

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:
Date of Report:

Samoa
13 April 2006

Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		YES	if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1	General statement on non-possession of WMD			
2	General statement on commitment to disarmament and non-proliferation			
3	General statement on non-provision of WMD and related materials to non-State actors	X	Withhold any support whatsoever to entities, whether States or non-State actors	
4	Biological Weapons Convention (BWC)			
5	Chemical Weapons Convention (CWC)	X	Deposit 27 September 2002	
6	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 26 March 1975	
7	Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Deposit 27 September 2002	

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 and 1673. They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations

8	Convention on Physical Protection of Nuclear Material (CPPNM)			
9	Hague Code of Conduct (HCOC)			
10	Geneva Protocol of 1925			
11	International Atomic Energy Agency (IAEA)			
12	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Rarotonga - signed in 06 August 1985	
13	Other Conventions/Treaties	X	Partial Test Ban Treaty Waigani Convention (to Ban Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control Trans-boundary Movement and Management of Hazardous Wastes within the South Pacific) State Party to 7 international conventions on Counter-terrorism.	
14	Other Arrangements			
15	Other			

OP 2 - Biological Weapons (BW)

State:

Samoa

Date of Report:

13 April 2006

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce					
2	acquire					
3	possess					
4	stockpile/store					
5	develop					
6	transport					
7	transfer					
8	use	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	
9	participate as an accomplice in a.m. activities	X		X		
10	assist in a.m. activities	X		X		
11	finance a.m. activities	X	1. Prevention and Suppression of Terrorism Act 2002 with terrorist intent 2. Money Laundering Prevention Act 2000	X	1. Prevention and Suppression of Terrorism Act 2002 with terrorist intent 2. Money Laundering Prevention Act 2000 3. Has a Financial Intelligence Unit (FIU)	
12	a.m. activities related to means of delivery					
13	involvement of non-State actors in a.m. activities	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	

14	Other			X	Transnational Crime Unit attached to Department of Prime Minister to coordinate collection / distribution of intelligence, and which has links with Pacific Transnational Crime Coordination Centre (PTCCC), Fiji, and other agencies internationally	
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OP 2 - Chemical Weapons (CW)

State:

Samoa

Date of Report:

13 April 2006

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	<u>National legal framework</u>		<u>Enforcement: civil/criminal penalties and others</u>		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce					
2 acquire					
3 possess					
4 stockpile/store					
5 develop					
6 transport					
7 transfer					
8 use	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	
9 participate as an accomplice in a.m. activities	X		X		
10 assist in a.m. activities	X		X		
11 finance a.m. activities	X	1. Prevention and Suppression of Terrorism Act 2002 with terrorist intent 2. Money Laundering Prevention Act 2000	X	1. Prevention and Suppression of Terrorism Act 2002 with terrorist intent 2. Money Laundering Prevention Act 2000 3. Has a Financial Intelligence Unit (FIU)	
12 a.m. activities related to means of delivery					
13 involvement of non-State actors in a.m. activities	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	

14	Other			X	Transnational Crime Unit attached to Department of Prime Minister to coordinate collection / distribution of intelligence, and which has links with Pacific Transnational Crime Coordination Centre (PTCCC), Fiji, and other agencies internationally	
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OP 2 - Nuclear Weapons (NW)

State:
Date of Report:

Samoa

13 April 2006

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce					
2 acquire					
3 possess					
4 stockpile/store					
5 develop					
6 transport					
7 transfer					
8 use	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	
9 participate as an accomplice in a.m. activities	X		X		
10 assist in a.m. activities	X		X		
11 finance a.m. activities	X	1. Prevention and Suppression of Terrorism Act 2002 with terrorist intent 3. Money Laundering Prevention Act 2000	X	1. Prevention and Suppression of Terrorism Act 2002 with terrorist intent 2. Money Laundering Prevention Act 2000 3. Has a Financial Intelligence Unit (FIU)	
12 a.m. activities related to means of delivery					
13 involvement of non-State actors in a.m. activities	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	X	Prevention and Suppression of Terrorism Act 2002 with terrorist intent	

14	Other			X	Transnational Crime Unit attached to Department of Prime Minister to coordinate collection / distribution of intelligence, and which has links with Pacific Transnational Crime Coordination Centre (PTCCC), Fiji, and other agencies internationally	
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**OP 3 (a) and (b) - Account for/Secure/Physically protect BW
including Related Materials**

State:

Samoa

Date of Report:

13 April 2006

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?	<u>National legal framework</u>		<u>Enforcement: civil/criminal penalties, and others</u>		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Measures to account for production					
2 Measures to account for use					
3 Measures to account for storage					
4 Measures to account for transport					
5 Other measures for accounting					
6 Measures to secure production					
7 Measures to secure use					
8 Measures to secure storage			X	Security plans for compliance with SOLAS and ISPS Code	
9 Measures to secure transport			X		
10 Other measures for securing					
11 Regulations for physical protection of facilities/materials/ transports					
12 Licensing/registration of facilities/persons handling biological materials					
13 Reliability check of personnel					
14 Measures to account for/secure/ physically protect means of delivery					
15 Regulations for genetic engineering work					

16	Other legislation/ regulations related to safety and security of biological materials	X	The Quarantine (Biosecurity) Act 2005	X	The Quarantine (Biosecurity) Act 2005	
17	Other	?	1.Ports Authority Act 1998, Art 51 on Dangerous goods 2.The Plant Act of 1984	?	Ports Authority Act 1998, Part X Offences 2.The Plant Act of 1984	

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		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production					
2	Measures to account for use					
3	Measures to account for storage					
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage			X	Security plans for compliance with SOLAS and ISPS Code	
9	Measures to secure transport			X		
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports					
12	Licensing of chemical installations/entities/use of materials					
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	National CWC authority	X	Ministry of Foreign Affairs	X	Ministry of Foreign Affairs	

16	Reporting Schedule I, II and III chemicals to OPCW					
17	Account for, secure or physically protect old chemical weapons					
18	Other legislation/ regulations controlling chemical materials	X	1. Pesticides Act 1999 2.Poisons Act 1968	X	1.Pesticides Act 1999 2.Poisons Act 1968	
19	Other	?	Ports Authority Act 1998, Art 51 on Dangerous goods	?	Ports Authority Act 1998, Part X Offences	

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13 April 2006

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		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	INFCIRC 268			
2	Measures to account for use	X				
3	Measures to account for storage	X				
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage			X	Security plans for compliance with SOLAS and ISPS Code	
9	Measures to secure transport			X		
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports					
12	Licensing of nuclear installations/entities/use of materials					
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	National regulatory authority					
16	IAEA Safeguards Agreements	X	Safeguards Agreement: 22 January 1979	X	Safeguards Agreement: 22 January 1979	

17	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources					
19	Other Agreements related to IAEA					
20	Additional national legislation/regulations related to nuclear materials including CPPNM					
21	Other	?	Ports Authority Act 1998, Art 51 on Dangerous goods	?	Ports Authority Act 1998, Part X Offences	

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 -
Controls of BW including Related Materials**

State:

Samoa

Date of Report:

13 April 2006

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	Customs Act 1977	X	1. Customs Act 1977 2. Transnational Crime Unit 3. Customs Department	
2	Technical support of border control measures	X	Customs Act 1977, Article 192	X	New computerized Border Management System (BMS)	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities	X	Customs Act 1977	X	1. National Border Management Committee (NBMC) 2. Maritime Safety Committee under the NBMC 3. Transnational Crime Unit 4. Customs Department	
5	Export control legislation in place	X	Customs Act 1977, Art 48-51	?	Customs Act 1977, Article, 73: Arms	
6	Licensing provisions					
7	Individual licensing					
8	General licensing					
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority					
12	Interagency review for licenses					

13	Control lists	?	Customs Act 1977 - List of prohibited goods: firearms, ammunition and explosives only.			
14	Updating of lists					
15	Inclusion of technologies					
16	Inclusion of means of delivery					
17	End-user controls					
18	Catch all clause					
19	Intangible transfers					
20	Transit control					
21	Trans-shipment control					
22	Re-export control					
23	Control of providing funds					
24	Control of providing transport services					
25	Control of importation	X	1. Customs Act 1977, Art 48-51	X	Customs Act 1977, Articles 48-51, 217-242	
26	Extraterritorial applicability					
	Other	X	Plants Act 1984, Articles 4-10	X	Plants Act 1984 Articles 26-29	

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		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	Customs Act 1977	X	1. Customs Act 1977 2. Transnational Crime Unit 3. Customs Department	
2	Technical support of border control measures	X	Customs Act 1977, Article 192	X	New computerized Border Management System (BMS)	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities	X	Customs Act 1977	X	1. National Border Management Committee (NBMC) 2. Maritime Safety Committee under the NBMC 3. Transnational Crime Unit 4. Customs Department	
5	Export control legislation in place	X	Customs Act 1977, Art 48-51	?	Customs Act 1977, Article, 73: Arms	
6	Licensing provisions					
7	Individual licensing					
8	General licensing					
9	Exceptions from licensing					
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11	National licensing authority					
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13	Control lists	?	Customs Act 1977 - List of prohibited goods: firearms, ammunition and explosives only.			

14	Updating of lists				
15	Inclusion of technologies				
16	Inclusion of means of delivery				
17	End-user controls				
18	Catch all clause				
19	Intangible transfers				
20	Transit control				
21	Trans-shipment control				
22	Re-export control				
23	Control of providing funds				
24	Control of providing transport services				
25	Control of importation				
26	Extraterritorial applicability				
27	Other	?	Considers the possible use of a national control list		

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Controls of NW including Related Materials**

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Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	Customs Act 1977	X	1. Customs Act 1977 2. Transnational Crime Unit 3. Customs Department	
2	Technical support of border control measures	X	Customs Act 1977, Article 192	X	New computerized Border Management System (BMS)	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities	X	Customs Act 1977	X	1. National Border Management Committee (NBMC) 2. Maritime Safety Committee under the NBMC 3. Transnational Crime Unit 4. Customs Department	
5	Export control legislation in place	X	Customs Act 1977, Art 48-51	?	Customs Act 1977, Article, 73 Arms	
6	Licensing provisions					
7	Individual licensing					
8	General licensing					
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority					
12	Interagency review for licenses					
13	Control lists	?	Customs Act 1977 - List of prohibited goods: firearms, ammunition and explosives only.			
14	Updating of lists					
15	Inclusion of technologies					

16	Inclusion of means of delivery				
17	End-user controls				
18	Catch all clause				
19	Intangible transfers				
20	Transit control				
21	Trans-shipment control				
22	Re-export control				
23	Control of providing funds				
24	Control of providing transport services				
25	Control of importation				
26	Extraterritorial applicability				
27	Other	?	Considers the possible use of a national control list		

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

State:

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Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	?	Officials from relevant agencies are considering a range of options to enhance the implementation of UNSCR 1540, including the possible use of a national control list.	
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	The Government of Samoa would welcome any technical assistance that is available in assisting it to fully implement the requirements of UNSCR 1540	
5	Assistance in place (bilateral/plurilateral/multilateral)	X	Samoa is working to establish and build the capacity of its key AML/CFT institutions. This is being done in cooperation with various international donors and providers including the IMF, Asian Development Bank (ADB), the Australian Federal Police, the New Zealand FIU and the Australian FIU.	
6	Information for industry	X	Central Bank has published Guidelines on Customer Due Diligence for financial institutions regarding money-laundering and terrorist financing	
7	Information for the public			