonesty or moral turpitude;

(3) a finding or admission of liability against the applicant in a civil lawsuit based on the applicant's deceit;

(e) Denial of an application may be appealed by filing in proper form with the Office of the Administrative Law Judge within 30 days after denial, except that an applicant may not appeal when the Secretary within 5 years prior to the application has:

(1) denied or revoked for disciplinary reasons any previous application, commission, or license of the applicant; or

(2) made a finding under section 31.0358(d) that grounds for revocation of the applicant's commission existed.

31.0310 Jurisdiction and term.

A person commissioned as a notary may perform notarial acts within the Territory of American Samoa for a term of 2 years, unless the commission is earlier revoked under section 31.0358 or resigned under section 31.0353.

31.0311 Bond.

(a) A notary commission shall not be issued until a bond of \$500 has been deposited with the Office of the Secretary who shall hold it in a special trust account, separate from that account which is provided for in section 31.0318(b), with payment of said bond funds to any person conditioned upon the notary's misconduct as defined in section 31.0307(l).

(b) If a notary bond has been exhausted by claims paid out, the Secretary shall suspend the notary's commission until:

- (1) a new bond is obtained by the notary; and
- (2) the notary's fitness to serve the remainder of the commission term is determined by the Secretary.

31.0312 Commissioning documents.

Upon issuing a notary commission, the Secretary shall provide to the notary:

- (1) a commission document stating the commission serial number and starting and ending dates; and
- (2) a Certificate of Authorization to Purchase a Notary Seal stating the commission serial number.

31.0313 Recommissioning.

A current or former notary applying for a new notary commission shall submit a new completed application and comply anew with all of the provisions of sections 31.0309 to 31.0319.

31.0314 Application materials.

Every application for a notary commission shall be made on paper forms determined by the Secretary and include:

- (1) a statement of the applicant's personal qualifications, as described in Section 31.0315;
- (2) a certificate evidencing successful completion of a course of instruction, as described in section 31.0316;
- (3) a notarized declaration of the applicant, as described in section 31.0317;
- (4) a full set of fingerprints of the applicant;

- (5) such other information as the Secretary may deem appropriate;
and
(6) an application fee, as specified in section 31.0318.

31.0315 Statement of personal qualifications.

The application for a notary commission shall state or include, at least:

- (1) the applicant's date of birth;
- (2) the applicant's residence address and telephone number;
- (3) the applicant's business address and telephone number, the business mailing address, if different, and the name of the applicant's employer, if any;
- (4) a declaration that the applicant is a citizen or national of the United States or proof of the applicant's legal residency in the Territory of American Samoa;
- (5) a declaration that the applicant can read and write English;
- (6) all issuance, denials, revocations, suspensions, restrictions, and resignations of a notarial commission, professional license or public office involving the applicant in this or any other territory, state or nation;
- (7) all criminal convictions of the applicant, including any pleas of admission or nolo contendere, in this or any other territory or state or nation; and
- (8) all claims pending or disposed against a notary bond held by the applicant, and all civil findings or admissions of fault or liability regarding the applicant's activities as a notary, in this or any other territory, state or nation.

31.0316 Course and examination.

(a) Every applicant for a notary commission shall take, within the 3 months preceding the application, a course of instruction of at least 3 hours approved by the Secretary, and pass a written examination of this course.

(b) The content of the course and the basis for the written examination shall be notarial laws, procedures, and ethics.

31.0317 Notarized declaration.

Every applicant for a notary commission shall sign the following declaration in the presence of a notary of this Territory:

"Declaration of Applicant

I, _____ (name of applicant), solemnly swear or affirm under penalty of perjury that the personal information in this application is true, complete, and correct; that I understand the official duties and responsibilities of a notary public in the Territory of American Samoa, as

explained in the course of instruction I have taken; and that I will perform, to the best of my ability, all notarial acts in accordance with the law.

_____(signature of applicant)
(notarial certificate as specified in section 31.0343)”

31.0318 Application fee—Funds to be utilized by the Secretary.

(a) Every applicant for a notary commission shall pay to the American Samoa Government a non-refundable application fee of \$100.00.

(b) All funds collected from application fees, vendor permit fees as provided for in section 31.0341, and such other fees as the Secretary may promulgate by rules when necessary, but not including those fees allowable under section 31.0330, shall be placed in a special account to be utilized by the Secretary for purposes related to the training, testing and commissioning of notaries public, as provided for in this chapter. All funds not expended at the end of each financial year shall be deposited in the Government’s general fund and subject to further appropriation by the Legislature.

(c) The Secretary shall keep a detailed accounting record regarding the use of such funds and shall submit a report to the Treasurer of American Samoa at the end of each financial year.

31.0319 Confidentiality.

Information required by section 31.0315(7) shall be used by the Secretary and designated government employees only for the purpose of performing official duties under this Act and shall not be disclosed to any person other than a government agent acting in an official capacity and duly authorized to obtain such information, a person authorized by court order, or to the applicant or such individual’s duly authorized agent.

31.0320 Powers and prohibitions.

(a) A notary who is a United States National is empowered to perform the following notarial acts:

- (1) acknowledgments;
- (2) oaths and affirmations;
- (3) jurats;
- (4) signature witnessings;
- (5) copy certifications.

(b) A notary who is not a United States National is empowered only to perform the following notarial acts:

- (1) acknowledgments;
- (2) signature witnessing; and
- (3) copy certifications.

(c) A notary shall not perform a notarial act if the principal:

(1) is not in the notary's presence at the time of notarization;
(2) is not personally known to the notary or identified by the notary through satisfactory evidence;
(3) shows a demeanor which causes the notary to have a compelling doubt about whether the principal knows the consequences of the transaction requiring a notarial act; or

(4) in the notary's judgment, is not acting of his or her own free will.

(d) A notary may certify the affixation of a signature by mark on a document presented for notarization if:

(1) the mark is affixed in the presence of the notary and of 2 witnesses unaffected by the document;

(2) both witnesses sign their own names beside the mark;

(3) the notary writes below the mark: "Mark affixed by (name of signer of mark) in presence of (names and addresses of witnesses) and undersigned notary under section 31.0320(d) of the Notarial Act of 2007"; and

(4) the notary notarizes the signature by mark through an acknowledgment, jurat, or signature witnessing.

(e) A notary may sign the name of a person physically unable to sign or make a mark on a document presented for notarization if:

(1) the person directs the notary to do so in the presence of 2 witnesses unaffected by the document;

(2) the notary signs the person's name in the presence of the person and the witnesses;

(3) both witnesses sign their own names beside the signature;

(4) the notary writes below the signature: "Signature affixed by notary in the presence of (names and addresses of person and 2 witnesses) under section 31.0320(e) of the Notarial Act of 2007"; and

(5) the notary notarizes the signature through an acknowledgment, jurat, or signature witnessing.

31.0321 Disqualifications.

(a) A notary is disqualified from performing a notarial act if the notary:

(1) is a party to or named in the document that is to be notarized;

(2) will receive as a direct or indirect result any commission, fee, advantage, right, title, interest, cash, property, or other consideration exceeding in value the fees specified in section 31.0330(a);

(3) is a spouse, domestic partner, ancestor, descendant, or sibling of the principal, including in-law, step, or half relatives; or

(4) is an attorney who has prepared, explained, or recommended to the principal the document that is to be notarized.

(b) Notwithstanding subsection (a)(2), a notary may collect a fee for an assignment as a signing agent if payment of that fee is not contingent upon the signing of any document.

31.0322 Refusal to notarize.

(a) A notary shall not refuse to perform a notarial act based on the principal's race, advanced age, gender, sexual orientation, religion, national origin, health or disability, or status as a non-client or non-customer of the notary or the notary's employer.

(b) A notary shall perform any notarial act described in section 31.0320(a) or (b) of this chapter for any person requesting such an act who tenders the appropriate fee specified in section 31.0330(a), unless:

(1) the notary knows or has good reason to believe that the notarial act or the associated transaction is unlawful;

(2) the act is prohibited under section 31.0320(c);

(3) the number of notarial acts requested practicably precludes completion of all acts at once, in which case the notary shall arrange for later completion of the remaining acts; or

(c) A notary may but is not required to perform a notarial act outside the notary's regular workplace or business hours.

31.0323 Avoidance of influence.

(a) A notary shall not influence a person either to enter into or avoid a transaction involving a notarial act by the notary, except that the notary may advise against a transaction if section 31.0322(b)(1) applies.

(b) A notary has neither the duty nor the authority to investigate, ascertain, or attest the lawfulness, propriety, accuracy, or truthfulness of a document or transaction involving a notarial act.

31.0324 False certificate.

(a) A notary shall not execute a certificate containing information known or believed by the notary to be false.

(b) A notary shall not affix an official signature or seal on a notarial certificate that is incomplete.

(c) A notary shall not provide or send a signed or sealed notarial certificate to another person with the understanding that it will be completed or attached to a document outside of the notary's presence.

31.0325 Improper documents.

(a) A notary shall not notarize a signature:

(1) on a blank or incomplete document; or

(2) on a document without notarial certificate wording.

(b) A notary shall neither certify nor authenticate a photograph.

31.0326 Intent to deceive.

A notary shall not perform any official action with the intent to deceive or defraud.

31.0327 Testimonials.

A notary shall not use the official notary title or seal to endorse, promote, denounce, or oppose any product, service, contest, candidate, or other offering.

31.0328 Unauthorized practice of law.

(a) If notarial certificate wording is not provided or indicated for a document, a non-attorney notary shall not determine the type of notarial act or certificate to be used.

(b) A non-attorney notary shall not assist another person in drafting, completing, selecting, or understanding a document or transaction requiring a notarial act.

(c) This section does not preclude a notary who is duly qualified, trained, or experienced in a particular industry or professional field from selecting, drafting, completing, or advising on a document or certificate related to a matter within that industry or field.

(d) A notary shall not claim to have powers, qualifications, rights, or privileges that the office of a notary does not provide, including the power to counsel on immigration matters.

(e) A non-attorney notary who advertises notarial services in a language other than English shall include in the advertisement, notice, letterhead, or sign the following, prominently displayed in the same language:

(1) the statement: "I am not an attorney and have no authority to give advice on immigration or other legal matters"; and

(2) the fees for notarial acts specified in section 31.0330(a).

(f) A notary may not use the term "notario publico" or any equivalent non-English term in any business card, advertisement, notice, or sign.

Part III: Fees and Notary Journal

31.0329 Imposition and waiver of fees.

(a) For performing a notarial act, a notary may charge the maximum fee specified in section 31.0330, charge less than the maximum fee, or waive the fee.

(b) A notary shall not discriminatorily condition the fee for a notarial act on the attributes of the principal as delineated in section 31.0322(a), though a notary may waive or reduce fees for humanitarian or charitable reasons.

31.0330 Fees for notarial acts.

(a) The maximum fees that may be charged by a notary for notarial acts are:

- (1) for acknowledgments, \$10.00 per signature;
- (2) for oaths or affirmations without a signature, \$20.00 per person;
- (3) for jurats, \$10.00 per signature;
- (4) for signature witnessings, \$10.00 per signature;
- (5) for certified copies, \$5.00 per page certified with a minimum total charge of \$10.00;

(b) A notary may charge a travel fee when traveling to perform a notarial act if:

- (1) the notary and the person requesting the notarial act agree upon the travel fee in advance of the travel; and
- (2) the notary explains to the person requesting the notarial act that the travel fee is both separate from the notarial fee in subsection (a) and neither specified nor mandated by law.

31.0331 Payment prior to act.

(a) A notary may require payment of any fees specified in section 31.0330 prior to performance of a notarial act.

(b) Any fees paid to a notary prior to performance of a notarial act are non-refundable if:

- (1) the act was completed; or
- (2) in the case of travel fees paid in compliance with section 31.0330(b), the act was not completed for reasons stated in section 31.0322(b)(1) or (2) after the notary had traveled to meet the principal.

31.0332 Fees of employee notary

(a) An employer may prohibit an employee who is a notary from charging for notarial acts performed on the employer's time, but shall not condition imposition of a fee on attributes of the principal as described in section 31.0322(a).

(b) A private employer shall not require an employee who is a notary to surrender or share fees charged for any notarial acts.

(c) A governmental employer who has absorbed an employee's costs in becoming or operating as a notary shall require any fees collected for notarial acts performed on the employer's time either to be waived or surrendered to the employer to support public programs.

31.0333 Notice of fees.

Notaries who charge for their notarial services shall conspicuously display in their places of business, or present to each principal outside their

places of business, an English-language or Samoan-language schedule of fees for notarial acts, as specified in section 31.0330(a). No part of any notarial fee schedule shall be printed in smaller than 10-point type.

31.0334 Format.

(a) A notary shall keep, maintain, protect, and provide for lawful inspection a chronological official journal of notarial acts that is a permanently bound book with numbered pages.

(b) A notary shall keep no more than one active journal at the same time.

31.0335 Entries.

(a) For every notarial act, the notary shall record in the journal at the time of notarization at least the following:

(1) the date and time of day of the notarial act;

(2) the type of notarial act;

(3) the type, title, or a description of the document or proceeding;

(4) the signature, printed name, and address of each principal;

(5) the evidence of identity of each principal, in the form of either: a statement that the person is "personally known" to the notary; a notation of the type of identification document, its issuing agency, its serial or identification number, and its date of issuance or expiration; or the signature, printed name and address of each credible witness swearing or affirming to the person's identity, and, for credible witness swearing or affirming to the person's identity, and, for credible witnesses who are not personally known to the notary, a description of identification documents relied on by the notary;

(6) the fee, if any, charged for the notarial act.

(b) A notary shall not record a social security or credit card number in the journal, unless such number is used as a serial or identification number for a identification document relied upon by the notary for identification purposes.

(c) A notary shall record in the journal the circumstances for not completing a notarial act.

(d) As required in section 31.0337(a), a notary shall record in the journal the circumstances of any request to inspect or copy an entry in the journal, including the requester's name, address, signature, and evidence of identity. The reasons for refusal to allow inspection or copying of a journal entry shall also be recorded.

31.0336 Signatures.

At the time of notarization, the notary's journal must be signed, as applicable, by each:

(1) principal;

(2) credible witness swearing or affirming to the identity of a principal;
and

(3) witness to a signature by mark or to a signing by the notary on behalf of a person physically unable to sign.

31.0337 Inspection, copying, and disposal.

(a) In the notary's presence, any person may inspect an entry in the official journal of notarial acts during regular business hours, but only if:

(1) the person's identity is personally known to the notary or proven through satisfactory evidence;

(2) the person affixes a signature in the journal in a separate, dated entry;

(3) the person specifies the month, year, type of document, and name of the principal for the notarial act or acts sought; and

(4) the person is shown only the entry or entries specified.

(b) If the notary has a reasonable and explainable belief that a person bears a criminal or harmful intent in requesting information from the notary's journal, the notary may deny access to any entry or entries.

(c) The journal may be examined without restriction by a law enforcement officer in the course of an official investigation, subpoenaed by court order, or surrendered at the direction of the Secretary.

(d) Upon complying with a request under subsection (a), the notary shall provide a copy of a specified entry or entries in the journal at a cost of not more than \$2.00 per copy; other entries on the same page shall be masked. If a certified copy of an entry in a bound book is requested, the additional cost is as specified in section 31.0330.

(e) A notary shall safeguard the journal and all other notarial records and surrender or destroy them only by rule of law, by court order, or at the direction of the Secretary.

(f) When not in use, the journal shall be kept in a secure area under the exclusive control of the notary, and shall not be used by any other notary nor surrendered to an employer upon termination of employment.

(g) Within 10 days after the journal is stolen, lost, destroyed, damaged, or otherwise rendered unusable or unreadable as a record of notarial acts, the notary, after informing the appropriate law enforcement agency in the case of theft or vandalism, shall notify the Secretary by any means providing a tangible receipt or acknowledgment, including certified mail and electronic transmission, and also provide a copy or number of any pertinent police report.

(h) Upon resignation, revocation, or expiration of a notary commission, or death of the notary, the journal and notarial records shall be delivered to the Office of the Secretary of American Samoa in accordance with chapter 10.

Part IV: Evidence of Authenticity

31.0338 Official signature.

In notarizing a paper document, a notary shall:

- (1) sign by hand on the notarial certificate exactly and only the name indicated on the notary's commission;**
- (2) not sign using a facsimile stamp or an electronic or other printing method; and**
- (3) affix the official signature only at the time the notarial act is performed.**

31.0339 Official seal.

(a) A notary shall keep an official seal that is the exclusive property of the notary. The seal shall not be possessed or used by any other person, nor surrendered to an employer upon termination of employment.

(b) An image of the official seal shall be affixed by the notary on every paper document notarized.

(c) An image of the seal shall be affixed only at the time the notarial act is performed.

(d) When not in use, the seal shall be kept secure and accessible only to the notary.

(e) Any seal image affixed by an adhesive label shall bear a preprinted sequential number which shall be recorded in the journal of notarial acts for its respective notarization.

(f) Within 10 days after the seal of a notary is stolen, lost, damaged, or otherwise rendered incapable of affixing a legible image, the notary, after informing the appropriate law enforcement agency in the case of theft or vandalism, shall notify the Secretary by any means providing a tangible receipt or acknowledgment, including certified mail and electronic transmission, and also provide a copy or number of any pertinent police report. Upon receipt of such notice the Secretary shall issue to the notary a new Certificate of Authorization to Purchase a Notary Seal, which shall be presented to a seal vendor in accordance with section 31.0341.

(g) As soon as reasonably practicable after resignation, revocation, or expiration of a notary commission, or death of the notary, the seal shall be destroyed or defaced so that it may not be misused.

31.0340 Seal image.

(a) Near the notary's official signature on the notarial certificate of a paper document, the notary shall affix a sharp, legible, permanent, and photographically reproducible image of the official seal that shall include the following elements:

- (1) the notary's name exactly as indicated on the commission;**

- (2) the serial number of the notary's commission;
 - (3) the words "Notary Public" and "Territory of American Samoa" and "My commission expires (commission expiration date)";
 - (4) the notary's business address; and
 - (5) a border in a rectangular shape no larger than 1 inch by 2 inches, surrounding the required words.
- (b) Illegible information within a seal impression may be typed or printed legibly by the notary adjacent to but not within the impression.
- (c) An embossed seal impression that is not photographically reproducible may be used in addition to but not in lieu of the seal described in subsection (a).

31.0341 Obtaining and providing a seal.

(a) In order to sell or manufacture notary seals, a vendor or manufacturer shall apply for a permit from the Secretary, who shall charge \$50.00 for issuance of this permit and maintain a controlled-access telephone number or internet site to allow vendors and manufacturers to confirm the business mailing address of any notary in American Samoa.

(b) A vendor or manufacturer shall not provide a notary seal to a purchaser claiming to be a notary, unless the purchaser presents a photocopy of his or her notary commission and a Certificate of Authorization to Purchase a Notary Seal from the Secretary, the purchaser appears in person, and the vendor or manufacturer identifies this individual as the person named in the commission and the Certificate of Authorization, through either personal knowledge or satisfactory evidence of identity.

(c) A vendor or manufacturer shall release a notary seal only to the purchaser, having appeared in person, presenting a photocopy of her notary commission, her Certificate of Authorization to Purchase a Notary Seal from the Secretary, and satisfactory evidence of identity.

(d) For each Certificate of Authorization to Purchase a Notary Seal, a vendor or manufacturer shall make or sell one and only one seal, plus, if requested by the person presenting the certificate, one and only one embossing seal.

(e) After manufacturing or providing a notary seal or seals, the vendor shall affix an image of all seals on the Certificate of Authorization to Purchase a Notary Seal and send the completed certificate to the Secretary, retaining a copy of the certificate and the commission for two years.

(f) A notary obtaining a seal or seals as a result of a name or business address change shall present a copy of the Confirmation of Notary's Name or Address Change from the Secretary in accordance with sections 31.0351 and 31.0352.

(g) A vendor or manufacturer who fails to comply with this section is guilty of a class B misdemeanor, punishable upon conviction by

imprisonment of not more than six months and/or a fine not exceeding \$500.00. Such conviction shall not preclude the civil liability of the vendor to parties injured by the vendor's failure to comply with this section.

31.0342 General acknowledgment.

A notary shall use a certificate in substantially the following form in notarizing the signature or mark of persons acknowledging for themselves or as partners, corporate officers, attorneys in fact, or in other representative capacities:

Territory of American Samoa

County of _____

On this _____ day of _____, 20____, before me, the undersigned notary, personally appeared _____ (name of document signer),

(personally known to me)

(proved to me through identification documents allowed by law, which were _____,)

(proved to me on the oath or affirmation of _____, who is personally known to me and stated to me that (he) (she) personally knows the document signer and is unaffected by the document,)

(proved to me on the oath or affirmation of _____ and _____, whose identities have been proven to me through documents allowed by law and who have stated to me that they personally know the document signer and are unaffected by the document,)

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose(.)

(as partner for _____, a partnership.)

(as _____ for _____, a corporation)

(as attorney in fact for _____, the principal.)

(as _____ for _____, (a)(the) _____.)

(official signature and seal of notary)

31.0343 Jurat.

A notary shall use a jurat certificate in substantially the following form in notarizing a signature or mark on an affidavit or other sworn or affirmed written declaration:

Territory of American Samoa

County of _____

On this _____ day of _____, 20_____, before me, the undersigned notary, personally appeared _____ (name of document signer),
(personally known to me)
(proved to me through identification documents allowed by law, which were _____,)
(proved to me on the oath or affirmation of _____, who is personally known to me and stated to me that (he) (she) personally knows the document signer and is unaffected by the document,)
(proved to me on the oath or affirmation of _____ and _____, whose identities have been proved to me through documents allowed by law and who have stated to me that they personally know the document signer and are unaffected by the document,)
to be the person who signed the preceding or attached document in my presence and who swore or affirmed to me that the contents of the document are truthful and accurate to be best of (his)(her) knowledge and belief.

(official signature and seal of notary)

31.0344 Signature witnessing.

A notary shall use a certificate in substantially the following form in notarizing a signature or mark to confirm that it was affixed in the notary's presence without administration of an oath or affirmation:

Territory of American Samoa

County of _____

On this _____ day of _____, 20_____, before me, the undersigned notary, personally appeared _____ (name of document signer),
(personally known to me)
(proved to me through identification documents allowed by law, which were _____,)
(proved to me on the oath or affirmation of _____, who is personally known to me and stated to me that (he)(she) personally knows the document signer and is unaffected by the document,)
(proved to me on the oath or affirmation of _____ and _____, whose identities have been proven to me through documents allowed by law and who have stated to me that they personally know the document signer and are unaffected by the document,)
to be the person who signed the preceding or attached document in my presence.

(official signature and seal of notary)

31.0345 Signer by mark and person unable to sign.

On paper documents, certificates in sections 31.0342, 31.0343 and 31.0344 of this chapter may be used for signers by mark or persons physically unable to sign or make a mark if:

(1) for a signer by mark, the notary and 2 witnesses unaffected by the document observe the affixation of the mark, both witnesses sign their own names beside the mark, and the notary writes below the mark: "Mark affixed by (name of signer by mark) in presence of (names and addresses of 2 witnesses) and undersigned notary under section 31.0320(d) of the Notarial Act of 2007"; or

(2) for a person physically unable to sign or make a mark, the person directs the notary to sign on his or her behalf in the presence of the person and 2 witnesses unaffected by the document, both witnesses sign their own names beside the signature, and the notary writes below the signature: "Signature affixed by notary in presence of (names and addresses of person and 2 witnesses) under section 31.0320(e) of the Notarial Act of 2007".

31.0346 Certified copy.

A notary shall use a certificate in substantially the following form in notarizing a certified copy:

Territory of American Samoa

County of _____

On this _____ day of _____, 20_____, I certify that the (preceding) (following) (attached) document is a true, exact, complete, and unaltered copy made by me of _____ (description of document),

(presented to me by the documents custodian, _____,)

(held in my custody as a notarial record,)

and that, to the best of my knowledge, the copied document is neither a vital record, a public record nor a publicly recordable document, certified copies of which may be available from an official source other than a notary.

(official signature and seal of notary)

31.0347 Forms of evidence.

On a notarized document sent to another state or nation, evidence of the authenticity of the official seal and signature of a notary of this Territory, if required, shall be in the form of:

(1) a certificate of authority from the Secretary authenticated as necessary by additional certificates from United States and/or foreign government agencies; or

(2) in the case of a notarized document to be used in a nation that has signed and ratified the Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents of October 5, 1961, an Apostille from the Secretary of American Samoa in the form prescribed by the Convention, with no additional authenticating certificates required.

31.0348 Certificate of authority.

(a) A certificate of authority evidencing the authenticity of the official seal and signature of a notary of this Territory shall be substantially in the following form:

Certificate of Authority for a Notarial Act

I, _____ Secretary of American Samoa, certify that _____ (name of notary), the person named in the seal and signature on the attached document, was a Notary Public for the Territory of American Samoa, and authorized to act as such at the time of the document's notarization.

To verify this Certificate of Authority for a Notarial Act, I have affixed below my signature and seal of office this _____ day of _____, 20____.

(signature and seal of Secretary of American Samoa)

31.0349 Apostille.

An Apostille prescribed by the Hague Convention, as cited in 28 U.S.C.A. in the annotations to Rule 44 of the Rules of Civil Procedure, shall be in the form of a square with sides at least 9 centimeters long and contain exactly the following wording:

APOSTILLE
(Convention de la Haye du 5 octobre 1961)

1. Country: _____
This public document
2. has been
signed by _____
3. acting in
the capacity of _____

4. bears the seal/stamp of _____
CERTIFIED
5. at _____ 6. the _____
7. by _____
8. No. _____
9. Seal/Stamp 10. Signature:

31.0350 Fees.

The Secretary may charge:

- (1) for issuing a certificate of authority, \$25.00; and
- (2) for issuing an Apostille, \$25.00.

Part V: Change of Status, Sanctions and Liability

31.0351 Change of address.

(a) Within 10 days after the change of a notary's residence, business, or mailing address, the notary shall send to the Secretary by any means providing a tangible receipt or acknowledgment, including certified mail and electronic transmission, a signed notice of the change, giving both old and new addresses.

(b) If the business address is changed, the notary shall not notarize until:

- (1) the notice described in subsection (a) has been delivered or transmitted;
- (2) a Confirmation of Notary's Name or Address Change has been received from the Secretary; and
- (3) a new seal bearing the new business address has been obtained.

31.0352 Change of name.

(a) Within 10 days after the change of notary's name by court order or marriage, the notary shall send to the Secretary by any means providing a tangible receipt or acknowledgment, including certified mail and electronic transmission, a signed notice of the change, giving both former and new names, with a copy of any official authorization for such change.

(b) A notary with a new name shall continue to use the former name in performing notarial acts until the following steps have been completed, at which point the notary shall use the new name:

- (1) the notice described in subsection (a) has been delivered or transmitted;
- (2) a Confirmation of Notary's Name or Address Change has been received from the Secretary; and

(3) a new seal bearing the new name exactly as in the Confirmation has been obtained.

31.0353 Resignation.

(a) A notary who resigns his or her commission shall send to the Secretary by any means providing a tangible receipt or acknowledgment, including certified mail and electronic transmission, a signed notice indicating the effective date of resignation.

(b) Notaries who cease to reside in or to maintain a regular place of work or business in this Territory, or who become permanently unable to perform their notarial duties, shall resign their commissions.

31.0354 Disposition of seal and journal.

(a) Except as provided in subsection (b), when a notary commission expires or is resigned or revoked, the notary shall:

(1) as soon as reasonably practicable, destroy or deface all notary seals so that they may not be misused; and

(2) within 30 days after the effective date of resignation, revocation, or expiration, send to the Office of the Secretary of American Samoa by any means providing a tangible receipt or acknowledgment, including certified mail and electronic transmission, the notarial journal and records, in accordance with the requirements of the same office.

(b) A former notary who intends to apply for a new commission and whose previous commission or application was not revoked or denied by this Territory, need not deliver the journal and records within 30 days after commission expiration, but must do so within 3 months after expiration unless recommissioned within that period.

31.0355 Death of notary.

If a notary dies during the term of commission or before fulfilling the obligations stipulated in section 31.0354, the notary's personal representative shall:

(1) notify the Secretary of the death in writing;

(2) as soon as reasonably practicable, destroy or deface all notary seals so that they may not be misused; and

(3) within 30 days after death, send to the Office of the Secretary of American Samoa, care of the Office of the Governor by any means providing a tangible receipt or acknowledgment, including certified mail and electronic transmission, the notary's journal of notarial acts and any other notarial records, in accordance with requirements of the same office.

31.0356 Liability of notary and employer.

(a) A notary is liable to any person for all damages proximately caused that person by the notary's negligence, intentional violation of law, or official misconduct in relation to a notarization.

(b) An employer of a notary is liable to any person for all damages proximately caused that person by the notary's negligence, intentional violation of law, or official misconduct in performing a notarization during the course of employment, if the employer directed, expected, encouraged, approved, or tolerated the notary's negligence, violation of law, or official misconduct either in the particular transaction or, impliedly, by the employer's previous action in at least one similar transaction involving any notary employed by the employer.

(c) An employer of a notary is liable to the notary for all damages recovered from the notary as a result of any violation of law by the notary that was coerced by threat of the employer, if the threat, such as of demotion or dismissal, was made in reference to the particular notarization or, impliedly, by the employer's previous action in at least one similar transaction involving any notary employed by the employer. In addition, the employer is liable to the notary for damages caused the notary by demotion, dismissal, or other action resulting from the notary's refusal to engage in violation of law or official misconduct.

(d) Notwithstanding any other provision of this act, for the purposes of this section "negligence" shall not include any good-faith determination made by the notary pursuant to the obligations imposed by section 31.0320(c)(3) or (4).

31.0357 Proximate cause.

Recovery of damages against a notary or employer does not require that the notary's negligence, violation of law, or official misconduct be either the sole or principal proximate cause of the damages.

31.0358 Revocation.

(a) The Secretary may revoke a notary commission for any ground on which an application for a commission may be denied under section 31.0309(c) and (d).

(b) The Secretary shall revoke the commission of any notary who fails:

(1) to maintain a residence or a regular place of work or business in the Territory of American Samoa; and

(2) to maintain status as a legal resident of American Samoa.

(c) Prior to revocation of a notary commission, the Secretary shall inform the notary of the basis for the revocation and that the revocation takes effect on a particular date unless a proper appeal is filed with the Administrative Law Judge before that date.

(d) Resignation or expiration of a notary commission does not terminate or preclude an investigation into the notary's conduct by the Secretary, who may pursue the investigation to a conclusion, whereupon it shall be made a matter of public record whether or not the finding would have been grounds for revocation.

31.0359 Other remedial actions for misconduct.

(a) The Secretary may deliver a written Official Warning to Cease Misconduct to any notary whose actions are judged to be official misconduct under section 31.0307(l).

(b) The Secretary may seek a court injunction to prevent a person from violating any provision of this act.

31.0360 Publications of sanctions and remedial actions.

The Secretary shall regularly publish a list of persons whose commissions have been revoked by the Secretary or whose actions as a notary were the subject of a court injunction or Official Warning to Cease Misconduct.

31.0361 Criminal sanctions.

(a) In performing a notarial act, a notary is guilty of a class D felony, punishable upon conviction by a fine not exceeding \$5,000 or imprisonment of up to five years, or both, for knowingly:

(1) failing to require the presence of a principal at the time of the notarial act;

(2) failing to identify a principal through personal knowledge or satisfactory evidence; or

(3) executing a false notarial certificate under section 31.0324.

(b) A notary who knowingly performs or fails to perform any other act prohibited or mandated respectively by this act may be guilty of a class A misdemeanor, punishable upon conviction by a fine not exceeding \$1,000 or imprisonment of up to one year, or both.

31.0362 Additional remedies and sanctions not precluded.

The remedies and sanctions of this chapter do not preclude other remedies and sanctions provided by law.

31.0363 Impersonation.

Any person not a notary who knowingly acts as or otherwise impersonates a notary is guilty of a class D felony, punishable upon conviction by a fine of not more than \$5,000, or imprisonment for not more than five years, or both.

31.0364 Wrongful possession.

Any person who knowingly obtains, conceals, defaces, or destroys the seal, journal, or official records of a notary is guilty of a Class D felony, punishable upon conviction by a fine of not more than \$5,000, or imprisonment for not more than five years, or both.

31.0365 Improper influence.

Any person who knowingly solicits, coerces, or in any way influences a notary to commit official misconduct is guilty of a class D felony, punishable upon conviction by a fine of not more than \$5,000, or imprisonment for not more than five years, or both.

31.0366 Additional sanctions not precluded.

The sanctions of this chapter do not preclude other sanctions and remedies provided by law."

Lolo M. Moliga
LOLO M. MOLIGA
President of the Senate

Savali Talavou Ale
SAVALI TALAVOU ALE
Speaker, House of Representatives

Hereby Approved this 2nd day of May 2008
[Signature]
Governor of American Samoa

NOFOA'IGA TOLUSEFULU FONOFAITULAFONO A AMERIKA SAMOA

FONO TELE LONA TOLU

Nofoia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulufa o Ianuari
lua afe ma le valu

O SE TULAFONO E FA'AFUINA AI LE OFISA O FA'AMAONIAGA O FA'AMAUMAUGA LAUTELE I LE FA'AVAEINA O TULAFONO, FA'ATONUGA, FA'ATULAGAGA O GA'IO'IGA MO LE AGAI LUMA, FA'AMATALAGA ATOATO A O TIUTE MA MATAFAIOI, MA LE FAIGA O FEAGAIGA MO I LATOU O FA'AMAONIA FA'AMAUMAUGA O LE TERITORI O AMERIKA SAMOA, MA IA MAUTINO A LE FA'AMAONIA O PEPA E TĀUA TELE I TULAGA O ALAGAMANUIA MA MATAUPU E TUSA AI MA TULAFONO; SUIA AI LE MAGA 4.0604, T.T.A.S., MA FA'AVAEINA AI SE MATAUPU 03 I LALO O LE ULUTALA 31 T.T.A.S."

Fa'atomuaga:

TALUAI, o le Tagata fa'amaonia fa'amaumauga e tatau, pei o se ofisa o le malō ma o se tagata auaua lautele, ona auauaina ma le fa'amaoni le lautele, ia tutusa ma e lē fa'aituau amioga; ma

TALUAI, o le Tagata fa'amaonia fa'amaumauga e tatau ona galue fa'apei o se molimau fa'alē-ituau ma e lē maumea ai po'o le maua mai ai o ana mea mai so'o se pepa po'o galuega ua mana'omia ai se tulaga o le fa'ama'oniaga, e ese mai ai i le tologi ua fa'atagaina e le tulafono; ma

TALUAI, o le Tagata fa'amaonia fa'amaumauga e tatau ona mana'omia le aufa'atasi ai o ē o le a sainia ma fa'atautoina ina ia saili mae'a lelei o latou iloga ta'itoatasi ma lo latou auai atoatoa, ma va'ai lelei i latou taitoatasi ua malamalama lelei i le tāua o le galuega e mana'omia ai se galuega fa'amaonia; ma

TALUAI, o le Tagata fa'amaonia fa'amaumauga e tatau ona lē fa'ataunu'uina se pepa fa'amaui e le sa'o ma lē atoa lona fa'atumuga, pe auai i so'o se pepa po'o galuega ua le sa'o, tau fa'asese po'o ga'io'iga sese; ma

TALUAI, o le Tagata fa'amaonia fa'amaumauga e tatau ona ave le fa'amua i ala o le tulafono e sili atu lo'o fa'amatalaga ma mana'oga o so'o se tagata po'o se fa'atasiga; ma

- TALUAI, o le Tagata fa'amaonia fa'amaumauga e tatau ona galuea pei o se ofisa o galuega fa'afaifeau ma e le mafai ona faia fautuaga po'o galuega e le fa'atagaina; ma
- TALUAI, o le Tagata fa'amaonia fa'amaumauga e tatau ona fa'amau se fa'aailoga i pepa uma ua fa'ama'onia ma e le mafai ona fa'atagaina lenei fa'aailoga lauiloa tele o le ofisa ina ia fa'aaoga e se isi po'o le sapaapaia o se mea po'o fa'atosigaga; ma
- TALUAI, o le Tagata fa'amaonia fa'amaumauga e tatau ona fa'amaumauina galuega uma ua fa'amaonia i se tusi fusia atoa po'o isi mea fa'amaumau e puipui ai ma saogalemu ai le puipuga pei o se fa'amaumauga lautele fa'atāuaina; ma
- TALUAI, o le Tagata fa'amaonia fa'amaumauga e tatau ona aloaia le ola puipuia o i latou ta'itoatasi ua sainia ma e le tatau ona fa'aailoa pe fa'aaoga fa'amatalaga e fa'atatau i le tagata lava ia po'o tulaga e fa'atatau i le tagata lava ia sa fa'aailoa i le taimi na fa'ataunu'u ai se galuega o le fa'amaoniaga e ese mai ai i mafua'aga fa'aofisa; ma
- TALUAI, o le Tagata fa'amaonia fa'amaumauga e tatau ona saili fa'amatalaga i fa'amaoniaga, ma ia iloa lelei tulafono o lo'o iai nei, fa'agaioiga ma mana'oga o le ofisa fa'amaonia.

IA FAATULAFONOINA E LE FONO FAITULAFONO A AMERIKA SAMOA:

Maga 1. 4.0604 ua suia e faitauina:

"4.0604 Puipuga a le Fa'amasino o Tulafono tau Puleaga.

O le Ofisa o le Fa'amasino o Tulafono tau Puleaga e tatau ona iai puipuga e fa'atautai ai iloiloga ma faia fa'ai'uga, e tusa ai ma mataupu nei:

(a) tagi mo le totogi o tagata faigaluega e tusa ai ma aiaiga ua fa'atulagaina i totonu o le maga 32.0635 e o'o atu ma e aofia ai 32.0646. O isi uma lava fa'atagaga a le komisi o le totogi o tagata faigaluega e i lalo o le mataupu 06 o le Ulutala 32 T.T.A.S., e tatau lava ona fa'atatau i le komisi.

(e) Fefinauaiga, fa'anoanoaga ma tagi fa'atuiese fa'apuleaga a tagata faigaluega a le malō i mataupu e fa'atatau i galuega, e aofia ai mataupu e fa'atatau i le fa'afaigaluegaina, fa'amutaina, nofo puipuia ma le fa'atouina i amio. O le mua'i aiaiga e faia lea e le komiti fautua a tagata faigaluega e tusa ai o le maga 7.0102, e fa'atatau lea i mataupu ua tu'uina atu nei i le ofisa o le Fa'amasino o Tulafono tau Puleaga. O isi galuega uma a le komiti fautua a tagata faigaluega e le afaina ai mea nei e tatau lava ona tumau i le komiti.

(i) Tagi fa'atuiese mai fa'ai'uga a le komiti o femalagaiga i mataupu uma vagana ai fa'ai'uga e tusa ai i le fa'afo'i fa'amalosi o tagata mai fafo pei ona maua mai i totonu o le maga 41.0208 – 41.0212. Tagi fa'atuiese o fa'ai'uga o fa'afo'i fa'amalosi a le komiti e tatau ona faia i le vaega o tagi fa'atuiese o le Fa'amasinoga Sili pei ona ta'ua e le tulafono. O isi fa'ai'uga uma a le komiti e ao ona faia le tagi fa'atuiese i le Fa'amasino o Tulafono tau Puleaga.

(o) Fa'atuiesega uma ma fefinaua'iga e tusa ai o tagi mo totagi le maua po'o le lē feagai o le totagi ma itula e tusa ai o le mataupu 03 o le Ulutala 32 T.T.A.S., vagana ai mataupu e fa'asino i le faiga o tulafono a le komiti e pulea ai totagi ma itula.

(u) Tagi fa'atuiese uma e fa'amauina e le tagata talosaga ma tagata e fa'amaonia fa'amaumauga lautele e tusa ai o le Tulafono o Fa'amaoniaga o le 2007, Ulutala 31, Mataupu 03, maga 31.0309(u) ma le 31.0358(i), T.T.A.S.

(u) (f) Afai se tagi fa'atuiese i le fa'ai'uga mautu a le ofisa o fa'ataugaolua i se finauga i tauofoga o fa'ataugaolua pei ona tusia i le maga 10.0282 T.T.A.S. O le pule a le Kovana e filifilia ai se komiti e toatolu totino e iloiloa mataupu o finauga e tusa ai o finauga o fa'ataugaolua ua fa'aleaogaina nei.

(f) (g) So'o se isi mataupu fa'alavelave, fa'anoanoaga po'o fe'ese'esega a ofisa, lala ma vaega o le malō o le a tu'uina atu i le Ofisa o le Fa'amasino o Tulafono tau Puleaga mo fa'ai'uga pe afai o le Ofisa o le Fa'amasino o Tulafono tau Puleaga ua iai puipuiga i lea mataupu.

(g) (l) O tagi fa'atuiese uma mai fa'ai'uga fa'apuleaga po'o fa'ai'uga a so'o ofisa fa'apuleaga, vagana ai mataupu ua fa'aagafua fa'apitoa ua ta'ua i totonu nei po'o le tulafono, o se vaega, ofisa, lala, komisi, komiti po'o komiti o le lala o Fa'amalosi Tulafono po'o le Malō o Amerika Samoa, e tatau lava ona muamua ona faia i le Ofisa o le Fa'amasino o Tulafono tau Puleaga. O fa'ai'uga a le Puleaga e mafai ona fa'aulu tagi fa'atuiese i le vaega o tagi fa'atuiese o le Fa'amasinoga Maua'uga o Amerika Samoa.

(l) (m) I mataupu e aofia ai fa'amalologa e le puleaga o laisene aveta'avale e tusa ai o le Ulutala 22, mataupu 06 o lena Tulafono, o le Fa'amasino o Tulafono tau Puleaga e tatau ona iai puipuiga e faia ai iloiloa ma tu'u atu fa'ai'uga e tusa ai o le fa'amalologa o laisene aveta'avale mo le lē taliaina le faia o suega e tusa ai o le T.T.A.S., 22.0601 fa'apea lava."

Maga 2. Ua fa'avacina se Mataupu 03 i lalo o le Ulutala 31 T.T.A.S. fa'apea ona faitauina:

"Mataupu 03

FA'AMAONIAGA O FA'AMAUMAUGA LAUTELE

Vaega I: Aiaiga Fa'alauaitale ma Uiga

Maga:

31.0301 Ulutala pu'upu'u.

31.0302 'Autū.

- 31.0303 Fa'aliliuga.
- 31.0304 Taunu'uga ta'uuleleia.
- 31.0305 Fa'aupuga Vavae'eseina.
- 31.0306 Aso aloaia.
- 31.0307 Uiga.
- 31.0308 Pule e talia ai tulafono.

Vaega II: Fa'amaoniaga o Fa'amaumauga Lautele

Maga:

- 31.0309 Agava'a.
- 31.0310 Puleaga ma taimi umia.
- 31.0311 Tupe fa'aleoleo (pone).
- 31.0312 Fa'amaumauga fa'akomisi.
- 31.0313 Toe fa'akomisi'ina.
- 31.0314 Mea e tatau ona iai.
- 31.0315 Fa'amatalaga o agava'a o le tagata lava ia.
- 31.0316 Suega ma mataupu.
- 31.0317 Tautinoga o le Fa'amaoniaga.
- 31.0318 Totogi o Talosaga—Tupe o le a fa'aaoga e le Failautusi.
- 31.0319 Lē fa'alauiloaina.
- 31.0320 Malosiaga ma fa'asā'aga.
- 31.0321 Fa'aleaogaina o agava'a.
- 31.0322 Tete'e e fa'amaonia.
- 31.0323 Alo'ese mai fuafuaga.
- 31.0324 Fa'amaumauga sesē.
- 31.0325 Fa'amaumauga le'o tusa ai ona saunia.
- 31.0326 Fuafuaga e pupuni ai mea sesē
- 31.0327 Fa'amatalaga.
- 31.0328 Fa'asāina ona galue fa'aloia.

Vaega III: Tupe totogi ma Talaoto'oto o Fa'amaumauga Fa'amaonia

Maga:

- 31.0329 Totogi'ina ma le fa'asolofua o tupe totogi.
- 31.0330 Tupe totogi mo le fa'amaoniaga o fa'amaumauga.
- 31.0331 Totogi ae le'i faia le galuega.
- 31.0332 Tupe totogi mo tagata faigaluega o fa'amaoniaga.
- 31.0333 Fa'aaliga o tupe totogi.
- 31.0334 Fa'afoliga o pepa.
- 31.0335 Tusitusiga oto'oto o fa'amaumauga fa'amaonia.
- 31.0336 Saini
- 31.0337 Asiasiga, kopi'ina ma le tu'ulafoa'iga.

Vaega IV: Talitonuina o Mau Fa'amaonia

Maga:

- 31.0338 Sainia aloaia.
- 31.0339 Fa'ailoga aloaia.
- 31.0340 Foliga o le fa'ailoga.
- 31.0341 Maua ma le iai o se fa'ailoga.
- 31.0342 Fa'alauiloaga Lautele.
- 31.0343 Fa'amaoniaga o se molimau fa'atautoina.
- 31.0344 Saini a tagata molimau.
- 31.0345 Sainia i le maka ma tagata ua le mafai ona saini.
- 31.0346 Kopi fa'amaonia.
- 31.0347 Tulaga o mau fa'amaonia.
- 31.0348 Fa'amaumauga fa'amaonia o se pule.
- 31.0349 Fa'a-aposetolo.
- 31.0350 Tupe totogi.

Vaega V: Suiga o Tulaga, Fa'asalaga ma Aiā tatau

Maga:

- 31.0351 Suiga o le tuatusi o nofoaga.
- 31.0352 Suiga o le igoa.
- 31.0353 Fa'amavaega.
- 31.0354 Fa'atulagaga o fa'amau fa'ailoga ma talaoto'oto.
- 31.0355 Maliu o le tagata fa'amaonia fa'amaumauga.
- 31.0356 Aiā tatau o tagata fa'amaonia fa'amaumauga ma lona pule galuega.
- 31.0357 Mafua'aga valalata.
- 31.0358 Fa'alēaogaina.
- 31.0359 Isi ala o fa'aleleiga mo uiga fa'afitauli.
- 31.0360 Fa'asalalauga o fa'asalaga ma ala o fa'aleleiga.
- 31.0361 Fa'asalaga o solitulafono mamafa.
- 31.0362 Ni'isi ala o fa'aleleiga ma fa'asalaga e le'o aofia ai.
- 31.0363 Fa'afoliga o se isi tagata.
- 31.0364 Taofi sese o meatotino a se isi tagata.
- 31.0365 Faiga tau fa'asese
- 31.0366 Ni'isi fa'asalaga e le'o aofia ai.

Vaega I: Aiaiga Fa'alauaitele ma Uiga

31.0301 Ulutala Pu'upu'u.

O lenei tulafono o le ta'ua pei o le Tulafono Fa'amaoniga o Fa'amaumauga o le 2007.

31.0302 'Autu.

O lenei tulafono e tatau ona fa'amalamalama ma fa'atatau i le alu i luma lona autu ua fuafuaina, fa'apenei:

- (1) ia fa'alauiloa, galue, ma puipui mana'oga o le lautele;
- (2) ia fa'afaigofie, manino, ma fa'afouina ai tulafono e pulea ai tagata e fa'amaonia fa'amaumauga;
- (3) ia tausia amioga tausafia i le va o tagata e fa'amaonia fa'amaumauga;
- (4) ia fa'alauaitale e aunoa ma le fa'atua'oia le iloa o tulafono fa'amaonia fa'amaumauga;
- (5) ia fetufa'ai aiaiga mo tulafono masani o fa'amaoniaga o fa'amaumauga; ma
- (6) ia tu'ufa'atasia tulafono o le fa'amaoniaga o fa'amaumauga a le Teritori ma setete.

31.0303 Fa'aliliuga.

I totonu o lenei Tulafono, vagana ai ua mana'omia e ona tusitusiga se isi itu, o upu i le toatasi ua aofia ai le toatele, ma upu i le toatele ua aofia ai le toatasi.

31.0304 Taunu'uga ta'uleleia.

O le fa'ailoga ua iai nei, le umi o le nofoa'iga o le tofiga o le komisi, ma le aiā tatau o tagata fa'amaumau o lo'o iai nei sa komisiaina ae le'i o'o i le aso taualoa o lenei tulafono e le tatau ona lē fa'aaogaina, fa'aleleia, pe fa'amutaina e lenei tulafono, aepeita'i o ia tagata fa'amaonia'ina e tatau ona usita'i e tusa ai o lenei Tulafono i le fa'ataunu'uina o galuega fa'amaonia o fa'amaumauga ma le talosagaina mo komisi fou.

31.0305 Fa'aupuga Vavae'eseina.

Afai e iai se isi vaega o lenei Tulafono po'o sona fa'aaogaga e 'aafia ai so'o se tagata po'o se tulaga i mataupu o le a le aloaia, o le lē aloaia o le a lē āfaina ai isi vaega po'o le fa'aaogaina o lenei Tulafono i lona aoga pea e aunoa ma le vaega po'o le fa'aaogaina ua lē aloaia, ma o lenei e fa'ai'u ai vaega vavae'ese o lenei Tulafono.

31.0306 Aso aloaia.

O lenei Tulafono o le a aloaia le 180 aso mai le aso e sainia ai e le Kovana.

31.0307 Uiga.

Mo le fa'aaogaina o lenei Ulutala:

(a) "Fa'alauiloaga" lona uiga o se galuega o fa'amaumauga ua iai se tagata i lea nofoaga i lea taimi:

(1) auai tonu o le tagata lava ia ma tu'uina atu pepa i luma o le tagata e fa'amaonia fa'amaumauga;

(2) ua mautinoa tonu e le tagata fa'amaonia fa'amaumauga lea tagata po'o le fa'a'iloina e le tagata fa'amaonia fa'amaumauga i ni mau fa'amalieina; ma

(3) fa'a'iloa atu i le tagata fa'amaonia fa'amaumauga o le saini ua fa'amaui le pepa ua faia ma le lotomalie e aunoa ma se fa'atau'anau i le tagata mo fuafuaga ua fa'ua i totonu o lea pepa ma, afai e tusa ai, o lea tagata ua iai le pule e sainia ai o se sui patino i lea tulaga.

(e) "Fa'amaoniaga" lona uiga o se galuega fa'amaonia, po'o se vaega ua iai, o lea ua mautinoa fa'aletulafono ona o se tauto'oga mai se tagata i se taimi ma se nofoaga:

(1) auai o le tagata lava ia i luma o le tagata fa'amaonia fa'amaumauga;

(2) ua mautinoa lelei e le tagata fa'amaonia fa'amaumauga lea tagata po'o le fa'a'iloina e le tagata fa'amaonia fa'amaumauga i ni mau fa'amalieina; ma

(3) ua faia se tautinoga i le fa'amaoni o le tagata lava ia e aunoa ma le fa'aaogaina o so'o se uiga o le upu "laulauvavale" po'o le leai o uiga fa'atuatua.

(i) "Komisi" lona uiga ua iai le malosiaga e fa'atauta'i ai galuega o le fa'amaoniaga o fa'amaumauga ma mau tusitusia o le pule e fa'atautai ai galuega.

(o) "Kopi fa'amaonia" lona uiga o se fa'amaumauga ua i totonu i se tagata e fa'amaonia fa'amaumauga:

(1) ua tu'uina atu ma se pepa pe aofia ai fa'amaumauga tāua, se fa'amaumauga lautele, fa'apea fa'amaumauga lautele ua pu'eina;

(2) kopi po'o le va'aia le kopi'ina o fa'amaumauga i le fa'aaogaina o meapu'eata ma le galueina i masini kopi;

(3) fa'atutusa le fa'amaumauga i le kopi; ma

(4) fuafua lelei le kopi pe ua sa'o ma atoatoa.

(u) "Tagata molimau taualoaina" e fa'amaoni, talitonuina, ma o se tagata lē fa'aitu'au ua na iloa lelei se tagata ua auai i luma o se tagata fa'amaonia fa'amaumauga ma tauto i se tautoga po'o fa'amaoniaga mai a le tagata fa'amaonia fa'amaumauga e molimau mo lona iloaina lelei o lea tagata.

(f) "Tusi fa'amaui o galuega fa'amaonia" ma "tusitusiga" lona uiga o se mea mo le fa'avaeina ma le puipuia o se fa'amaumauga fa'asolopito o fa'amaoniaga sa faia e se tagata fa'amaonia fa'amaumauga.

(g) "Fa'amaoniaga o se molimau fa'atautoina" lona uiga o se galuega fa'amaonia o fa'amaumauga ua iai se tagata i se taimi lava lea e tasi ma i se nofoaga e tasi:

(1) auai lea lava tagata i luma o le tagata e fa'amaonia fa'amaumauga ma tu'uina atu se fa'amaumauga;

(2) ua iloa lelei lea tagata e le tagata fa'amaonia fa'amaumauga po'o le fa'a'iloina e le tagata fa'amaonia fa'amaumauga i mau mautu;

(3) sainia le fa'amaumauga i luma o le tagata fa'amaonia fa'amaumauga; ma

(4) ave atu se tautoga po'o fa'amaoniaga mai le tagata fa'amaonia fa'amaumauga ua ioe ai i le sa'o ma le tonu o fa'amaumauga ua sainia.

(l) "Galuega o Fa'amaoniaga" ma "Fa'amaoniaga" lona uiga o so'o se galuega a lea tagata fa'amaonia fa'amaumauga ua fa'ae'e iai le malosiaga e faia ai ia galuega i lalo o lenei Tulafono.

(m) "Fa'amaumauga fa'amaonia" ma "Fa'amaumauga" lona uiga o se vaega, po'o fa'apipi'iga ua iai, i se fa'amaumauga fa'amaonia ua fa'amae'aina e le tagata fa'amaonia fa'amaumauga, ua iai le saina a le tagata fa'amaonia fa'amaumauga ma le fa'amau fa'ailoga, ma ua ta'ua ma fa'amau ai fa'amatalaga moni e le tagata fa'amaonia fa'amaumauga i lea lava fa'amaumauga ua fa'amaonia.

(n) "Tagata fa'amaonia fa'amaumauga lautele" ma "fa'amaoniaga o fa'amaumauga" lona uiga o so'o se tagata ua komisi'ina e faia ia galuega aloaia i lalo o lenei Tulafono.

(p) "Tautoga" lona uiga o se galuega fa'amaonia fa'amaumauga, pe o se vaega ua iai tutusa fa'aletulafono i se fa'amaoniaga ma ua iai se tagata i lea lava taimi ma e i le nofoaga e tasi:

(1) auai o le tagata lava ia i luma o le tagata fa'amaonia fa'amaumauga;

(2) ua mautinoa lelei e le tagata fa'amaonia fa'amaumauga lea tagata po'o le fa'aioaina e le tagata fa'amaonia fa'amaumauga i ni mau fa'amalieina; ma

(3) ua faia se tautinoga i le fa'amaoni po'o le iloa tonu o fa'asalaga o le molimau pepelo ei le fa'alagolago i le fa'atuatua moni o le tagata lava ia e aunoa ma le fa'aogaina o so'o se uiga o le upu "laulauvavale."

(s) "Amioga lē taupulea" lona uiga:

(1) lē faia o se galuega fa'asaina e le tagata fa'amaonia fa'amaumauga, po'o le lē fa'ataunu'uina o le faia o so'o se galuega ua fa'atāuaina e lenei Tulafono po'o so'o se isi lava tulafono e feso'ota'i ma galuega o le fa'amaoniaga e le tagata fa'amaonia fa'amaumauga; po'o

(2) o se galuega aloaia ua faia e le tagata fa'amaonia fa'amaumauga ua iloa e le Failautusi o Amerika Samoa ua faia ma le fa'atamala po'o le fa'atui'ese i mana'oga o le lautele.

(t) "Auai o le tagata lava ia i luma o le tagata fa'amaonia fa'amaumauga" lona uiga o le tagata fa'asinotonu iai ma le tagata fa'amaonia fa'amaumauga ua matuā fa'atasi ma feagai lelei lava ina ia va'ai atu, fa'aloga, feso'ota'i laua, ma tu'u atu fa'amaumauga fa'aioa e le tasi i le tasi.

(v) "Fa'aioa foliga o le tagata" ma le "iloa lelei fa'aletagata" lona uiga ua masani ma se tagata e tusa ai mai feiloaiga ma lea tagata i le tele o vaitaimi ua ave'esea ai ni masalosalo e tusa ai o foliga ua iloa ai lea tagata.

(aa) "Tagata fa'asinotonu iai" lona uiga:

(1) o se tagata ua fa'amaonia lana saina; po'o

(2) o se tagata e ese mai i le tagata molimau fa'amaoni, ua ia faia se tauto'oga po'o se fa'amaoniaga mai le tagata fa'amaonia fa'amaumauga.

(ee) "Nofoaga tumau o galuega po'o pisinisi" lona uiga o se ofisa tumau po'o fale-faigaluega ua iai se tasi e fa'aalu pe atoa uma ai lona taimi galue po'o itula fa'apisinisi.

(ii) "Mau fa'amalieina o foliga" lona uiga o pepa o fa'amatalaga ua fa'ailoa mai ai tala'aga o se tagata e tusa ai:

(1) pe na'o le tasi se fa'amaumauga lata mai sa tu'uina atu e le feterale, setete, teritori, po'o ofisa fa'alemalō o taupulega ua iai le ata o foliga o le tagata ma le saini ma se fa'amatalaga o le tino o le tagata, mai se tusipasi ua lelei ona fa'amaonia e aunoa ma le fa'amatalaga o le tino ua taliaina; po'o

(2) o le tautoga po'o le fa'amaoniaga a se molimau fa'amaoni ua le'o aafia ai i le fa'amaumauga po'o galuega ma ua iloa lelei e le tagata fa'amaonia fa'amaumauga ma ua ia iloa lelei fo'i le tagata e patino iai fa'amaumauga, po'o ni molimau fa'amaoni se toalua ua le'o aafia ai i le fa'amaumauga po'o galuega ua la iloa le tagata e patino iai fa'amaumauga ma fa'aali i le tagata fa'amaonia fa'amaumauga pepa fa'ailoa pei ona ta'ua i le soāparakalafa(a) o lenei soāmaga.

(oo) "Fa'amau fa'ailoga" lona uiga o se mea e fa'amau i luga o pepa fa'amaumau ua iai foliga e aafia ai le igoa o le tagata fa'amaonia fa'amaumauga, puleaga, aso e muta ai lona komisi, ma isi lava fa'amatalaga e fa'atatau i le komisi o le tagata fa'amaonia fa'amaumauga.

(uu) "Failautusi" lona uiga o le Failautusi o Amerika Samoa.

(ff) "Saini a molimau" lona uiga o se galuega o fa'amaoniaga ua iai se tagata i se taimi ma le nofoaga i lea lava taimi:

(1) auai le tagata lava ia i luma o le tagata fa'amaonia fa'amaumauga ma tu'uina atu se fa'amaumauga;

(2) ua iloa lelei e le tagata fa'amaonia fa'amaumauga ma fa'ailoaina i ni mau fa'amalieina e le tagata fa'amaonia fa'amaumauga; ma

(3) sainia le fa'amaumauga i luma o le tagata fa'amaonia fa'amaumauga.

(gg) "Nasionale o le Iunaite Setete" lona uiga o so'o se tasi ua fanau i le Teritori o Amerika Samoa, po'o se sitiseni o le Iunaite Setete ma ua mautu lana tautua fa'amaoni i le Iunaite Setete.

(ll) "Fa'amaoniaga o mataupu" lona uiga o se galuega o fa'amaoniaga o fa'amaumauga tūa po'o pepa lautele ua toe va'ai totoa iai le tagata fa'amaonia fa'amaumauga ina ia mae'a lelei po'o le taliaina o isi mataupu ia e fa'asino i se tagata:

(1) aso fanau pe ua maliu;

(2) igoa o matua, fanau, po'o uso (tuagane/tuafafine);

(3) aso fa'aipoipo pe ua fa'amuta; po'o

(4) igoa o le ua fa'aipoipo iai.

31.0308 Pule e tausi ai tulafono.

O le Failautusi e tataua ona tausia tulafono fa'apuleaga e tusa ai o le T.T.A.S 41.1001 fa'apea lava ona fa'aga'ioi ai lenei Ulutala.

Vaega II: Tagata Fa'amaonia Fa'amaumaga

31.0309 Agava'a.

(a) Vagana ua maua i totonu o le Soāmaga(i), o le Failautusi e tatau ona tu'uina atu se komisi o fa'amaoniaga o fa'amaumaga i so'o se tagata agava'a ua fa'aulu mai se talosaga e tusa ai ma lenei Tulafono.

(e) O se tagata agava'a mo se komisi o fa'amaoniaga o fa'amaumaga e tatau:

- (1) ona 18 pe i luga atu tausaga o le soifuaga;
- (2) e iai le nofoaga mau e faigaluega ai po'o pisinisi i totonu o le Teritori o Amerika Samoa pei ona fa'amanino mai i totonu o le Maga 31.0307(ee);
- (3) nofo e tusa ai o tulafono i totonu o le Teritori o Amerika Samoa;
- (4) tusitusi ma faitau le gagana Inilisi;
- (5) pasi se mataupu o aoaoga e manaomia ai se suega tusitusi i lalo o le Maga 31.0316; ma
- (6) tu'u atu ata o tamatamailima e talia ai se saili'iliga o solitulafono mamafa o lona olaga.

(i) O le Failautusi o le a lē taliaina se talosaga e tusa ai o:

(1) le tu'uina atu o se talosaga aloaia ua aofia ai fa'amatalaga sesē po'o le ave'esea o mataupu moni;

(2) fa'aleaogaina, nofosala, fa'asāina, po'o le lē taliaina o se komisi fa'amaonia fa'amaumaga po'o laisene fa'aporofesa o lenei teritori po'o se isi lava setete po'o teritori po'o malō, peita'i e leai lava se mafua'aga o le a tu'uina atu ai se komisi i le tagata talosaga i totonu o le 5 tausaga ua mae'a ai lea fa'asalaga; po'o

(3) se fa'ai'uga aloaia e iloa o le tagata talosaga sa auai i ni amioga le taupulea ua fa'amauina pei ona fa'amanoina i totonu o le Maga 31.0307(s), po'o le fa'ataunu'uina pe leai o le fa'asalaga.

(o) O le Failautusi e tatau lava ona lē taliaina se talosaga e tusa ai o:

(1) o le tagata talosaga ua fa'asalaina i so'o se solitulafono mamafa pe tali i se ta'utinoga po'o le tali ioeina o le solitulafono;

(2) o le tagata talosaga ua fa'asalaina i so'o se solitulafono māmā e aofia le lē fa'amaoni po'o amioga matagā pe tali i se ta'utinoga po'o le tali ioeina o le solitulafono;

(3) o se fa'ai'uga po'o se taliaina o aiaiga e fa'atatau aga'i i le tagata talosaga i se tagi sivili (civil) e tusa ai o le uiga fa'asesē o le tagata talosaga.

(u) Le taliaina o le talosaga o le a fa'auluina ai se tagi tete'e i le fa'atumuina lelei o se pepa ma le Ofisa o le Fa'amasino o Tulafono tau Puleaga ae le'i mae'a le 30 aso talumai le lē taliaina, vagana ai o se tagata talosaga o le a lē tagi tete'e pe afai i totonu o le 5 tausaga ae le'i o'o le talosaga a le Failautusi:

(1) lē taliaina pe fa'aleaogaina ona o fa'asalaga o so'o se isi talosaga muamua, komisi, po'o laisene a le tagata talosaga; po'o

(2) faia se fa'ai'uga i lalo o le Maga 31.0358(o) o le a le mafuaga mo le fa'aleaogaina o le komisi a le tagata talosaga o lo'o iai.

31.0310 Puleaga ma taimi umia.

O se tagata ua fa'akomisi'ina pei o se tagata fa'amaonia fa'amaumauga i totonu o le Teritori o Amerika Samoa mo tausaga e 2 le umi, vagana ai ua fa'aleaogaina lana komisi i lalo o le Maga 31.0358 pe ua fa'amāvae i lalo o le Maga 31.0353.

31.0311 Tupe fa'aleoleo (pone).

(a) E leai se komisi fa'amaonia fa'amaumauga e mafai ona taualoa vagana ua totogi atu le \$500 i le Ofisa o le Failautusi o ia lea o le a taofia i totonu o se teugatupe fa'amoemoeina fa'apitoa, e ese mai ai teugatupe lea o lo'o ta'ua mai i le Maga 31.0318(e), i le peimeni o le tupe fa'aleoleo pei ona totogi i so'o se tagata ua fa'aletonu ona o uiga le taupulea a le tagata fa'amaonia fa'amaumauga pei ona fa'amanino mai i totonu o le Maga 31.0307(s).

(e) Afai ae uma le fa'aaogaina o le tupe fa'aleoleo mo fa'amaoniaga o fa'amaumauga ona o ni tagi ua totogi ai, o le Failautusi e tatau ona fa'aopea le komisi fa'amaonia fa'amaumauga se'ia o'o:

(1) se tupe fa'aleoleo fou ua maua mai e le tagata fa'amaonia fa'amaumauga; ma

(2) o le malosi o le tagata fa'amaonia fa'amaumauga e galue ai mo le taimi o toetoe ua umia e le komisi o le a fuafuaina e le Failautusi.

31.0312 Fa'amaumauga fa'akomisi.

I le tu'uina atu o se komisi fa'amaonia fa'amaumauga o le Failautusi e tatau ona avatua i le tagata fa'amaonia fa'amaumauga:

(1) o se fa'amaumauga fa'akomisi e ta'ua ai le numera fa'amaui o le komisi ma e ta'ua ai le aso e fa'amuta ai; ma

(2) o se Fa'amaumauga aloaia o le Puleaga e Fa'atau ai se Fa'amaui Fa'aailoga o Fa'amaoniaga o Fa'amaumauga e ta'ua ai le numera fa'amaui o le komisi.

31.0313 Toe fa'akomisi'ina.

O se tagata fa'amaonia fa'amaumauga o lo'o iai nei ma i latou sa iai muamua ua fa'atalosagaina se komisi fa'amaonia fa'amaumauga e tatau lava ona tu'uina mai se talosaga mae'ae'a fou ma ia usita'i i suiga uma o lo'o iai i vaega o maga 31.0309 e o'o atu i le 31.0319.

31.0314 Mea e tatau ona iai.

Talosaga uma mo se komisi fa'amaonia fa'amaumauga e tatau lava ona faia pepa fa'atulaga ua fuafuaina e le Failautusi ma e aofia ai:

(1) se fa'amatalaga o le tagata talosaga e tusa ai i ona lava agava'a, pei ona tusia i le Maga 31.0315;

(2) se fa'amaumauga aloaia e avea ma mau ua i'u ma le manuia se mataupu o aoaoga, pei ona tusia i totonu o le maga 31.0316;

(3) se fa'amatalaga moni ua fa'amaonia le tagata talosaga, pei ona tusia i totonu o le maga 31.0317;

(4) o le ata lolomi o tamatamailima atoa o le tagata talosaga;

(5) ni isi lava fa'amatalaga pei ona mana'o le Failautusi ua tatau ona iai; ma

(6) le totogi o le talosaga, pei ona ta'ua fa'apitoa i totonu o le maga 31.0318.

31.0315 Fa'amatalaga o agava'a o le tagata lava ia.

O le talosaga mo se komisi fa'amaonia fa'amaumauga e tatau lava ona ta'ua po'o le aofia ai fa'apea e le iti'iti a'e:

(1) le aso fanau o le tagata talosaga;

(2) tuatusi o le nofoaga ma le numera o le telefoni a le tagata talosaga;

(3) tuatusi pisinisi ma le numera o le telefoni o le tagata talosaga, pe a fa'apea o iai;

(4) se fa'amatalaga fa'atautoina o lea tagata talosaga o se tagatanu'u po'o le nationale o le Iunaite Setete po'o le fa'amaoniaga o le nofomau o le tagata talosaga i lalo o le tulafono i totonu o le Teritori o Amerika Samoa;

(5) se fa'amatalaga fa'atautoina e mafai e le tagata talosaga ona faitau ma tusitusi i le gagana Inilisi;

(6) o mataupu uma, te'ega, fa'aleaogaina, fa'asalaga, fa'asā'aga, ma fa'amāvaega a se komisi fa'amaonia fa'amaumauga, laisene fa'aporofesa po'o ofisa lautele sa auai fa'atasi le tagata talosaga i totonu o lenei po'o se isi lava teritori, po'o setete ma malō;

(7) o fa'asalaga mamafa uma a le tagata talosaga, e aofia ai so'o se tali i tautinoga po'o le tali ioeina o le solitulafono, i totonu o lenei po'o se isi lava teritori po'o setete po'o malō; ma

(8) o tagi fa'asaga uma o lo'o aiaia po'o ua fa'amae'aina e fa'asaga i se tupe fa'aleoleo o fa'amaoniaga o fa'amaumauga o lo'o taofia e le tagata talosaga, ma fa'ai'uga sivili (civil) uma po'o tautinoga o fa'atāmala po'o aiaiga lē tatau e tusa ai i fa'aga'ioiga a le tagata talosaga a'o avea o se tagata fa'amaonia fa'amaumauga, i totonu o lenei po'o se isi lava teritori, setete po'o malō.

31.0316 Suega ma mataupu.

(a) Tagata talosaga uma mo se komisi fa'amaonia fa'amaumauga e tatau lava ona aveina, i totonu o le 3 masina ae le'i mua'i faia se talosaga, se mataupu o aoaoga e le i lalo ae o le 3 itula e fa'amaonia e le Failautusi, ma pasia se suega tusitusi o lenei mataupu.

(e) O le tu'uaofaiga o mataupu ma le fa'avae mo le suega tusitusi e tatau lava ona fai ma tulafono fa'amaoniaga o fa'amaumauga, aiaiga, ma amioga tatau e faia i galuega.

31.0317 Tautinoga o le fa'amaoniaga.

Tagata talosaga uma mo se komisi fa'amaonia fa'amaumauga e tatau lava ona sainia le tautinoga fa'apea ona iai i luma o se tagata fa'amaonia fa'amaumauga o lenei Teritori:

Tautinoga a le Tagata talaosaga

O au, _____ (igoa o le tagata talosaga), ua tauto atu ma le mautinoa i lalo o fa'asalaga o le molimau pepelo o ia fa'amatalaga e patino ia te au lava ma o lo'o i totonu o lenei talosaga ua moni, atoatoa, ma sa'o; ua ou malamalama i tiute aloaia ma aiā tatau o le tagata fa'amaonia fa'amaumauga i totonu o le Teritori o Amerika Samoa, pei ona fa'amalamalama mai i mataupu o aoaoga sa ou aveina; ma o lea o le a ou fa'aga'ioia, i le lelei atoatoa o lo'u tomai, o galuega uma i le fa'amaoniaga o fa'amaumauga o le a faia e tusa ai ma le tulafono.

_____(saini a le tagata talosaga)

(fa'amaumauga ua fa'amaonia pei ona ta'ua fa'apitoa i totonu o le maga 31.0343)"

31.0318 Totogi o Talosaga--Tupe o le a fa'aaoga e le Failautusi.

(a) O tagata talosaga uma mo se komisi fa'amaonia fa'amaumauga e tatau lava ona totogia i le Malō o Amerika Samoa se tupe le toe fa'aolaina mo talosaga e \$100.00.

(e) Tupe uma e aoina mai i tupe totogi mo talosaga, tupe totogi mo pemitā o fa'atauga oloa pei ona ta'ua mai i totonu o le Maga 31.0341, ma isi lava tupe totogi pei ona fa'aga'ioia i tulafono e le Failautusi pe a tatau ai, ae le'o aofia ai tupe totogi ia ua fa'atagaina i lalo o le maga 31.0330, e tatau ona tu'uina i se teugatupe fa'apitoa e fa'aaogaina e le Failautusi mo fuafuaga e talafeagai i aoaoga, suega ma le komisina o tagata fa'amaonia fa'amaumauga lautele pei ona faia mo lenei mataupu. O teugatupe uma e le'i fa'aaogaina i le fa'ai'uga o tausaga fa'ale-tupe ta'itasi e tatau lava ona teuina i le teugatupe lautele a le Malō ma e i lalo o le toe fa'asoasoaga a le Fonofaitulafono.

(i) O le Failautusi e tatau lava ona teuina se fa'amaumauga oto'oto o le teugatupe e tusa ai ma le fa'aaogaina o lea tupe ma e tatau lava ona tu'uina atu se ripoti i le Teutupe o Amerika Samoa i le fa'ai'uga o tausaga fa'ale-tupe ta'itasi.

31.0319 Lē fa'alauiloaina.

Fa'amatalaga e mana'omia e le Maga 31.0315(7) e tatau lava ona fa'aaogaina e le Failautusi ma tagata faigaluega a le malō ua tofia ai na'o mo fuafuaga o le fa'atauta'ia o tiute aloaia i lalo o lenei Tulafono ma e tatau lava ona

le fa'aילוaina i se isi lava tagata ae na'o sui o le malō o lo'o galue i sona tulaga aloaia ma tiute e fa'atagaina ai le umia o sea fa'amatalaga, o se tagata ua fa'atagaina i se fa'atonuga mai le fa'amasinoga, po'o le tagata talosaga po'o se tagata ua fa'atagaina o se sui moni.

31.0320 Malosiaga ma fa'asā'aga.

(a) Se tagata fa'amaonia fa'amaumauga o se Nasionale o le Iunaite Setete ua iai le malosiaga e faia ai galuega fa'amaonia o fa'amaumauga nei:

- (1) fa'alauiloaga lautele;
- (2) tautoga ma fa'amaoniaga;
- (3) fa'amaoniaga o se molimau fa'atautoina;
- (4) saini a tagata molimau;
- (5) kopi fa'amaonia.

(e) Se tagata fa'amaonia fa'amaumauga e le'o se Nasionale o le Iunaite Setete ua iai na'o le malosiaga e faia ai galuega fa'amaonia o fa'amaumauga nei:

- (1) fa'alauiloaga lautele;
- (2) saini a tagata molimau; ma
- (3) kopi fa'amaonia.

(i) E lē tataui i se tagata fa'amaonia fa'amaumauga ona faia se galuega fa'amaoniaga o fa'amaumauga pe afai o ia le tagata moni e onā le fa'amaumauga:

(1) e le'o iai o ia i luma o se tagata fa'amaonia fa'amaumauga i le taimi e fa'amaonia ai le fa'amaumauga;

(2) e le'o mautinoa lelei e le tagata fa'amaonia fa'amaumauga pe fa'aילוaina e le tagata fa'amaonia fa'amaumauga i ni mau fa'amalieina;

(3) fa'aילוa se uiga tauvalea ua mafua ai ona masalo vale le tagata fa'amaonia fa'amaumauga pe tusa ai o le tagata moni lea e onā le fa'amaumauga pe ua na iloa mea e tutupu mai i faiga o se galuega e mana'omia ai le fa'amaoniaga o fa'amaumauga; po'o

(4) i le mafaufau o le tagata fa'amaonia fa'amaumauga, ua ia le galue i sona lava saolotoga.

(o) O se tagata fa'amaonia fa'amaumauga o le a fa'amaonia le fa'amaui iai o le saini i se maka i luga o se fa'amaumauga ua tu'uina atu mo le fa'amaoniaga pe afai:

(1) o le maka ua fa'amauiina i le auai i luma o le tagata fa'amaonia fa'amaumauga ma e 2 molimau e lē aafia ai i lea fa'amaumauga;

(2) molimau uma ia e tofua lava ma saini o la igoa i autafa o le maka;

(3) o le tagata fa'amaonia fa'amaumauga e tusia i lalo a'e o le maka: "Le maka ua fa'amauiina e le (igoa o le tagata na saini'ina le maka) i luma o (igoa ma tuatusi o molimau) ma le tagata fa'amaonia fa'amaumauga ua sainia pei ona ta'ua i lalo o le maga 31.0320(o) o le Tulafono o Fa'amaoniaga o Fa'amaumauga o le 2007"; ma

(4) o le tagata fa'amaonia fa'amaumauga e fa'amaonia le saini'ina o le maka i se fa'alauiloaga lautele, fa'amaoniaga o se molimau fa'atautoina, po'o saini a molimau.

(u) O se tagata fa'amaonia fa'amaumauga e sainia le igoa o se tagata ua le atoatoa le malosi e saini ai po'o lona faia fo'i o le maka i luga o se fa'amaumauga ua tu'uina atu e fa'amaonia pe afai:

(1) o le tagata ua fa'atonuina le tagata fa'amaonia fa'amaumauga i luma o molimau e toalua e lē aafia ai i lea fa'amaumauga;

(2) o le tagata fa'amaonia fa'amaumauga ua sainia le igoa o le tagata i luma o lea tagata ma molimau;

(3) molimau uma ia e tofu lava ma saini o la igoa i autafa o le saini;

(4) o le tagata fa'amaonia fa'amaumauga e tusia i lalo o le saini: "Saini ua fa'amauiina e le tagata fa'amaonia fa'amaumauga i luma o (igoa ma tuatusi o le tagata e onā le fa'amaumauga ma molimau e toalua) i lalo o le maga 31.0320(u) o le Tulafono o Fa'amaoniaga o Fa'amaumauga o le 2007"; ma

(5) o le tagata fa'amaonia fa'amaumauga e fa'amaonia le saini i le fa'alauiloaga lautele, fa'amaoniaga o se molimau fa'atautoina, po'o saini a molimau.

31.0321 Fa'aleaogaina o agava'a.

(a) E fa'aleaogaina agava'a o se tagata fa'amaonia fa'amaumauga mai le faiga o se galuega fa'amaonia pe afai o le tagata fa'amaonia fa'amaumauga:

(1) o se vaega po'o le ta'ua o lona igoa i totonu o le fa'amaumauga lea o tau fa'amaonia;

(2) talia sa'o po'o le ui tua o se komisi, totogi, fa'asiliga, aiā, suafa, tupe fa'ae'e, tupe, meatotino, po'o isi lava fetu'una'iga e sili atu lona tāua lo'o le tupe totogi ua fa'apitoa ona ta'ua i le maga 31.0330(a);

(3) o le avā, pa'aga lalata, tuaā, sulī, po'o uso (tuagane/tuafafine) o le tagata e patino iai le fa'amaumauga, e aofia ai aiga a le avā, tuagane ma tuafafine ua alamai i feusuaiga a matua, po'o tagata e aiga ai ona e tamā fa'atasi po'o le tinā fa'atasi; po'o

(4) se loia sa tu'ufa'atasia fa'amaumauga, fa'amalamalamaina, pe fautuaina le tagata e patino iai le fa'amaumauga lea o le a fa'amaonia.

(e) Le āfaina ai le soāmaga(a)(2), o se tagata fa'amaonia fa'amaumauga e ona aoina se tupe totogi mo se galuega pei o se sui e sainia pe afai o le totogi'ina o lea tupe totogi o le a lē āfaina ai le sainia o so'o se fa'amaumauga.

31.0322 Tete'e e fa'amaonia.

(a) O se tagata fa'amaonia fa'amaumauga e le tataua ona tete'e i le faiga o se galuega fa'amaonia ona o le lanu o le tagata lea e ōna le fa'amaumauga, matua i tausaga o le soifuaga, tama po'o le teine, olaga feusua'i, talitonuga fa'ale-lotu, tulaga o le tupuga mai ai, soifua maloloina po'o le fa'aletonu o le tino, po'o le tulaga o se tagata le va'aia pea po'o se tagata e le masani ona tautua e le tagata

fa'amaonia fa'amaumauga po'o tagata e faigaluega ai le tagata fa'amaonia fa'amaumauga.

(e) O le tagata fa'amaonia fa'amaumauga e tatau lava ona faia so'o se galuega fa'amaonia pei ona tusia i le maga 31.0320(a) po'o le (e) o lenei mataupu mo so'o se tagata e fa'atalosagaina lea galuega ma ua ia mauaina le tupe totogi e feagai ai fa'apei ona fa'apitoa mai i le maga 31.0330(a), vagana:

(1) o le tagata fa'amaonia fa'amaumauga ua na iloa po'o se mafua'aga lelei ua talitonu ai o ia o lea galuega fa'amaonia po'o faiga ua fa'atasia ai ua le tusa ai ma le tulafono;

(2) o le galuega ua fa'asāina i lalo o le maga 31.0320(e);

(3) o le numera o galuega fa'amaonia ua fa'atalosagaina ma ua matuā le mafai ona fa'amae'aina i le taimi e tasi, o le mea lea o le tagata fa'amaonia fa'amaumauga ua tatau ona fa'atulagaina le fa'amae'aina o galuega ua totoc i se taimi lata mai; po'o

(i) O se tagata fa'amaonia fa'amaumauga na te faia galuega fa'amaonia I fafo atu o lona nofoaga galue po'o tua atu o itula fa'apisinisi ae le'o mana'omia lea tulaga.

31.0323 Alo'ese mai fautuaga.

(a) O se tagata fa'amaonia fa'amaumauga e tatau lava ona lē taliaina fautuaga a se tagata i le auai fa'atasi po'o le alo'ese mai se faiga e aofia ai se galuega fa'amaonia, vagana le fautuaina e le tagata fa'amaonia fa'amaumauga se faiga tete'e pe afai e fa'aaoga iai le maga 31.0322(e)(1).

(e) E le'o iai se tiute po'o se puleaga i le tagata fa'amaonia fa'amaumauga e su'esu'e ai, saili'ili i lona lava iloa, pe fa'amaonia ai pe tusa ma le tulafono, agatonu ai, fa'asa'olele, po'o le fa'amaoni o se fa'amaumauga po'o faiga e aofia ai galuega fa'amaonia.

31.0324 Fa'amaumauga sesē.

(a) O se tagata fa'amaonia fa'amaumauga e tatau lava ona ia lē fa'ataunu'uina le faiga o se fa'amaumauga ua aofia ai fa'amatalaga ua iloa pe ua talitonuina e ia ua sesē.

(e) E lē tatau i se tagata fa'amaonia fa'amaumauga ona fa'amau se saina aloaia po'o se fa'aailoga mau i se fa'amaumauga fa'amaonia ae le'o mae'a.

(i) E lē tatau i se tagata fa'amaonia fa'amaumauga ona faia pe avatua se fa'aailoga po'o le fa'amaumauga fa'amaonia ua iai le fa'aailoga mau i se isi tagata ae ua iai lona iloa o le a fa'amae'aina mulimuli po'o le fa'apipi'i i le fa'amaumauga e aunoa ma le iai o le tagata fa'amaonia fa'amaumauga.

31.0325 Fa'amaumauga e le'o tusa ai ona saunia.

(a) E lē tatau i le tagata fa'amaonia fa'amaumauga ona fa'amaonia se saina:

(1) i se pepa e le'o tusia ai se mea po'o fa'amaumauga e le'o mae'a ona saunia; po'o

(2) i luga o se fa'amaumauga e le'o iai fa'aupuga o fa'amaumauga fa'amaonia.

(e) E lē tatau ona fa'amaonia pe taliaina pei o se mea moni se ata e le tagata fa'amaonia fa'amaumauga.

31.0326 Taumafaiga e tau fa'asesē.

E lē tatau i le tagata fa'amaonia fa'amaumauga ona faia so'o se galuega aloaia ua iai se taumafaiga tau fa'asesē po'o le fa'aga'oi.

31.0327 Fa'amatalaga.

E lē tatau ona fa'aaoga le igoa aloaia o le tagata fa'amaonia fa'amaumauga po'o le fa'ailoga mau e sapaia ai, fa'atosiga, tau fa'aleaga, po'o le fa'atu'iese i so'o se oloa, tautua, tauva'aga, sui filifilia, po'o isi lava lafoga.

31.0328 Fa'asāina ona galue fa'aloia.

(a) Afai o fa'aupuga o fa'amaoniaga o fa'amaumauga ua le'o maua pe le'o ta'ua mo se fa'amaumauga, e lē tatau i se tagata le'o se loia ae fa'amaonia fa'amaumauga ona manatu ifo o le galuega o fa'amaoniaga po'o fa'amaumauga fa'amaonia o le a fa'aaogaina.

(e) E lē tatau i le tagata le'o se loia ae fa'amaonia fa'amaumauga ona fesoasoani i le isi tagata i le fa'aupuga, fa'amae'aga, filifilia po'o le fa'amalamalamaga o se fa'amaumauga po'o faiga e mana'omia ai se galuega fa'amaonia.

(i) O lenei maga e le'o aofia ai se tagata fa'amaonia fa'amaumauga ua iai se agava'a tatau, aoaoina, po'o le poto masani i lea lava fa'atasiga po'o matata fa'aporofesa mo le filifilia, fa'aupuga, fa'amae'aina, po'o le fautuaina i se fa'amaumauga po'o fa'amaumauga fa'amaonia e feagai i lea mataupu i totonu lava o lea fa'atasiga po'o lea matata.

(o) E lē tatau i le tagata fa'amaonia fa'amaumauga ona fa'apea ifo ua ia te ia le malosiaga, agava'a, aiā, po'o le faiā ua le'o maua e le ofisa o le tagata fa'amaonia fa'amaumauga, e aofia le malosiaga e fautua ai i mataupu tau femalagaiga.

(u) O le tagata e le'o se loia ae fa'amaonia fa'amaumauga ua manatu e faia sana fa'asalalauga o lana tautua fa'amaonia fa'amaumauga i se gagana e ese mai le Inilisi, e tatau lava ona aofia ai i le fa'asalalauga, fa'aaliga, ulutala o tusi, po'o saina e mulimuli ane lona fa'aioaina I le gagana e malamalama ai le toatele:

(1) o le fa'amatalaga: "O a'u e le'o se loia ma e leai sa'u pule e avatu ai fautuaga i mataupu i femalagaiga po'o isi lava mataupu fa'ale-tulafono"; ma

(2) o le tupe totogi mo galuega fa'amaonia o fa'amaumauga ua fa'aioaina fa'apitoa I totonu o le maga 31.0330(a).

(f) O se tagata fa'amaonia fa'amaumauga o le a ia lē fa'aaogaina upu ia o le "notario publico" po'o isi lava upu tutusa e le'o i le gagana Inilisi i pepa fa'apisinisi, fa'asalalauga, fa'aaliga, po'o saini.

Vaega III: Tupe totogi ma Tusi o Fa'amaoniaga o Fa'amaumauga

31.0329 Totogi'ina ma le fa'asolofuaina o tupe totogi.

(a) Mo le fa'ataunu'uina o se galuega o fa'amaoniaga, o le tagata fa'amaonia fa'amaumauga o le a tu'u atu se tau telē o le tupe totogi pei ona ta'ua fa'apitoa i totonu o le maga 31.0330, se tupe totogi i lalo ae o le tau telē, po'o le fa'asolofua o le tupe totogi.

(e) E lē tataui i le tagata fa'amaonia fa'amaumauga ona fa'apito'au tulaga o tupe totogi mo le faiga o fa'amaoniaga o fa'amaumauga ona e ese mai ai ma tulaga masani pei ona fa'atulagaina i le maga 31.0322(a), aepeita'i o le tagata fa'amaonia fa'amaumauga e mafai ona fa'asolofua pe fa'a'iti'itia tupe totogi ona o mafua'aga o le agalelei po'o le aga'alofa.

31.0330 Tupe totogi mo le fa'amaoniaga o fa'amaumauga.

(a) O le telē o le tupe totogi o le a totogi ai se tagata fa'amaonia fa'amaumauga mo le galuega o le fa'amaoniaga e fa'apenei:

(1) mo le fa'alauiloga lautele, \$10.00 i le saini;

(2) mo le fa'atauto'oga po'o le fa'amaoniaga e aunoa ma se sainia, \$20.00 mo le tagata;

(3) mo le fa'amaoniaga o se molimau fa'atautoina, \$10.00 i le saini;

(4) mo le saini a molimau, \$10.00 i le saini.

(5) mo kopi fa'amaonia, \$5.00 i le itulau e fa'amaonia ae iai se aofaiga o le tau la'ititi e \$10.00;

(e) E mafai ona totogia le tupe totogi i le faimalaga a le tagata fa'amaonia fa'amaumauga pe a malaga i le faiga o se galuega fa'amaonia pe afai:

(1) pe a malilie fa'atasi le tagata ua fa'atalosagaina le galuega fa'amaonia ma le tagata fa'amaonia fa'amaumauga ae le'i faimalaga i le tau o le Malaga; ma

(2) ia fa'amalamalama e le tagata fa'amaonia fa'amaumauga i le tagata ua talosagaina le galuega fa'amaonia o le totogi o le malaga e ese mai le totogi o le galuega o le fa'amaoniaga i le soāmaga(a) ma e le'o fa'apitoa pe fa'amalosia e le tulafono.

31.0331 Totogi ae le'i faia le galuega.

(a) O le a mana'omia peimeni o isi tupe totogi e le tagata fa'amaonia fa'amaumauga pei ona ta'ua fa'apitoa i totonu o le maga 31.0330 ae le'i mua'i fa'ataunu'uina se galuega o le fa'amaoniaga.

(e) So'o se isi lava tupe totogi ua totogi atu i le tagata fa'amaonia fa'amaumauga ae le'i mua'i fa'ataunu'uina se galuega o le fa'amaoniaga o le a le toe maua mai pe afai:

(1) ua mae'a le galuega; po'o

(2) i le tulaga o le tupe totogi i le faimalaga sa totogia e tusa ai o le maga 31.0330(e), ae ua lē mae'a le galuega ona o mafua'aga ua ta'ua i le maga 31.0322(e)(1) po'o le (2) ina ua uma ona malaga le tagata fa'amaonia fa'amaumaga e feiloa'i ma le tagata sa mana'omia le galuega o fa'amaoniaga.

31.0332 Tupe totogi mo tagata faigaluega o fa'amaoniaga.

(a) O le a fa'asāina se tagata faigaluega o ia o se tagata fa'amaonia fa'amaumaga e le pule galuega ai ona faia se tau o galuega o fa'amaoniaga ua faia i taimi a'o faigaluega mo le pule galuega, ma e lē tatau lava ona fa'atulaga le faia o se tupe totogi e lē ōgatasi ai ma tulaga masani pei ona ta'ua i le maga 31.0322(a).

(e) E lē tatau i le pule o galuega tua ona mana'o i se tagata faigaluega ma o ia fo'i o se tagata fa'amaonia fa'amaumaga e avatu uma po'o le vaevae o tupe totogi sa totogi'ina mo le faia o so'o se galuega o fa'amaoniaga.

(i) O se pule o galuega fa'ale-malō o lo'o totogia le tau o se tagata faigaluega i le ave po'o le galue pei o se tagata fa'amaonia fa'amaumaga e tatau lava ona mana'omia so'o se isi tupe totogi ua aoina mo galuega o fa'amaoniaga ua fa'ataunu'uina i le taimi a'o galue i le taimi o le pule pe fa'asolofua po'o le ave uma e sapaia ai polokalama lautele.

31.0333 Fa'aaliga o tupe totogi.

O tagata fa'amaonia fa'amaumaga ua totogi'ina mo a latou galuega o fa'amaoniaga ua tatau ona fa'amanino lelei fa'atulagaga o tupe totogi mo galuega o fa'amaoniaga i le gagana Inilisi po'o le gagana Samoa ma fa'aילוaina i totonu o a latou nofoaga fa'apisinisi, po'o le tu'uina atu i tagata ta'itoatasi ua mana'omia fa'amaoniaga i fafo atu o a latou nofoaga fa'apisinisi, fa'apei ona ta'ua fa'apitoa i totonu o le maga 31.0330(a). Ia leai lava se vaega o le fa'atulagaga o tupe totogi o fa'amaoniaga e lolomiaina e laiti'ti ae ma le 10-ai o le la'au lomitusi.

31.0334 Fa'afoliga o pepa.

(a) E tatau lava i le tagata fa'amaonia fa'amaumaga ona teuina, tausi lelei, puipuia, ma tu'uina atu mo asiasiga e tusa ma le tulafono se tu'ufa'asologa aloaia o tusi mo galuega o fa'amaoniaga ma o lea tusi o se tusi e tumau ma mausali le fa'atasiga ma e fa'anumeraina ona laupepa.

(e) E tatau lava i le tagata fa'amaonia fa'amaumaga ona teuina e le sili atu ma le tasi se tusi fa'aaoga i le taimi e tasi.

31.0335 Tusitusiga oto'oto o fa'amaumaga fa'amaonia.

(a) Mo galuega o fa'amaoniaga uma, ua tatau i le tagata fa'amaonia fa'amaumaga ona fa'amaui i totonu o le talaoto'oto fa'amaoniaga i le taimi sa faia ai ma o mea nei e ao ona iai:

(1) o le aso ma le taimi o le aso na faia ai le galuega fa'amaonia;

(2) le ituaiga galuega fa'amaonia;
(3) le ituaiga, ulutala, po'o le fa'amatalaga o le fa'amaumauga po'o aiaiga;

(4) o le saina, igoa lolomi, ma le tuatusi o tagata ta'itoatasi e patino iai;

(5) o le mau fa'amaonia e fa'ailoa ai tagata ta'itoatasi e patino iai, le foliga pe o se fa'amatalaga i lea tagata ua "iloa lelei ai ia" e le tagata fa'amaonia fa'amaumauga; o se tala pu'upu'u e fa'ailoa ai lea ituaiga fa'amaumauga, le ofisa sa saunia ma tu'uina atu lea ituaiga fa'amaumauga, lona numera fa'amau po'o le numera e iloa ai le fa'amaumauga, le aso sa tu'uina atu ai po'o le aso e fa'amuta ai, po'o le saina, igoa lolomi ma tuatusi o molimau autu ta'itoatasi ua fa'atautoina pe ua fa'amaonia lo latou iloa moni o le tagata, ma molimau autu e le masani lelei i le tagata fa'amaonia fa'amaumauga, se fa'amatalaga fa'amoemoeina a le tagata fa'amaonia fa'amaumauga e fa'ailoa ai fa'amaumauga;

(6) o le tupe totogi, pe afai, sa totogia mo le galuega o fa'amaoniaga.

(e) E le tatau i le tagata fa'amaonia fa'amaumauga ona fa'amauina numera o le saogalemu po'o numera o pepa aitalafu i totonu o le talaoto'oto, vagana ai o lea numera ua fa'aaogaina pei o se numera fa'amau po'o se numera fa'ailoa mo se fa'ailoaga o le fa'amaumauga ua fa'amoemoeina e le tagata fa'amaonia fa'amaumauga mo fuafuaga fa'ailoa.

(i) E tatau i le tagata fa'amaonia fa'amaumauga ona fa'amau i le talaoto'oto le mafua'aga ua le mae'a ai se galuega o fa'amaoniaga.

(o) Fa'apei ona mana'omia i totonu o le maga 31.0337(a), e tatau i le tagata fa'amaonia fa'amaumauga ona fa'amauina i totonu o le talaoto'oto ia mafua'aga o so'o se talosaga e asiasi ai po'o le kopi'ina o se fa'amaumauga i totonu o le talaoto'oto, e aofia ai le igoa o le tagata talosaga, tuatusi, saina, ma mau e fa'ailoa ai. O le mafua'aga e tete'e ai le fa'atagaina o le asiasiga po'o le kopi'ina o se fa'amaumauga o le talaoto'oto ua fo'i ona fa'amauina.

31.0336 Saina.

I le taimi o le fa'amaoniaga, e tatau lava ona sainia e i latou ta'itoatasi le talaoto'oto o fa'amaumauga fa'amaonia e fa'atatau i:

(1) le tagata ua patino iai;

(2) molimau autu ua tauto ma fa'amaonia le iloaina o se tagata e patino iai; ma

(3) molimau autu i se sainia o le maka po'o le sainia e le tagata fa'amaonia fa'amaumauga mo se tagata ua matua le mafai ona saina ona o se fa'aletonu o le tino.

31.0337 Asiasiga, kopi'ina ma le tu'ulafoa'i

(a) I le iai o le tagata fa'amaonia fa'amaumauga, o le a mafai ai e so'o se tagata ona asiasi se fa'amaumauga o galuega o fa'amaoniaga i totonu o le talaoto'oto aloaia i itula masani e fa'aga'ioi ai pisinisi, pe afai:

(1) ua iloa lelei lava e le tagata fa'amaonia fa'amaumauga le tagata ua faia le talosaga po'o le iai o fa'amaoniaga mai mau fa'amalieina;

(2) fa'amauina se saina a lea tagata i totonu o le talaoto'oto i se aso sa ulufale ai e ese mai ai;

(3) e ta'utino mai e le tagata le masina, tausaga, ituaiga fa'amaumauga, ma le igoa o le tagata e patino iai le galuega fa'amaonia sa faia po'o galuega o fia sailia; ma

(4) na'o se fa'amaumauga po'o fa'amaumauga sa ta'ua fa'apitoa e va'aia e le tagata.

(e) Afai ua iai se mafua'aga ma se talitonuga iloa o le tagata fa'amaonia fa'amaumauga o lea tagata e iai se solitulafono po'o fa'amoemoeaga leaga i le fa'atalosagaina o fa'amatalaga mai le talaoto'oto o fa'amaumauga fa'amaonia, e mafai e le tagata fa'amaonia fa'amaumauga ona tete'e le va'aiga o so'o se fa'amaumauga po'o ni fa'amaumauga.

(i) O le talaoto'oto e mafai ona su'esu'e e aunoa ma ni fa'asā'aga i ofisa o le fa'amalosia tulafono i le fa'atauta'ia o a latou su'esu'ega aloaia, tusi saisaitia i le fa'atonuga a le fa'amasinoga, po'o le tu'uina atu i le fa'atonuga a le Failautusi.

(o) Ina ua taliaina le talosaga i lalo o le soāmaga(a), e tatau i le tagata fa'amaonia fa'amaumauga ona faia se kopi o se fa'amaumauga fa'apitoa po'o ni fa'amaumauga oi totonu o le talaoto'oto i se tau e le sili atu ma le \$2.00 i le kopi; o isi fa'amaumauga i totonu o le itulau lava lea e tasi e tatau ona pupuni. Afai o se talosaga mo se kopi fa'amaonia o se fa'amaumauga i totonu o tusi atoatoa lona fa'apipi'ina, o le tau fa'aopo'opo o le tu'u iai pei ona ta'ua fa'apitoa i le maga 31.0330.

(u) E tatau ona puipuia le talaoto'oto ma isi fa'amaumauga fa'amaonia uma e le tagata fa'amaonia fa'amaumauga ma tu'u atu pe fa'aleagaina ia mea uma e ala i tulafono fa'ata'atia o fa'aga'ioiga po'o tulafono, le fa'atonuga a le fa'amasinoga, po'o le fa'atonuga a le Failautusi.

(f) A fa'apea ua lē fa'aaogaina, ua tatau ona teuina le talaoto'oto i se nofoaga puipuia e i lalo o le puleaga atoa a le tagata fa'amaonia fa'amaumauga, ma e lē tatau ona fa'aaogaina e se isi lava tagata fa'amaonia fa'amaumauga pe tu'u atu i se tagata pulea le afaigaluega pe a fa'amutaina le fa'afaigaluegaina.

(g) I totonu o le 10 aso ina ua ga'oia, leiloa, fa'aleagaina, leaga, pe ua fa'aleagaina po'o ua lē mafai ona faitauina pei o se fa'amaumauga o galuega fa'amaonia, ina ua uma ona fa'afeso'ota'i vaega e ao ona logo o ofisa fa'amalosia tulafono e tusa ai o le gaoi'ina po'o le fa'aleagaga, ua tatau i le tagata fa'amaonia fa'amaumauga ona fa'ailoa le Failautusi i so'o se auala e tu'uina atu ai se lisiti atoatoa po'o se fa'alauiloaga, e aofia ai meli fa'amaonia ma feso'ota'iga fa'aeletoroni (electronic), fa'apea ai ma se kopi po'o numera o isi ripoti a leoleo e fa'atatau iai.

(l) Ina ua uma ona fa'amāvae, fa'aleagaina, po'o ua mae'a le taimi o se komisi fa'amaonia fa'amaumauga, po'o le maliu o le tagata fa'amaonia

fa'amaumauga, o le talaoto'oto ma fa'amaumauga fa'amaonia ua tatau ona avatu i le Ofisa o le Failautusi o Amerika Samoa e tusa ai o le Mataupu 10.

Vaega IV: Talitonuina o Mau Fa'amaonia

31.0338 Sainia aloaia.

I le fa'amaoniaga o se pepa fa'amaumau, o se tagata fa'amaonia fa'amaumauga ua tatau:

(1) sainia e lona lima i luga o le fa'amaumauga fa'amaonia e tutusa lelei ma le na'o le igoa ua fa'ailoa i luga o le komisi fa'amaonia fa'amaumauga;

(2) e lē fa'aaogaina saina mai mea o'omi ua iai saina tutusa po'o se eletoroni (electronic) po'o isi lava auala lolomi; ma

(3) fa'apipi'i le saina aloaia ia na'o le taimi e faia ai galuega o fa'amaoniaga.

31.0339 Fa'ailoga aloaia.

(a) E tatau i le tagata fa'amaonia fa'amaumauga ona teuina se fa'ailoga aloaia ma o le meatotino lava lea a le tagata fa'amaonia fa'amaumauga. E lē tatau ona umia pe fa'aaogaina e se isi lava tagata le fa'ailoga aloaia, pe tu'uina atu i le pule o le afaigaluega ina ua fa'amuta le fa'afaigaluegaina.

(e) o foliga tutusa o le fa'ailoga aloaia ua tatau lava ona fa'apipi'ia e le tagata fa'amaonia fa'amaumauga i pepa fa'amaumau uma ua fa'amaonia.

(i) o foliga tutusa o le fa'ailoga ua tatau ona fa'apipi'ina na'o le taimi ua faia ai le galuega fa'amaonia.

(o) A le fa'aaogaina, e tatau ona teu puipuia le fa'ailoga ma e na'o le tagata fa'amaonia fa'amaumauga e o'o iai.

(u) So'o se foliga o le fa'ailoga e fa'apipi'i i se pepa pi'pi'i e tatau lava ona iai se tulaga fa'asolo o numera ua toe lolomia ma e tatau ona fa'amaumauina i totonu o le talaoto'oto o galuega fa'amaonia ina ia feagai ma lona fa'amaoniaga.

(f) I totonu o le 10 aso ina ua ga'oia, leiloa, fa'aleagaina, leaga, pe ua fa'aleaogaina po'o ua lē mafai ona faitauina pei o se fa'amaumauga o galuega fa'amaonia, ina ua uma ona fa'afeso'ota'i vaega e ao ona logo o ofisa fa'amalosi tulafono e tusa ai o le ga'oi'ina po'o le fa'aleagaga, ua tatau i le tagata fa'amaonia fa'amaumauga ona fa'ailoa le Failautusi i so'o se auala e tu'uina atu ai se lisiti atoatoa po'o se fa'alauiloaga, e aofia ai meli fa'amaonia ma feso'ota'iga fa'aeletoroni (electronic), fa'apea ai ma se kopi po'o numera o isi ripoti a leoleo e fa'atatau iai. A mauaina lea fa'aaliga e le Failautusi ua tatau loa ona tu'uina atu e ia i le tagata fa'amaonia fa'amaumauga se Fa'amaumauga o Fa'atagaga fou e Fa'atau ai se Fa'ailoga Fa'amaonia o Fa'amaumauga, ma e tatau lava ona tu'uina atu i se fa'atauoloo o fa'ailoga e tusa ai o le maga 31.0341.

(g) E mae'a loa lava ona fa'amāvac, fa'aleaogaina, po'o le fa'amutaina o le komisi fa'amaonia fa'amaumauga, po'o le maluu o le tagata fa'amaonia

fa'amaumauga, o le fa'ailoga ua tatau loa ona fa'aleaga pe matua'i suia foliga ina ia mafai ai ona le toe fa'aaogaina.

31.0340 Foliga o le fa'ailoga.

(a) I le autafa o le saina a le tagata fa'amaonia fa'amaumauga i luga o le fa'amaumauga fa'amaonia o se pepa fa'amaumau, e tatau i le tagata fa'amaonia fa'amaumauga ona fa'apipi'i se fa'ailoga aloaia e matagofie, manino, e tumau, ma e mafai ona toe pu'eina foliga ma e tatau ona aofia tulaga nei:

(1) o le igoa tutusa lelei o le tagata fa'amaonia fa'amaumauga fa'apei ona fa'ailoa i le komisi;

(2) o le numera fa'ailoa o le komisi a le tagata fa'amaonia fa'amaumauga;

(3) o upu "Fa'amaonia Fa'amaumauga Lautele" ma le "Teritori o Amerika Samoa" ma "O la'u komisi e fa'amutaina (le aso e fa'amuta ai le komisi";

(4) tuatusi pisinisi a le tagata fa'amaonia fa'amaumauga; ma

(5) o se tua'oi i se foliga fa'atafafā e lē telē atu ma le 1 inisi i le 2 inisi, e fa'ata'amilo i upu ua mana'omia.

(e) Fa'amatalaga ua le manino i totonu o le foliga o le fa'ailoga e taina po'o le lomina ia manino e le tagata fa'amaonia fa'amaumauga ma ia i autafa ane ae le'o i totonu o le foliga o le fa'ailoga.

(i) O se foliga mapu'e o le fa'ailoga ua le'o mafai ona pu'eina pe a lolomi e mafai ona toe fa'aaogaina ae le fa'aaogaina pei o le fa'ailoga o ta'ua i le soāmaga(a).

31. 0341 Maua ma le iai o se fa'ailoga.

(a) I le fa'atauina po'o le fausiaina o le fa'ailoga fa'amaonia o fa'amaumauga, o se fa'atauolua po'o se tagata fausia mea ua tatau lava ona talosagaina se pemitā mai le Failautusi, o ia e tatau ona totogi iai le \$50.00 mo le tu'uina atu lena pemitā ma teuina numera telefoni puipua e faaaogaina po'o tulaga fa'ainiteneti (internet site) e fa'ataga ai fa'atauolua ma tagata fausia mea ma e fa'amaonia ai le tuatusi meli o le pisinisi o so'o se tagata fa'amaonia fa'amaumauga i Amerika Samoa.

(e) E le tatau i se fa'atauolua po'o tagata fausia mea ona faia se fa'ailoga fa'amaonia fa'amaumauga i se tagata fa'atau fa'apea o ia o se tagata fa'amaonia fa'amaumauga, vagana ai ua fa'aali atu e le tagata fa'atau se atakopi o sona komisi fa'amaonia fa'amaumauga ma se Fa'amaumauga Fa'amaonia o le Fa'atagaga e Fa'atau ai se Fa'ailoga Fa'amaonia o Fa'amaumauga mai le Failautusi, o le tagata fa'atau ia auai o ia i le fa'ataga, ma o le fa'atauolua po'o le tagata fausia mea e fa'ailoaina lena tagata o se tagata ua fa'aigoaina i le komisi ma le Fa'amaumauga Fa'amaonia o le Fa'atagaga, ma i lo latou iloaia lelei po'o mau fa'amalieina o ona foliga.

(i) E tatau i le fa'atauola po'o le tagata fausia mea ona tu'uina atu se fa'ailoga fa'amaonia i le na'o le tagata fa'atau, ua auai ia lava i le fa'atauga, tu'u atu se ata o le kopi o sona komisi fa'amaonia o fa'amaumauga, sana Fa'amaumauga Fa'amaonia o le Fa'atagaga e Fa'atau ai se Fa'ailoga Fa'amaonia o Fa'amaumauga mai le Failautusi, ma se mau fa'amalieina o ona foliga.

(o) Mo Fa'amaumauga Fa'amaonia o le Fa'atagaga e Fa'atau ai se Fa'ailoga Fa'amaonia Fa'amaumauga e tasi, o se fa'atauola po'o se tagata fausia mea ua tatau lava ona faia pe fa'atau atu le tasi ma na'o le tasi lava le fa'ailoga, ma, afai e fa'atalosagaina e le tagata e avatua le Fa'amaumauga Fa'amaonia, e tasi ma e na'o le tasi lava le fa'ailoga mapu'e.

(u) Ina ua uma ona fausia po'o faia o se fa'ailoga po'o ni fa'ailoga fa'amaonia fa'amaumauga, o le fa'atauola e fa'apipi'ia foliga o fa'ailoga uma i le Fa'amaumauga Fa'amaonia o le Fa'atagaga e Fa'atau ai se Fa'ailoga Fa'amaonia o Fa'amaumauga ma avatu le Fa'amaumauga Fa'amaonia ua mae'a i le Failautusi, e na te taofia se kopi o le Fa'amaumauga Fa'amaonia ma le Komisi mo le lua tausaga.

(f) O le tagata fa'amaonia fa'amaumauga e mauaina se fa'ailoga fa'amaonia po'o ni fa'ailoga fa'amaonia ona o e mafua mai i se suiga o le igoa po'o le tuatusi pisinisi e tatau lava ona tu'u atu se kopi o le Fa'amaoniaga o le Suiga o le Igoa po'o le Tuatusi o le Tagata Fa'amaonia Fa'amaumauga mai le Failautusi e tusa ai o le maga 31.0351 ma le 31.0352.

(g) O se fa'atauola po'o le tagata fausia mea ua lē usita'i e tusa ai ma lenei maga ua sala o ia i se vaega E o le soligatulafono māmā, e fa'asalaina pe a nofosala i le falepuipui e le sili atu ma le ono masina ma po'o le sala tupe e le sili atu ma le \$500.00. O lea nofosala e le tatau ona aofia ai le aiā sivili (civil) o le fa'atauola i le vaega o tagata ua afāina ona o le usita'i o le fa'atauola i lenei maga.

31.0342 Fa'alauiloaga Lautele.

E tatau ona fa'aaoga e le tagata fa'amaonia fa'amaumauga se fa'amaumauga fa'amaonia ina ia fa'atuma ai le va'aiga tutusa o le fa'atulagaga o fa'amaoniaga o le saina po'o le maka a tagata e fa'alauiloa i latou uma po'o le pei o pa'aga, ofisa o kamupani, sul i mataupu saunia e loia, po'o isi lava tulaga fa'asui:

Teritori o Amerika Samoa

Itumalo o _____

O lenei _____ aso o _____, 20____, i ou luma, o le tagata fa'amaonia fa'amaumauga, ua saina lalo, ua fa'atasi ai nei _____ (igoa o le tagata ua sainia le fa'amaumauga), (ua iloa lelei lenei tagata)

(fa'amaonia mai ia te a'u I fa'amaumauga fa'a'iloa ua fa'atagaina e le tulafono, ma o ia _____.)

(fa'amaonia mai ia te au i le tauto'oga po'o fa'amaoniaga o _____, o ia ua ou iloa lelei ma sa ta'u mai o ia le (tama) (teine) e iloa leleia le ua sainia le fa'amaumauga ma e le'o a'afia I lea fa'amaumauga,)

(fa'amaonia mai ia te a'u i luga o tautoga po'o fa'amaoniaga o _____ ma

_____, ua fa'amaonia mai ia te a'u o la'ua fa'a'iloaga i fa'amaumauga e ala i tulafono ma ua la ta'u mai ia te a'u ua la iloa lelei le tagata ua sainia le fa'amaumauga ma e lē a'afia i la'ua i le fa'amaumauga,)

o ia o le tagata ua sainia lona igoa i aiaiga po'o fa'amaumauga ua fa'apipi'i iai, ma ua fa'alauiloina lautele ia te a'u ua sainia e ia mo fuafuaga ua ta'ua e aunoa ma se fa'atau'anau a seisi(.)

(o se pa'aga mo _____, se fa'apa'aga.)

(o se _____ mo _____, se pisinisi tu'ufa'atasi)

(o se sui filifilia e ala I tulafono mo _____, o le tagata e patino iai.)

(o se _____ mo _____, (se)(o le)_____.)

(saini aloaia ma fa'amau fa'a'iloa a le tagata fa'amaonia fa'amaumauga)

31.0343 Fa'amaoniaga o se molimau fa'atautoina.

E tatau lava ona fa'aaoga se fa'amaoniaga o se molimau fa'atautoina e le tagata fa'amaonia fa'amaumauga ina ia fa'atumau le va'aiga tutusa o le fa'atulagaga i le fa'amaoniaga o se saini po'o se maka i se fa'amaumauga o fa'amatalaga tusa ai ma le tulafono po'o isi tauto'oga po'o fa'amaoniaga o tusitusiga fa'alaua'ite:

Teritori o Amerika Samoa

Itumalo o _____

I lenei _____ aso o _____, 20_____, i luma o a'u, o le tagata fa'amaonia fa'amaumauga ua sainia i lalo, ua o'o mai ai ia _____ (igoa o le tagata ua sainia le fa'amaumauga), (o le tagata ua ou iloa leleia)

(fa'amaonia ia te a'u I fa'amaumauga fa'alauiloa ua fa'atagaina e tulafono, o ia fa'alauiloaga _____.)

(fa'amaonia ia te a'u i luga o tauto'oga po'o fa'amaoniaga o _____, se tagata ua ou iloa leleia ma sa ia ta'u maia ia te a'u e iloa lelei e ia le tagata ua sainia fa'amaumauga ma e le'o a'afia ai o ia i lea fa'amaumauga,)

(fa'amaonia ia te a'u i luga o tauto'oga po'o fa'amaoniaga o
_____ ma

_____, o la'ua fa'ailoaga ua fa'amaonia mai ia te a'u i
fa'amaumauga ua fa'atagaina e tulafono ma ua la'ua ta'u maia ia te a'u
ua la'ua iloa leleia le tagata ua sainia le fa'amaumauga ma e le a'afia ai i
la'ua i lea fa'amaumauga,)

o ia o le tagata ua sainia le aiaiga po'o fa'amaumauga fa'apipi'i i o'u luma ma ua
tauto po'o ua fa'amaonia mai ia te a'u o tusitusiga ua aofia ai i le fa'amaumauga
ua fa'amaonia ma sa'o atoatoa i lona iloa ma lona talitonuga lelei.

(saini aloaia ma fa'amau fa'ailoga a le tagata fa'amaonia fa'amaumauga)

31.0344 Saini a tagata molimau.

E tataui i le tagata fa'amaonia fa'amaumauga ona fa'aaogaina se
fa'amaumauga fa'amaonia ina ia fa'atumaui le va'aiga tutusa o le fa'atulagaga o
fa'amaoniaga o se saini po'o se maka e fa'amaonia ai le faia i luma o le tagata
fa'amaonia fa'amaumauga e aunoa ma se fa'atauto'oga po'o le fa'amaoniaga:

Teritori o Amerika Samoa

Itumalo o _____

O le _____ aso o _____, 20_____, i o'u luma, o le tagata
fa'amaonia fa'amaumauga ua sainia i lalo, ua o'o mai ai
_____ (igoa o le tagata ua sainia fa'amaumauga), (o se
tagata ua ou iloa leleia)

(fa'amaonia mai ia te a'u i fa'amaumauga fa'alauiloa ua fa'atagaina e le
tulafono, o ia fa'alauiloaga _____,)

(fa'amaonia mai ia te a'u i luga o le tauto'oga po'o fa'amaoniaga o
_____, ua ou iloa leleia o ia ma sa ta'u maia ia te a'u ua iloa lelei e
ia le tagata ua sainia le fa'amaumauga ma e le'o a'afia ai o ia i le
fa'amaumauga,)

(fa'amaonia mai ia te a'u i luga o le tauto'oga po'o fa'amaoniaga o
_____ ma _____, o la'ua fa'ailoaga ua fa'amaonia
mai ia te a'u i fa'amaumauga ua fa'atagaina e le tulafono ma ua la'ua ta'u
maia ia te a'u ua la'ua iloa leleia le tagata ua sainia le fa'amaumauga ma e
le'o a'afia ai i la'ua i le fa'amaumauga,)

o ia o le tagata ua sainia le aiaiga po'o fa'amaumauga fa'apipi'i i ou luma.

(sainia aloaia ma fa'amau fa'ailoga a le tagata fa'amaonia fa'amaumauga)

31.0345 Sainia i le maka ma tagata ua le mafai ona saini.

I luga o pepa fa'amaumau, fa'amaumauga fa'amaonia i totonu o maga 31.0342, 31.0343 ma 31.0344 o lenei mataupu e mafai ona fa'aaoga e tagata e sainia i le maka po'o tagata ua lē mafai ona saini pe faia se maka ona ua fa'aletonu le tino pe afai:

(1) mo tagata e sainia le maka, o le tagata fa'amaonia fa'amaumauga ma le 2 o molimau ua va'ai i le fa'amauina o le maka e le'o a'afia ai i le fa'amaumauga, o molimau uma ia e sainia o la'ua igoa i autafa o le maka, ma o le tagata fa'amaonia fa'amaumauga e tusia i lalo o le maka: "Ua fa'amauina le maka (igoa o le tagata na sainia le maka) i luma o (igoa ma tuatusi o molimau e toalua) ma le tagata fa'amaonia fa'amaumauga ua sainia i lalo pei ona ta'ua i lalo o maga 31.0320(o) o le Tulafono o Fa'amaoniaga o Fa'amaumauga o le 2007"; po'o

(2) mo se tagata ua lē mafai ona saini po'o le faia o se maka, e fa'atonuina e lea tagata le tagata fa'amaonia fa'amaumauga e saini lona igoa i luma o lea tagata ma molimau e toalua e le'o a'afia ai i lea fa'amaumauga, o molimau ia e toalua o le a saini o la'ua igoa i autafa o le saini, ma o le tagata fa'amaonia fa'amaumauga o le a tusi i lalo a'e o le saini: "Saini ua fa'amauina e le tagata fa'amaonia fa'amaumauga i luma o (igoa ma tuatusi o le tagata ma molimau e to'alua) i lalo o le maga 31.0320(u) o le Tulafono o Fa'amaoniaga o Fa'amaumauga o le 2007".

31.0346 Kopi fa'amaonia.

E tataua lava i le tagata fa'amaonia fa'amaumauga ona fa'aaogaina se fa'amaumauga fa'amaonia ina ia fa'atumaui le va'aiga tutusa o le fa'atulagaga i le fa'amaoniaga o se kopi o fa'amaumauga fa'amaonia:

Teritori o Amerika Samoa

Itumalo o _____

O lenei _____ aso o _____, 20_____, Ua ou fa'amaonia o le (aiaiga) (fa'asologa) (fa'apipi'iga) i le fa'amaumauga ua moni, tutusa, mae'a, ma le'o se kopi ua suia sa faia e a'u o _____ (fa'amatalaga o le fa'amaumauga),

(tu'uina mai ia te a'u e le tagata ua tausia fa'amaumauga, _____),

(taofia i la'u tausiga pei o se fa'amaumauga fa'amaonia,)

ma i lo'u iloa lelei, o le kopi o le fa'amaumauga e le'o se fa'amaumauga tāua, o se fa'amaumauga lautele po'o se fa'amaumauga fa'alauteleina lona fa'amauga, kopi fa'amaonia o le a maua lea mai le mea e maua aloaia ai e le'o le tagata fa'amaonia fa'amaumauga.

(saini aloaia ma le fa'amaui fa'aioaga a le tagata fa'amaonia fa'amaumauga)

31.0347 Tulaga o mau fa'amaonia

I luga o se fa'amaumauga fa'amaonia e avatu i se isi setete po'o malō, mau fa'amaonia o le fa'amaoni lelei o le fa'amau fa'ailoga aloaia ma le saina a se tagata fa'amaonia fa'amaumauga o lenei Teritori, afai e mana'omia, e tataua lava ona fa'atulaga fa'apea:

(1) o se fa'atagaga o le fa'amaumauga fa'amaonia mai le fa'amaoniaga lelei a le Failautusi ae mana'omia ni'isi fa'amaumauga fa'amaonia mai le Iunite Setete ma/po'o ofisa o malō i fafo; po'o

(2) i le tulaga o se fa'amaumauga fa'amaonia e fa'aaogaina i se malō ua saina ma fa'amaonia le Fonotaga i Hague ia Oketopa 5, 1961 e Ave'esea ai Mana'oga Fa'ale-tulafono mo Fa'amaumauga Lautele o Malō i fafo, o se fa'aaposetolo mai le Failautusi o Amerika Samoa i le fa'atulagaga ua fa'amatalaina i le Fonotaga, ua leai ni'isi fa'amaumauga fa'amaonia lelei ua mana'omia.

31.0348 Fa'amaumauga fa'amaonia o se pule.

(a) O se fa'amaumauga fa'amaonia o se pule ia iai mau fa'amaonia lelei o le fa'amau fa'ailoga aloaia ma le saina a se tagata fa'amaonia fa'amaumauga o lenei Teritori e tataua ona fa'atumau le va'aiga tutusa i le fa'atulagaga nei:

Fa'amaumauga fa'amaonia o se Pule mo se Galuega Fa'amaonia
O a'u, _____ Failautusi o Amerika Samoa, ua fa'amaonia o _____ (igoa o le tagata fa'amaonia fa'amaumauga), o le tagata ua fa'aigoaina i le fa'amau fa'ailoga ma le saina i le fa'amaumauga fa'apipi'i, o se Tagata fa'amaonia fa'amaumauga Lautele mo le Teritori o Amerika Samoa, ma fa'atagaina e galue fa'apea i le taimi o le fa'amaoniaga o le fa'amaumauga.

I le taga'i totoa i lenei Fa'amaumauga fa'amaonia o se Pule mo se Galuega Fa'amaonia o Fa'amaumauga, ua ou fa'amaui i lalo la'ua saina ma le fa'amau fa'ailoga o le ofisa i lenei _____ aso o _____, 20 ____.

(saina ma le fa'amau fa'ailoga o le Failautusi o Amerika Samoa)

31.0349 Fa'aaposetolo.

O se fa'aaposetolo ua ta'ua i le Fonotaga i Hague, pei ona fa'amatalaina aloaia i le 28 U.S.C.A. i totonu o fa'aupuga o Tulafono 44 o le Tulafono mo Aiaiga Sivili (Civil Procedure), e tataua lava ona fa'atulagaina i se foliga o se sikuea ma ona itu e le iti'iti ma le 9 senitemita le umi ma ia aofia ai fa'aupuga tutusa nei:

FA'AAPOSETOLO
(Fonotaga i Hague ia 5 Oketopa 1961)

1. Malō: _____
2. O lenei fa'amaumauga lautele
ua sainia
e _____
3. faia i lona
o le _____
4. ua iai le fa'amau fa'ailoga/o'omi o _____
FA'AMAONIA
5. i _____
6. o le _____
7. e _____
8. Nu. _____
9. Fa'amau fa'ailoga/o'omi 10. Saini

31.0350 Tupe totogi.

O le Failautusi e fa'atau atu:

- (1) mo le tu'uina atu o se fa'amaumauga fa'amaonia o se pule, \$25.00; ma
- (2) mo le tu'uina atu o se Fa'aaposetolo, \$25.00

Vaega V: Suiga o Tulaga, Fa'asalaga ma Aiā tatau

31.0351 Suiga o le tuatusi o nofoaga.

(a) I totonu o le 10 aso ona mae'a le suiga o le nofoaga, pisinisi, po'o tuatusi meli a le tagata fa'amaonia fa'amaumauga, ua tatau loa i le tagata fa'amaonia fa'amaumauga ona tu'uina atu i le Failautusi se isi faiga e maua ai se lisiti manino po'o fa'alauiloaga lautele, aofia ai meli fa'amaonia ma fa'asalalauina fa'aeletoroni, se fa'aaliga o le suiga ua sainia, e ta'ua ai le tuatusi tuai ma le tuatusi fou.

(e) Afai o le tuatusi o le pisinisi ua sui, e lē tatau i le tagata fa'amaonia fa'amaumauga ona fa'amaonia fa'amaumauga se'ia mae'a:

(1) o le fa'aaliga ua ta'ua i le soāmaga(a) ua uma ona tu'uina atu po'o le fa'asalalauina;

(2) o se Fa'amaoniaga o le Igoa o le Tagata fa'amaonia fa'amaumauga po'o le Suiga o le Tuatusi ua mauaina mai le Failautusi; ma

(3) o se fa'amau fa'ailoga fou e iai le tuatusi fou o le pisinisi ua taua'aoina.

31.0352 Suiga o le igoa.

(a) I totonu o le 10 aso ona mae'a le suiga o le igoa o le tagata fa'amaonia fa'amaumauga e se fa'atonuga mai le fa'amasinoga po'o le itu o le fa'aipoipoga, e tatau i le tagata fa'amaonia fa'amaumauga ona tu'uina atu i le Failautusi i so'o se auala maua se lisiti manino po'o se fa'alauiloaga lautele, e aofia ai meli

fa'amaonia ma fa'asalalauga fa'aeletoroni, se fa'aaliga sainia o le suiga, ua iai le igoa tuai ma le igoa fou, ia iai se kopi o so'o se fa'atagaga aloaia mo lea suiga.

(e) O tagata fa'amaonia fa'amaumauga e tatau ona fa'aaoga pea lona igoa tuai i le faiga o galuega fa'amaonia o fa'amaumauga se'i mae'a uma tulaga ua feagai ai, i lea taimi ua tatau loa ona fa'aaoga le igoa fou o le tagata fa'amaonia fa'amaumauga:

(1) o le fa'aaliga ua ta'ua i le soāmaga(a) ua tu'uina atu pe ua fa'asalalauina;

(2) o se Fa'amaoniaga o le Suiga o le Igoa po'o le Tuatusi o le Tagata fa'amaonia fa'amaumauga ua maua mai le Failautusi; ma

(3) o se fa'amau fa'ailoga ua iai le igoa fou ua tutusa pei ona i totonu o le Fa'amaoniaga ua taua'aoina.

31.0353 Fa'amāvaega.

(a) o se tagata fa'amaonia fa'amaumauga ua fa'amāvae lona komisi e tatau lava ona tu'uina atu i le Failautusi i o'o se auala maua se lisiti manino po'o se fa'alauiloaga lautele, aofia ai meli fa'amaonia ma fa'asalalauga fa'aeletoroni, se fa'aaliga ua sainia e fa'ailloa ai le aso e aloaia ai le fa'amāvaega.

(e) o tagata fa'amaonia fa'amaumauga ua le'o toe nofoia totonu po'o le lē toe tausia se nofoaga masani e galue ai po'o pisinisi i totonu o lenei Teritori, po'o le lē matuā mafai ona toe faia a latou tiute o le fa'amaoniaga o fa'amaumauga, ua tatau ona fa'amāvae mai i o latou komisi.

31.0354 Fa'atulagaga o fa'amau fa'ailoga ma talaoto'oto.

(a) Vagana ua maua i totonu o le soāmaga(e), a fa'amuta le komisi a le tagata fa'amaonia fa'amaumauga pe ua fa'amāvae po'o ua fa'aleaogaina, e tatau i le tagata fa'amaonia fa'amaumauga:

(1) i se fuafuaga vave e tatau ai, fa'aleaga po'o le suia foliga uma o fa'amau fa'ailoga a le tagata fa'amaonia fa'amaumauga ina ia le mafai ai ona fa'aaoga sesēina; ma

(2) i totonu o le 30 aso ina ua mae'a le aso aloaia o le fa'amāvaega, fa'aleaogaina, po'o le fa'amutaina, tu'u atu loa i le Ofisa o le Failautusi o Amerika Samoa i so'o se auala e maua ai se lisiti manino po'o se fa'alauiloaga lautele, e aofia ai meli fa'amaonia ma fa'asalalauga fa'aeletoroni, o le talaoto'oto ma fa'amaumauga fa'amaonia, e tusa ai ma mana'oga o le ofisa lava e tasi.

(e) O se tagata tuai sa faia fa'amaonia o fa'amaumauga ua manatu e fa'aulu se talosaga mo se komisi fou ma o lana komisi tuai po'o le talosaga e le'i fa'aleaogaina pe le'i taliaina e lenei Teritori, e lē mana'omia le avatua o le talaoto'oto ma fa'amaumauga i totonu o le 30 aso ina ua mae'a le fa'amutaina o lona komisi, aepeita'i e tatau ona faia i totonu o le 3 masina mai le fa'amutaina vagana ua toe fa'akomisi'ina i totonu o lea vaitaimi.

31.0355 Maliu o le tagata fa'amaonia fa'amaumauga.

Afai ua maliu le tagata fa'amaonia fa'amaumauga a'o tautua pea le taimi o lona komisi po'o le le'i fa'ataunu'u o ona tiute tauave pei ona fa'atulagaina i le Maga 31.0354, o le sui aloaia o le tagata fa'amaonia fa'amaumauga ua tatau:

(1) fa'ailoa i tusitusiga i le Failautusi le maliu;

(2) i se fuafuaga vave e tatau ai, fa'aleaga ma suia foliga uma o fa'amau fa'ailoga a le tagata fa'amaonia fa'amaumauga ina ia le mafai ai ona fa'aaoga sesē; ma

(3) i totonu o le 30 aso ina ua mae'a le maliu, avatu i le Ofisa o le Failautusi o Amerika Samoa, i le tausiga a le Ofisa o le Kovana i so'o se auala maua se lisiti manino po'o se fa'alauiloaga lautele, e aofia ai meli fa'amaonia ma fa'asalalauga fa'aeletoroni, o le talaoto'oto o galuega o fa'amaoniaga a le tagata fa'amaonia fa'amaumauga ma so'o se isi lava fa'amaumauga fa'amaonia, e tusa ai ma mana'oga o le ofisa lava e tasi.

31.0356 Aiā tatau o tagata fa'amaonia fa'amaumauga ma lona pule galuega.

(a) O se tagata fa'amaonia fa'amaumauga e āfaina ona aiā i so'o se tagata mo fa'aletonu uma e o'o i lea tagata ona o le fa'atamala o le tagata fa'amaonia fa'amaumauga, mafaufau mautinoa le solia o le tulafono, po'o uiga aloaia lē taupulea e feagai ai ma se faiga o se fa'amaoniaga.

(e) O se pule galuega o se tagata fa'amaonia fa'amaumauga e āfaina ona āia i so'o se tagata mo fa'aletonu uma e o'o i lea tagata ona o le fa'atamala o le tagata fa'amaonia fa'amaumauga, mafaufau mautinoa le solia o le tulafono, po'o uiga aloaia lē taupulea i le fa'aga'io'iga o se fa'amaoniaga i le taimi o faigaluega ai, afai o le pule galuega ua fa'atonuina, manatu ifo iai, fa'amalosi, fa'amaonia, po'o le sapaia o le fa'atamala o le tagata fa'amaonia fa'amaumauga, solia o le tulafono, po'o uiga aloaia lē taupulea e le gata i se fa'aga'io'iga patino po'o le faia iai e le pule galuega i se fa'atinoga muamua o se galuega e tasi sa faia e foliga tutusa ae auai fa'atasi ai so'o se tagata fa'amaonia fa'amaumauga ua fa'afaigaluegaina e le pule galuega.

(i) O se pule galuega o se tagata fa'amaonia fa'amaumauga e āfaina ona āia i le tagata fa'amaonia fa'amaumauga mo fa'aletonu uma e toe maua mai e le tagata fa'amaonia fa'amaumauga ona o se taunu'uga o so'o se soliga o le tulafono e le tagata fa'amaonia fa'amaumauga sa fai fa'amalosia ona o le fa'amata'uina e le pule galuega, afai o le fa'amata'u, e fa'apea o le tu'uina i lalo o lona tulaga mai le tulaga maualuga sa iai po'o le fa'ate'aina, ma ua faia i se fa'amaoniaga patino po'o le faia iai fa'apei ona faia e le pule galuega i se fa'atinoga e tasi o se galuega muamua e foliga tutusa ma sa auai fa'atasi ai so'o se tagata fa'amaonia fa'amaumauga ua fa'afaigaluegaina e le pule galuega. E le gata i lea o le pule galuega e āfaina ona āia i le tagata fa'amaonia fa'amaumauga mo fa'aletonu ua mafua ai ona tu'uina i lalo lona tulaga mai le tulaga maualuga sa iai, fa'ate'aina po'o isi lava fa'aga'io'iga e mafua mai ona o le tete'eina e le tagata fa'amaonia fa'amaumauga le auai fa'atasi i le solia o le tulafono po'o uiga aloaia lē taupulea.

(o) E le āfaina ai fua so'o se isi vaega o lenei Tulafono, ae mo le mafua'aga o lenei maga "fa'atamala" e lē tatau ona aofia ai so'o se taumafaiga fa'atuatua lelei sa faia e le tagata fa'amaonia fa'amaumauga e tusa ai o galuega ua fa'atulaga e le Maga 31.0320(i)(3) po'o le (4).

31.0357 Mafua'aga valalata.

O ni fa'aletonu e toe alia'e fa'asaga i se tagata fa'amaonia fa'amaumauga po'o le pule galuega e lē mana'omia ai se tulaga fa'apea o le fa'atamala o le tagata fa'amaonia fa'amaumauga, solia o le tulafono, po'o uiga aloaia lē taupulea o le autū ma le mafua'aga valalata moni lea o nei fa'aletonu ua toe alia'e.

31.0358 Fa'aleaogaina.

(a) O le Failautusi e mafai ona ia lē fa'aaogaina se komisi fa'amaonia fa'amaumauga i luga o so'o se mafua'aga o le a lē taliaina ai se talosaga mo se komisi i lalo o le Maga 31.0309(i) ma le (o).

(e) O le Failautusi e tatau ona fa'aleaogaina le komisi o so'o se tagata fa'amaonia fa'amaumauga pe a le faia e latou:

(1) fa'atumau pea ona iai se nofoaga po'o se fale faigaluega masani po'o pisinisi i totonu o le Teritori o Amerika Samoa; ma

(2) fa'atumau pea lona tulaga o se tagata nofomau o Amerika Samoa e tusa ai ma tulafono.

(i) Ae le'i mua'i fa'aleaogaina se komisi fa'amaonia fa'amaumauga, e tatau i le Failautusi ona fa'ailoa atu i le tagata fa'amaonia fa'amaumauga le mafua'aga mo le fa'aleaogaina ma o lea fa'aleaogaina o le a aloaia i se aso tonu ua fuafuaina vagana ai se tagi tete'e mautu ua failaina i le Fa'amasino o Tulafono tau Puleaga ae le'i o'o i lea aso.

(o) Fa'amāvaega po'o le uma o le tautua o se komisi fa'amaonia fa'amaumauga e lē fa'amutaina pe taofia mai ai le faiga o se su'esu'ega e le Failautusi i amioga o le tagata fa'amaonia fa'amaumauga, o ia e fa'aauauina le su'esu'ega se'ia o'o i le taunu'uga, ina ia tatau ona faia o se mataupu fa'alauteleina e tusa po'o a'afiaga e ona fai ma mafua'aga tonu mo lona lē fa'aaogaina.

31.0359 Isi ala o fa'aleleiga mo uiga fa'afitauli.

(a) O le Failautusi e tu'uina atu se tusitusiga o Lapata'iga Aloaia e Taofia Ai Uiga Lē Taupulea i so'o se tagata fa'amaonia fa'amaumauga ua mafai ona fa'auigaina ana ga'oi'oiga o ni uiga aloaia lē taupulea i lalo o le Maga 31.0307(s)

(e) O le Failautusi na te fa'afeso'ota'ia se fa'atonuga mai i le fa'amasinoga e puipuia mai se tagata mai le solia o so'o se aiaiga o lenei Tulafono.

31.0360 Fa'asalalauga o fa'asalaga ma ala o fa'aleleiga.

O le Failautusi e tatau ona faia fa'asalalauga masani o le lisi o tagata ua fa'aleaogaina o latou komisi e le Failautusi po'o a latou amioga fa'ale-tagata fa'amaonia fa'amaumauga o se mataupu talanoaina e se fa'atonuga mai le fa'amasinoga po'o Lapata'iga Aloaia e Taofia Ai Uiga Lē Taupulea.

31.0361 Fa'asalaga o solitulafono mamafa.

(a) I le fa'aga'oi'oiga o se galuega fa'amaoniaga o fa'amaumauga, e nofosala ai se tagata fa'amaonia fa'amaumauga i le vasega O(D) o le solitulafono mamafa, fa'asalaina pe a fa'amaonia i le nofosala tupe e lē sili atu le \$5,000 po'o le fa'afalepuipui e o'o atu i le lima tausaga, po'o fa'asalaga uma e lua, mo le iloaina:

(1) lē fa'ataunu'uina le mana'omia o le auai o se tagata e onā moni le fa'amaumauga i ona luma i le taimi e faia ai se galuega o le fa'amaonia o fa'amaumauga;

(2) lē fa'ataunu'uina o le fa'ailoaina o se tagata e onā moni le fa'amaumauga i lona iloaga lelei o le tagata po'o mau fa'amalieina; po'o

(3) fa'ataunu'uina le faiga o se fa'amaumauga fa'amaonia sesē i lalo le Maga 31.0324.

(e) O se tagata fa'amaonia fa'amaumauga ua na iloaina le faiga po'o le lē fa'ataunu'uina le faiga o so'o se'isi lava galuega fa'asāina po'o ni fa'amatalaga fa'amalosia e tusa ai o lenei Tulafono o le a nofosala i le vasega A o le solitulafono māmā, fa'asalaina pe a fa'amaonia i se nofosala tupe e lē sili atu ma le \$1,000 po'o le fa'afalepuipui e le sili atu i le tausaga e tasi, po'o sala uma e lua.

31.0362 Ni'isi ala o fa'aleleiga ma fa'asalaga e le'o aofia ai.

O fa'aleleiga ma fa'asalaga o lenei mataupu e le'o aofia ai isi fa'aleleiga ma fa'asalaga e pei ona aiaia e le tulafono.

31.0363 Fa'afoliga o se isi tagata.

O so'o se tagata e le'o se tagata fa'amaonia fa'amaumauga ua na iloa lelei ae galue fa'apei o lea tagata pe fa'afoliga o se tagata fa'amaonia fa'amaumauga ua nofosala i le Vasega O(D) o le solitulafono mamafa, e fa'asalaina pe a fa'amaonia i le nofosala tupe e lē sili atu ma le \$5,000 po'o le fa'afalepuipui e lē sili atu ma le lima tausaga, po'o sala uma e lua.

31.0364 Taofi sesē o meatotino a se isi tagata.

O so'o se tagata ua mautinoa lelei le iai ia te ia, nātia, fa'amatagāina, pe fa'aleagaina le fa'amau fa'ailoga, talaoto'oto, po'o fa'amaumauga aloaia a se tagata fa'amaonia fa'amaumauga ua nofosala i le Vasega O(D) o le solitulafono mamafa, e fa'asalaina pe a fa'amaonia i le nofosala tupe e lē sili atu ma le \$5,000 po'o le fa'afalepuipui e lē sili atu ma le lima tausaga, po'o sala uma e lua.

31.0365 Faiga taufa'asesē.

O so'o se tagata ua na iloa lelei ma faia se talosaga āisi, fa'amalosia, po'o se isi auala na te fa'atau'anauina ai le tagata fa'amaonia fa'amaumauga e faia ai ni uiga aloaia lē taupulea ua nofosala i le Vasega O(D) o le solitulafono mamafa, e fa'asalaina pe a fa'amaonia i le nofosala tupe e lē sili atu ma le \$5,000, po'o le fa'afalepuipui e lē sili atu ma le lima tausaga, po'o sala uma e lua.

31.0366 Ni'isi fa'asalaga e le'o aofia ai.

O fa'asalaga o lenei mataupu e le'o aofia ai isi fa'asalaga ma fa'aleleiga e pei ona aiaia e le tulafono."

Lolo M. Moliga
LOLO M. MOLIGA
Peresetene, Maota Mauuluga

Savali Talavou Ale
SAVALI TALAVOU ALE
Fofoga Fetalai, Maota o Sui

Hereby Approved this 20th day of May 2008
[Signature]
Governor of American Samoa