



GOVERNMENT OF SAMOA

SAMOA SECOND INFRASTRUCTURE AND ASSET MANAGEMENT PROJECT
(SIAM II)

COMPONENT 5.01: LAND ADMINISTRATION AND SURVEY

GEOGRAPHIC NAMES ACT
(DRAFT)

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GEOGRAPHIC NAMES ACT 200?

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Geographic Names Act 200?

SAMOA

An act to establish a Geographic Names Board in Samoa and to confer on that board powers with respect to naming of places in Samoa.

PART 1 PRELIMINARY

1 Short Title and Commencement

- (1) This Act may be cited as the Geographic Names Act 200?
- (2) This Act shall commence on the day or days nominated by the Minister

2 Interpretation

- (1) In this Act, unless the context otherwise requires:

"Administrative Boundary" means the boundary defining the extent of any town, district, land division, village or locality in Samoa; nothing in this meaning includes electoral division as defined under the Electoral Act 1963.

"Agency" means the Spatial Information Agency of Samoa

"Board" means the Geographic Names Board;

"Chief Executive Officer" means the chief executive officer of the Ministry of Natural Resources, Environment and Meteorology;

"Geographic name" or "name" means the name of any place;

"Ministry" means the Ministry of Natural Resources, Environment and Meteorology;

"Minister" means the Minister of Natural Resources, Environment and Meteorology;

"Place" means any town, village, settlement, district, division, locality, feature, object, road or reserve over the land and maritime jurisdiction of Samoa. Place here does not include an electoral district as defined under the Electoral Act 1963.

PART 2 GEOGRAPHIC NAMES BOARD

3 Establishment of Geographic Names Board

- (1) There is established a Geographic Names Board
- (2) The Board shall consist of 9 members comprising-
 - a) The Chief Executive Officer who shall be chairperson.
 - b) The Divisional Head of the Agency who shall be deputy chairperson
 - c) The Ministry of Education, Sports and Culture
 - d) The Ministry of Works Transport and Infrastructure
 - e) The Ministry of Police, Prison and Fire Service, and

- f) Four members appointed by the Minister, who shall be known as appointed members and who are appointed from nominations received by the Minister from:
 - (i) The Council of Pulenuu
 - (ii) The Council of Churches, and
 - (iii) The National University of Samoa, and
 - (iv) A non government organisation with an interest in the heritage and history of Samoa.
 - (3) The meetings of the Board shall be held at such times and places as the Chairperson may determine.
- PROVIDED THAT the Chairperson shall convene a meeting of the Board at least two times each year.
- (4) The appointed members of the Board shall serve for a period of 3 years and shall be eligible for reappointment.

4 Secretariat and officers

The Agency will provide a secretary and such other officers, facilities and any other resources as are necessary for the administration and functioning of the Board.

5 Remuneration of appointed members

- (1) Each appointed member may be entitled to receive a fee for attending meetings of the Board as the Minister may determine;
- (2) Each appointed member may be entitled to be reimbursed for authorized expenses reasonably incurred in performing services required on behalf of the Board

PART 3 OBJECTIVES, POWERS AND FUNCTIONS

6 Objectives of this Act

In the performance of any function, power or duty under this Act the following objectives shall be pursued:

- a) To eliminate ambiguity and uncertainty in geographic names in Samoa
- b) To ensure administrative boundaries are clearly defined and known;
- c) To ensure that there is appropriate recognition of Samoan heritage and culture in the selection of geographic names;
- d) To provide the institutional and administrative framework that facilitates widest practicable community consultation in matters covered by this Act.

7 Functions of the Board

The functions of the Board are to-

- a) assign names to all places in Samoa
- b) approve all geographic names in Samoa;
- c) alter a recorded geographic name;
- d) define, re-define, alter or amend all administrative boundaries as directed the Minister;
- e) adopt standards and apply rules for the approval of geographic names;
- f) develop and promote guidelines for the assignment of geographic names;
- g) compile and maintain a record of all geographic names with a record of their form, spelling, meaning, origin and history;

- h) publish a gazetteer of geographic names, and
- i) conduct enquiries and make recommendations on any matter referred to it by the Minister.

8 The powers of the Board

The Board shall have such powers as are necessary to enable the proper performance of its function and furtherance of the objectives of this Act.

9 Administrative Boundaries

The Minister may direct the Board to undertake any investigation, and make recommendations there from, concerning any administrative boundary.

10 Notice of proposal to assign or alter a name

Whenever the Board proposes to assign a geographic name to any place or alter a recorded geographic name it will cause it to be published in Savali and in a newspaper circulating in the area.

11 Objection to assigned name or alteration

- (1) Any person or group of persons objecting to any proposed name or alteration under Section 10 may, at any time within 3 months of the publication of notice of the Board's intention to assign or alter the name concerned, give to the Secretary of the Board notice in writing of an objection, setting out the grounds of the objection.
- (2) As soon as practicable the Board shall inquire into and dispose of all objections made pursuant to this section, and shall report in writing to the Minister, setting out the grounds of the objections, and its decision thereon.
- (3) The Minister may approve or disapprove of the recommendation in subsection 2 and his or her decision will be final.

12 Names in publications

- (1) No person shall publish in any scientific publication, handbook, pamphlet, road guide or other publication, in any medium, any name purporting to be the name of any place which is not the name so recorded under this Act;
UNLESS it is so stated in the publication that the name is not a geographical name under this Act;
- (2) Every person who acts in contravention of the provisions of this section shall be guilty of an offence and shall be liable to a penalty as determined by the Minister.

13 Annual Report

The Board shall as soon as practicable after the 30th June each year prepare an annual report of its work and activities during the year ended on that date, and shall forward the report to the Minister.

PART 4 MISCELLANEOUS

14 Guidelines

The Board shall from time to time make guidelines not inconsistent with this Act, with respect to:

- a) The forms or other documents to be used for the purposes of this Act;
- b) The procedures to be followed to conform the requirements of this Act;
- c) The form of and the method of keeping records to be kept by the board for the purposes of this act;
- d) Prescribing the places or classes of places to which the provisions of this Act do not apply, and
- e) Prescribing all matters which are permitted to be prescribed by this Act for giving effect to the provisions of the Act.

15 Delegation by the Minister-

The Minister may delegate to any person any or all of the functions and powers which are conferred on the Minister by this or other Act.

16 Delegation by the Chief Executive Officer

The Chief Executive Officer may delegate to any person any or all of the functions and powers that are conferred on the Chief Executive Officer by this or any other

17 General requirements

- (1) Any delegations under this Act must be made in writing;
- (2) Any person who delegates a function or power under this Act may still exercise that function or power;
- (3) Any person who delegates a power or function under this Act may in writing revoke the delegation at will.
- (4) Any delegation made under this Act by a person who subsequently ceases to hold office continues in force as if made by that person's successor in office until such delegation is revoked.

**The Geographic Names Act 200? is administered in the Ministry of Natural Resources,
Environment and Meteorology**