

# 1540 COMMITTEE MATRIX OF SAMOA

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 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). 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. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

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

State:

SAMOA

Date of First Report:

13 April 2006

Date of Committee Approval:

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 17 March 1975	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Rarotonga - Deposit 20 October 1986	
3	Convention for the Suppression of Acts of Nuclear Terrorism			
4	Convention on Physical Protection of Nuclear Material (CPPNM)			

5	2005 Amendment to the CPPNM			
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 27 September 2002	
7	Chemical Weapons Convention (CWC)	X	Deposit 27 September 2002	
8	Biological Weapons Convention (BWC)			
9	Geneva Protocol of 1925			
10	Other Conventions/Treaties	X	State party to 7 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): 1999 International Convention for the Suppression of the Financing of Terrorism  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.	
11	International Atomic Energy Agency (IAEA)			
12	Hague Code of Conduct (HCOC)	X	Subscribing State	
13	Other Arrangements	X	Proliferation Security Initiative (PSI) Signed Declaration on Implementation of the World Customs Organization (WCO) 2005 Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework of Standards)	
14	General statement on non-possession of WMD			
15	General statement on commitment to disarmament and non-proliferation			
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reported that it withholds any support whatsoever to entities, whether States or non-State actors....is committed to the greatest extent possible to actively opposing such activities.	
17	Other <sup>1</sup>	X	Member of: WCO INTERPOL PIF WHO	

			IMO Asia/Pacific Group of FATF Oceania Customs Organisation (OCO)	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

## OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

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, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce		X		<b>CW:</b> The Chemical Weapons Act 2010, as amended, Section 7 (1)		X		<b>CW:</b> The Chemical Weapons Act 2010, as amended, Section 7 (2)	
2	acquire		X		<b>CW:</b> The Chemical Weapons Act 2010, as amended, Section 7 (1)		X		<b>CW:</b> The Chemical Weapons Act 2010, as amended, Section 7 (2)	
3	possess		X		<b>CW:</b> The Chemical Weapons Act 2010, as amended, Section 7 (1)		X		<b>CW:</b> The Chemical Weapons Act 2010, as amended, Section 7 (2)	
4	stockpile/store		X		<b>CW:</b> The Chemical Weapons Act 2010, as amended, Section 7 (1)		X		<b>CW:</b> The Chemical Weapons Act 2010, as amended, Section 7 (2)	
5	develop		X		<b>CW:</b> The Chemical Weapons Act 2010, as amended, Section 7 (1)		X		<b>CW:</b> The Chemical Weapons Act 2010, as amended, Section 7 (2)	
6	transport									
7	transfer		X		<b>CW:</b> The Chemical weapons Act 2010, as amended, Section 7 (1)		X		<b>CW:</b> The Chemical weapons Act 2010, as amended, Section 7 (2)	
8	use	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002, as amended, Section 3 and 4 ( terrorist	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002, as amended, Section 3 and 4 ( terrorist	

					intent)  <b>CW:</b> The Chemical weapons Act 2010, as amended, Section 7 (1)				intent)  <b>CW:</b> The Chemical weapons Act 2010, as amended, Section 7 (2)	
9	participate as an accomplice in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002, as amended, Section 5 (1), ( terrorist intent) Crime Act 2013, Part V, section 33 - 39  <b>CW:</b> The Chemical weapons Act 2010, as amended, Section 7 (1)(e)	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002, as amended, Section 3 and 4, ( terrorist intent) Crime Act 2013, Part V, section 33 - 39  <b>CW:</b> The Chemical weapons Act 2010, as amended, Section 7 (2)	
10	assist in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002, as amended, Section 5 (1)(c), ( terrorist intent)  <b>CW:</b> The Chemical weapons Act 2010, as amended, Section 7 (1)(e)	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002, as amended, Section 5 (4), ( terrorist intent)  <b>CW:</b> The Chemical weapons Act 2010, as amended, Section 7 (2)	
11	finance abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002, as amended, section 20 (1), ( terrorist intent) Proceeds of Crime Act 2007, as amended, Section 11 and 12 Money Laundering Prevention Act 2000, as amended Crimes Act 2013, Section 33 and 34  <b>CW:</b> The Chemical weapons Act 2010, as amended, Section 7 (1)(e)	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002, as amended, Section 20 (2), ( terrorist intent) Proceeds of Crime Act 2007, as amended, Section 133. Money Laundering Prevention Act 2000, as amended, Has a Financial Intelligence Unit (FIU) Crimes Act 2013, Section 33 and 34  <b>CW:</b> The Chemical weapons Act 2010, as amended, Section 7 (1)(e)	
12	abovementioned activities related to means of delivery <sup>2</sup>									

13	involvement of non-State actors in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002 with terrorist intent  <b>CW:</b> The Chemical weapons Act 2010, as amended, Section 3	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002 with terrorist intent  <b>CW:</b> The Chemical weapons Act 2010, as amended, Section 3	
14	Other		X		<b>CW:</b> Poison Act 1968, as amended, Section 24 and 27					

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials<sup>3</sup>**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X	X		<b>NW:</b> INFCIRC 268  <b>CW:</b> Chemical Weapons Act 2010, as amended		X		<b>CW:</b> Chemical Weapons Act 2010, as amended	
2	Measures to account for use	X	X		<b>NW:</b> INFCIRC 268  <b>CW:</b> Chemical Weapons Act 2010, as amended		X		<b>CW:</b> Chemical Weapons Act 2010, as amended	
3	Measures to account for storage	X	X		<b>NW:</b> INFCIRC 268  <b>CW:</b> Chemical Weapons Act 2010, as amended		X		<b>CW:</b> Chemical Weapons Act 2010, as amended	
4	Measures to account for transport		?		<b>CW:</b> Chemical Weapons Act 2010, as amended		?		<b>CW:</b> Chemical Weapons Act 2010, as amended	
5	Other measures for accounting									
6	Measures to secure production									
7	Measures to secure use									
8	Measures to secure storage									

9	Measures to secure transport					?	?	?	<b>NW/CW/BW:</b> Security plans for compliance with SOLAS and ISPS Code	
10	Other measures for securing									
11	Regulations for physical protection of facilities/materials/ transports									
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials									
13	Reliability check of personnel									
14	Measures to account for/secure/ physically protect means of delivery									

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

\* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument) )



**OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority					
2	IAEA Safeguards Agreements	X	Safeguards Agreement: April 1979 and SQP	X	Safeguards Agreement: April 1979 and SQP	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5	IAEA Incident and Trafficking Database					
6	Other Agreements related to IAEA					
7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other	?	Ports Authority Act 1998, Section 51 on Dangerous goods	?	Ports Authority Act 1998, Section 52-57	

**OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Chemical Weapons Act 2010, as amended, Section 5	X	Chemical Weapons Act 2010, as amended, Section 2 (Ministry of Foreign Affairs)	
2	Reporting Schedule I, II and III chemicals to OPCW					
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials	X	Pesticides Act 1999 Poisons Act 1968	X	Pesticides Act 1999 Poisons Act 1968	
5	Other	?	Ports Authority Act 1998, Section 51( Dangerous goods)	?	Ports Authority Act 1998, Section 52-57	

**OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)**

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?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work					
2	Other legislation/ regulations related to safety and security of biological materials	X	The Quarantine (Biosecurity) Act 2005	X	The Quarantine (Biosecurity) Act 2005	
3	Other	?	Ports Authority Act 1998, Section 51 (Dangerous goods)	?	Ports Authority Act 1998, Section 52-57	

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

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	NW/CW/BW: Customs Act 1977, as amended, Section 15-16 and 25-30.	X	X	X	NW/CW/BW: Customs Act 1977, as amended, Section 217 Transnational Crime Unit Customs Department	
2	Technical support of border control measures	X	X	X	NW/CW/BW: Customs Act 1977, as amended, Section 192	X	X	X	NW/CW/BW: 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	X	X	NW/CW/BW: Customs Act 1977, as amended, Section 5	X	X	X	NW/CW/BW: Customs Department National Border Management Committee (NBMC) Maritime Safety Committee under the NBMC Transnational Crime Unit	
5	Export control legislation in place	X	X	X	NW/CW/BW: Customs Act 1977, as amended, Section 66-73  CW: Chemical Weapons Act 2010, as amended, Section 26-32	?	X	?	NW/CW/BW: Customs Act 1977, as amended, Section 66-73 and 213-242  CW: Chemical Weapons Act 2010, as amended, Section 26 and 33	

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	?	X	?	<b>NW/CW/BW:</b> Customs Act 1977 - List of prohibited goods: firearms, ammunition and explosives only.  <b>CW:</b> Chemical Weapons Act 2010, as amended	?	X	?	<b>NW/CW/BW:</b> Customs Act 1977 - List of prohibited goods: firearms, ammunition and explosives only.  <b>CW:</b> Chemical Weapons Act 2010, as amended
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	X	X	X	<b>NW/CW/BW:</b> Customs Act 1977, as amended, Section 40	X	X	X	<b>NW/CW/BW:</b> Customs Act 1977, as amended, Section 40
22	Re-export control								
23	Control of providing funds	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act

					2002, as amended, section 20 (1), (terrorist intent) Money Laundering Prevention Act 2000, as amended				2002, as amended, section 20 (1), (terrorist intent) Money Laundering Prevention Act 2000, as amended	
24	Control of providing transport services									
25	Control of importation	?	X	X	<b>NW/CW/BW:</b> Customs Act 1977, as amended, Section 48-51  <b>CW:</b> Chemical Weapons Act 2010  <b>BW:</b> Quarantine (Biosecurity) Act 2005, as amended, Section 4-29	?	X	X	<b>NW/CW/BW:</b> Customs Act 1977, Articles 48-51, 217-242  <b>CW:</b> Chemical Weapons Act 2010  <b>BW:</b> Quarantine (Biosecurity) Act 2005, as amended, Section 4-29	
26	Extraterritorial applicability	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002, as amended, Section 25, (terrorist intent)	X	X	X	<b>NW/CW/BW:</b> Prevention and Suppression of Terrorism Act 2002, as amended (terrorist intent)	
27	Other									

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

Can information be provided on the following issues?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)			
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	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact			
10	Other <sup>4</sup>			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.