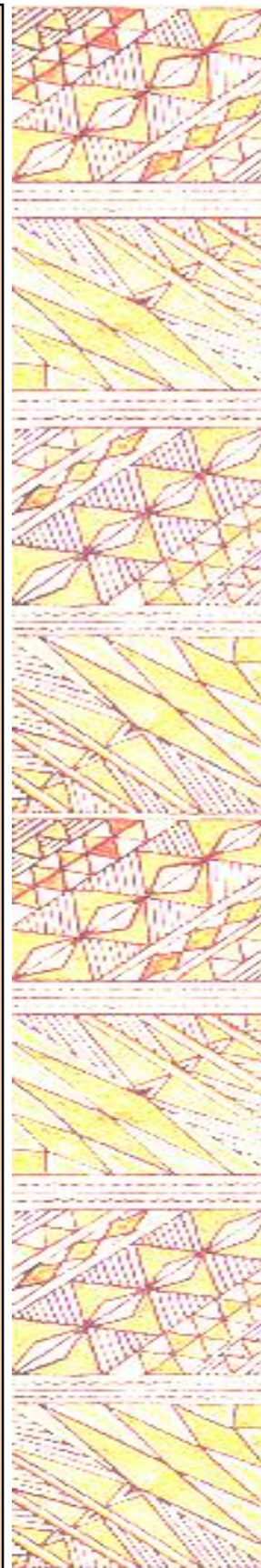




MINISTRY OF COMMERCE, INDUSTRY AND LABOUR

ANNUAL REPORT FOR THE PERIOD:

● JULY 2009 – JUNE 2010



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GOVERNMENT OF SAMOA

OFFICE OF THE DEPUTY PRIME MINISTER

Ministry of Commerce, Industry and Labour, Audit Office, Legislative Assembly, Samoa Shipping Services & Pacific Forum Line, Polynesian Airlines, African Caribbean Pacific- European Union (ACP, EU); World Trade Organization (WTO); PICTA and PACER, Small Business Enterprise Center, and Consumer Protection

Speaker of the House,

I am pleased to table the Annual Report of the Ministry of Commerce, Industry and Labour for the Financial Years July 2009 to June 2010 for consideration and discussion in this current session of the House.

Fonotoe Nuafesili P. Laufofo
MINISTER OF COMMERCE, INDUSTRY & LABOUR



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[Inclusive of Registries of Companies and Intellectual Property]

Honourable Fonotoe N. P. Lauofo
Deputy Prime Minister
Minister of Commerce, Industry and Labour

Pursuant to section 15 of the Public Service Act 2004, it is my duty to submit herewith the Annual Report of the Ministry of Commerce, Industry and Labour (MCIL) for the period July 2009 – June 2010.

Ma le faaaloalo lava

Auelua T. Samuelu Enari
CHIEF EXECUTIVE OFFICER

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Acronyms:

ACC	Accident Compensation Corporation
ACP	Asia, Caribbean and Pacific
AG	Attorney General's Office
CCP	Codex Contact point
DPM	Deputy Prime Minister
EPA	European and Pacific Agreement
EU	European Union
FIC	Foreign Investment Certificate
FY	Financial year
GPO	General Price Order
IF	Integrated Framework for Trade
ILO	International Labour Organisation
IP	Intellectual Properties
LDC	Least Developed Country
LER	Labour and Employment relations
LER	Labour and Employment Relations
LRC	Law Reform Commission
MDGs	Millennium Development Goals
MfR	Ministry for Revenue
MOA	Memorandum of agreement
MoF	Ministry of Finance
MOH	Ministry of Health
MOU	Memorandum of Understanding
MPMC	Ministry for Prime Minister and Cabinet
MSME	Micro Small Medium Enterprises
NES	National Export Strategy
NUS- IOT	National University of Samoa – Institute of Technology
OSH	Occupational Safety and Health
PACER Plus	Pacific Agreement on Closer Economic Relations
PICTA	Pacific Island Countries Trade Agreement
PIFS	Pacific Islands Forum Secretariat
PSC	Public Service Commission
PSIF	Public Sector Improvement Facility
PSSF	Private Sector Support Facility
SBEC	Small Business Enterprise Center
SDS	Strategy for the Development of Samoa
SNCC	Samoa National Codex Committee
TTRP	Tourism Tsunami Rebuilding Programme
UN	United nations
UNIDO	United Nations Industrial Development Organisation
WAIPA	World Association of Investment Promotion Agencies
WiBDi	Women in Business Development
WIPO	World Intellectual Property Organisation
WTO	World Trade Organisation

Introduction:

The Ministry encountered many challenges in the period under review particularly with its leadership and vision for the next few years. In June 2009, Mr. Auelua S. Enari succeeded the position of CEO when the former CEO Mr. Lemalu Tate Simi was appointed to another position within Government. With the onset of this emerging and diverse team of management professionals, the Ministry had a new vision to demonstrate real value of its services and contributing to Government overall vision of a “better quality of life for all” Samoans.

In late 2009, the Ministry embarked on the review of its previous corporate plan 2004 – 2007 not only to document results and successes achieved in that period, but also to capture a vision for the way forward into the next corporate planning period 2010 – 2012. This involved ensuring that the new Ministry objectives were both drawn from past successes and past lessons that would complement the achievement of the Governments overall objectives as stated in its Strategy for the Development of Samoa 2008 – 2012. A validation workshop for the new plan was carried out in April 2010 where various members of both private and public sector were invited to confirm the achievements and formulate the Ministry’s new vision for the next 2 years.

Some key milestones for each of the technical divisions for the year included:

- Facilitation of the funding allocation provided to MCIL for Tsunami Reconstruction costs targeted at hotel/accommodation facilities affected by September Tsunami,
- The National Investment Policy statement was finalised and published. This is an important information tool for potential investors to Samoa,
- The Fair Trading Egg standards commenced,
- The Memorandum of Agreement with National University of Samoa Institute of Technology was secured as a commitment to facilitate the apprentice scheme of Government,
- First meeting of the Samoa National Tripartite Forum was carried out and discussed the review of the minimum wage,
- Consultations were carried out for the Review of the Labour employment Bill,
- New Companies Act came into force with an increase in the number of companies registered,
- Funding secured from AusAID for the review of Samoa’s Intellectual Property Right legislations.

SECTION 1: MINISTRY OF COMMERCE, INDUSTRY AND LABOUR**1.1 OUR VISION**

OUR VISION IS TO LEAD AND EXCEL IN THE PROVISION OF QUALITY SERVICE TO FOSTER ECONOMIC GROWTH FOR ALL.

1.2 OUR MISSION

To provide quality advisory service and develop pragmatic regulatory frameworks to facilitate the development of the private sector to stimulate investment, industry development, fair trade competition, create full employment of local workforce and highly qualified trades of people, generate more work opportunities, improve safe work environment, increase innovation and registry integrity in Samoa.

1.3 OBJECTIVES OF OUR MINISTRY:

The Ministry's objectives to support the implementation and achievement of its vision and mission are as follows:

- 1. Provide appropriate policy advice to the Minister of Commerce, Industry and Labour on all areas of the Ministry's mandate,**
- 2. Provision of an efficient and effective secretariat and administrative support to the Minister,**
- 3. Providing a high level of industry development and facilitating an Investment friendly environment,**
- 4. Setting standards for trade practices and for the production, distribution and trading of goods and services and enforcing compliance and protection of consumers from unfair trade practices,**
- 5. Encouraging highly skilled workforce of trades people and generation of more employment opportunities and full employment of local workforce,**
- 6. Enforcing labour and employment relations, foreign workers and safe work at the workplace**
- 7. Full protection of rights of intellectual property creators and properties, Full compliance with registration obligations under the companies laws and other registries administered in the Ministry and Protection of efficiency and integrity of all registries and lastly**
- 8. To ensure that sufficient resources (both financial and human) are available to support the effective delivery of the Ministry's services to achieve its Vision and Mission.**

1.4 OUR MANDATE

The Ministry's mandate emanates from its 37 legislations and provides the key responsibilities in support of developments highlighted in the SDS. There are ongoing efforts by the Ministry in support of the objectives of the Law Reform Commission under the leadership of the Attorney General's Office to review all of its legislations and regulations with the intention for an updated legal

framework to support Private Sector Development that would improve the quality of life for all Samoans. The Ministry is mandated to administer regulatory frameworks that:

1. Promote Industry development, foreign investment and guarantees the rights of citizens to participate in the economy of Samoa,
2. Sets standards to regulate fair competitive practices to promote a fair level playing field in all trade,
3. Administers the Apprenticeship Scheme, Employment Services and collection and dissemination of Labour Market information,
4. Promotes and enforces labour and employment relations, foreign worker employment and occupational safety and health,
5. Manages the registries of companies and other legal entities and enforces statutory obligations. Management of IP registers and protection of rights of IP holders.

The mandates of the Ministry are also affected by the following:

- ✓ Statement of Development Strategy 2008 – 2012
- ✓ Immigration Act 2004
- ✓ Ministerial and Departmental Arrangements Act 2003
- ✓ Public Finance Management Act 2000
- ✓ Public Bodies (Performance and Accountability) Act 2001
- ✓ Public Service Act 2004 and its amendments
- ✓ PSC Employment instructions.

1.5 OUR VALUES AND PRINCIPLES:

Our values encompass those values of the public service which are crucial to the successful delivery of our services. We aspire to keep and respect their importance in the achievement of our Vision and Mission:

- Honesty – we value honesty in the way we perform our duties of service to the public,
- Impartiality – we value impartiality by treating our stakeholders equally and fairly maintaining political neutrality,
- Service and Commitment – we aspire to provide a service that is unconditional with a commitment to satisfy our client needs,
- Respect and empathy – we respect the thoughts, feelings and concerns of others and seek first to understand than to be understood,
- Transparency and Accountability – we encourage open communication and commit to ensure that our actions and decisions are consistent and made with clear reasons in an open manner,
- Efficiency and effectiveness – employment of resources to achieve results of value to the public in the most economical way.

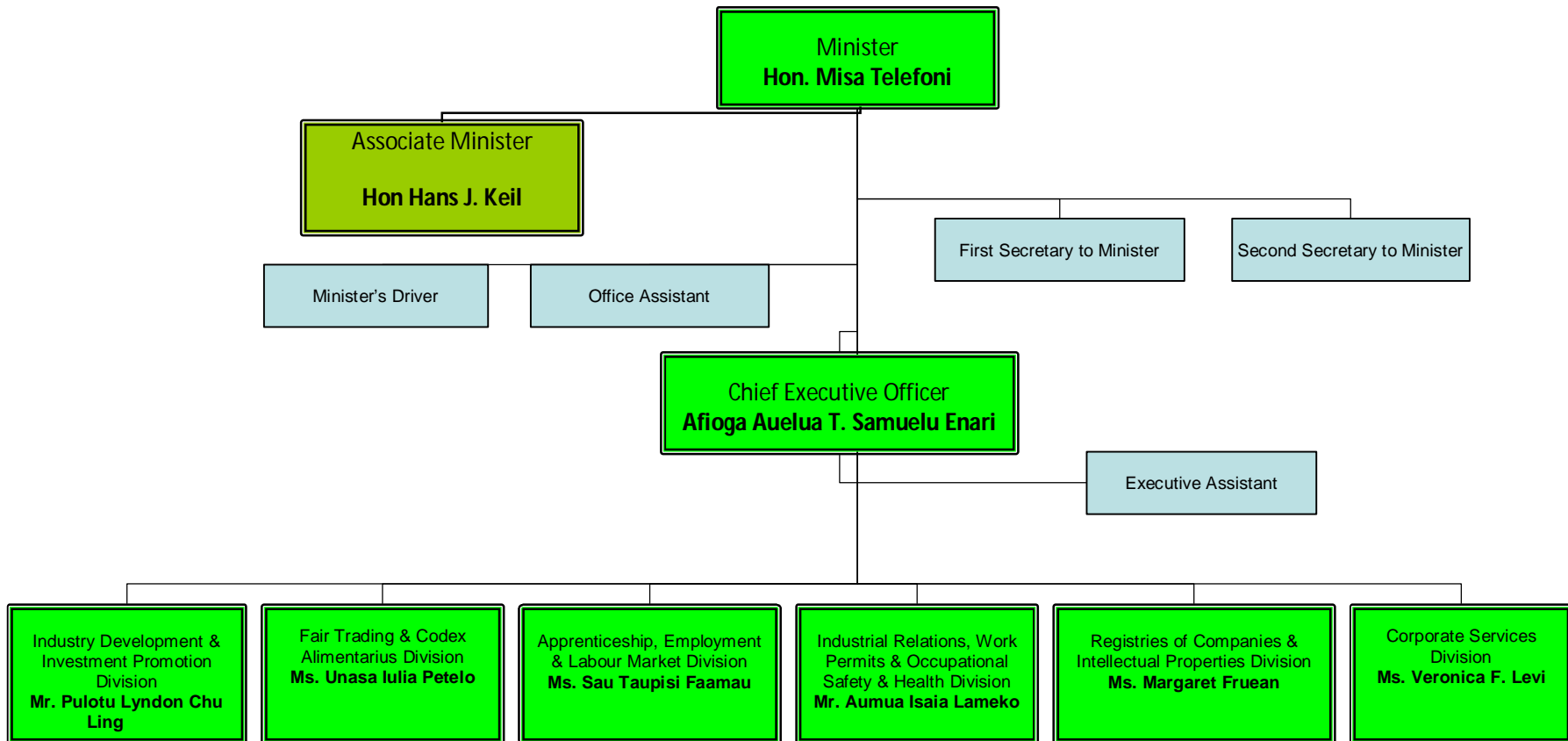
1.6 OUR ORGANISATION STRUCTURE:

To be able to achieve its eight (8) objectives highlighted above, the Ministry continues to support its staff in capacity development opportunities available both locally and internationally. There are avenues available for staff to enhance their capacities through continued participation in international meetings, conferences and workshops.

Mechanisms are in place to ensure that staff knowledge is increased and shared within the Ministry. At the same time the Ministry will hire additional staff (to add to its 60 staff) in all of its units to ensure that there are sufficient human resources available to meet the increasing portfolio of mandates housed under the Ministry. To ensure that the Ministry has the appropriate skills and expertise needed to meet its corporate objectives, a Capability plan will be drawn up to ensure that capacity available best fits what

is required to achieve objectives. The Capability plan will examine closely and will be integrated with the performance appraisals systems to be rolled out by the Public Service Commission in the period.

1.7 MCIL ORGANISATIONAL STRUCTURE 2009 – 2010



SECTION 2: OBJECTIVES AND PERFORMANCE MEASURE ACHIEVEMENTS

This section summarizes the achievements within the reporting period as delivered by the various outputs of MCIL. It is important to note and document that one of the long outstanding exercises of the Ministry i.e. the review of its 38 legislations, started immediately upon appointment with the onboard of the new CEO Mr. Auelua S. Enari. With the assistance of the Law Reform Commission under the auspices of the Attorney General's office, this exercise rolled out to review the existing legislations of the Ministry, to bring it up to date with today's trading environment as well as to facilitate compliance and implementation of the various mandates.

2.1 OFFICE OF THE DEPUTY PRIME MINISTER & MINISTER FOR COMMERCE, INDUSTRY AND LABOUR

2.1.1 OBJECTIVE: Provision of an efficient and effective secretariat and administrative support to the Minister.

2.1.2 PERFORMANCE ACHIEVEMENTS:

The Ministry continued its ongoing services to support the administration of the Minister's office. These support services included secretariat support in preparing relevant research and documents required for the Minister's meetings in Samoa (for Parliament, Cabinet, Private Sector, overseas businesses/investors, and Government dignitaries) but also for official travels overseas where the Minister's presence is required. All preparations for the Minister's travel were well coordinated and preparations for his meeting documents were provided on time and in accordance with the Minister's wishes. In this financial year, the Minister travelled to participate in meetings such as PACER Plus, Forum Trade Minister's and MDGs. He played an important role participating and presenting Samoa's national interest in commerce, industry, labour and intellectual property issues. Communication continued with open dialogue with the Minister on the various legislations/mandates of the Ministry. Briefing notes and reports were also prepared (with recommendations) to keep the Minister well informed of the Ministry's position in relation to its thirty eight (38) legislations.

2.2 OFFICE OF THE CHIEF EXECUTIVE OFFICER (CEO)

2.2.1 OBJECTIVE: Provide appropriate policy advice to the Minister of Commerce, Industry and Labour on all areas of the Ministry's mandate.

2.2.2 PERFORMANCE ACHIEVEMENTS:

With the onset of a new Chief Executive Officer, continuous dialogue and meeting took place providing advisory support to the Minister on the various mandates of the Ministry. One of the significant issues, as mentioned earlier was the implementation of the legislative review of the 38 Legislations of the Ministry under the leadership of the LRC- AGs office. Dialogue also continued to maintain regional and international cooperation through participation in the various meetings carried out overseas including LDC, PACER plus, WTO and ILO. Most of these meeting were to accompany and prepare relevant positions papers for the Minister.

Ongoing efforts were made to maintain a free and cooperative working relationship with the private sector through the management of the various Boards chaired by the Ministry including, the Industry and Development Board, Prices Control Board, Apprenticeship Council, National Codex Committee and the Samoa National Tripartite Forum. The management and leadership of these committees were efficient and effective with the use of a transparent system in place for the overall management of the Ministry. This also resulted in some of the key achievements for the year including the i) review of the Ministry's 2003-2007 Corporate plan, ii) formulation of the new Corporate plan 2010 – 2012, iii) the finalisation of outstanding annual reports for the periods 2007 – 2009 and iv) finalisation of the Ministry's Service Charter. Another initiative which is a best practice which helped in the management of the Ministry was the implementation of weekly management meetings to identify problems and solutions for the way forward for the Ministry.

2.3 INDUSTRY DEVELOPMENT & INVESTMENT PROMOTION (IDIP) DIVISION:

2.3.1 OBJECTIVE: Providing a high level of industry development and facilitating an Investment friendly environment,

As highlighted in its Corporate Plan 2010-2012, the Industry Development & Investment Promotion Division (IDIP) outcomes are:

Outcomes:

1. Industry Development – High level of Industry development,
2. Investment Promotion – An investment friendly environment

2.3.2 PERFORMANCE ACHIEVEMENTS:

Enterprise Incentives Scheme (EIS) – Yazaki the remaining company under the EIS scheme was expired in November 2009. The company was proactive in seeking Cabinet's decision for continuous duty exemption of imported raw materials for its operation prior to the termination of the incentives, under the Duty Concession scheme as mandated under the Customs Amendment Act 2007. Yazaki remains being a major private sector employer and is the sole major exporter of wire harness to Australia.

Duty Suspension Scheme (DSS) – Site visits and facilitation of entries continued for the three remaining companies under the scheme (Nonu Samoa, R & L Keil Holdings & CCK Trading). The scheme provides duty exemption on the importation of raw materials for these businesses offering job opportunities as well as foreign exchange earnings through exports.

Duty Concession Scheme (DCS) – this scheme is mandated under the Customs Amendment Act 2007, a total of 19 applications were received by the Division of which 11 were issued approval, 7 pending additional information and 1 declined. The division conducted site visits and inspections of approved projects as well as facilitating approval of 125 entries for 9 qualifying projects.

Government Export Guarantee Scheme (GEGS) – The scheme was further put on hold as the GEGS Committee has yet to complete the review of possible options for the implementation of the scheme, that is, either to continue the scheme or to transfer the available funds to other similar projects such as the National Export Strategy.

Private Sector Support Facility (PSSF) – A total of 57 applications were tabled under the facility with the Technology or Manufacturing sector being dominant. A total of 34 met the criteria of the scheme and were granted approval. The Tourism Tsunami Rebuilding Programme (TTRP) a subcategory of the facility (PSSF) received a total of 24 applications in the reporting period with 100% approval. One Review session of the PSSF was conducted since its inception in FY2008/2009 with KVAConsult Limited presenting as the winning bidder conducting the Review commencing in October 2009. All promotional campaign was put on hold pending the result of the review except for the calls for proposals that were continuously advertised in the newspapers prior to the closing of every funding round. One outstanding matter that resulted from the review was for PSSF to fund basic capital items for qualified projects, the Steering Group and donors are now in the final stage of completing discussions of this matter.

Investment Environment – A 25% increase in the number of Foreign Investment Certificates applications with 98% approval rate was recorded in the reporting period. The Division conducted inspections both in Upolu and Savaii of these approved projects as well as those approved in preceding years to ensure compliance of these foreign operators.

The Ministry in close collaboration with the Attorney General's office is now in the process of finalizing the review of the Foreign Investment Act 2000 before submission to Parliament for passage.

The Ministry facilitated four Investment missions as follows:

1. Manukau City Council & NZ Pacific Business Council visit in August 2009 – this group met with private sector representatives and Government officials in promoting trade and investment between Samoa and New Zealand. It was also a follow up of the MOU of cooperation signed by both Governments in 2005;
2. Pacific Islands Forum Secretariat Investment Policy Support Programme was a mission in response to the request of the Division for development of an Investment Action Plan and this was conducted in September 2009;
3. Pacific Islands Trade and Investment Commission Sydney Investment Promotion and export development visit was held on September 2009 with private sector and government officials on the role of PITIC on export and investment issues. Unfortunately the mission only took place for one day and was unable to continue due to earthquake and tsunami on 29/9/2009;
4. The Commonwealth consultative visit on enhancing the competitiveness of Samoa MSMEs was conducted on 9-16 December 2009. Private sector and relevant Government Ministries were consulted in this mission.

Trade Commerce & Industry Development Board (TCIDB) – The Division continues to provide Secretarial support for the TCI Development Board. A total of 7 meetings were conducted in the reporting period with 4 sub-committee meetings held on the issue of Bank Lending rates i.e. with the Central Bank of Samoa and the Banker's Association. Other projects and issues tabled at Board meetings includes the British American Tobacco vs. Ministry of Health issue on Tobacco Control Act 2008; updates of the Tourism Tsunami Rebuilding Programme and the distribution of Government grants of \$40,000.00 for five (5) private sector Association. Presentations were also made at the Board meetings on the set up of the National Private Sector Organisation and the rights of the Disabled under the Labour Law etc.

2.4 FAIR TRADING AND CODEX ALIMENARIUS (FTCA) DIVISION:

2.4.1 OBJECTIVE: Setting standards for trade practices and for the production, distribution and trading of goods and services and enforcing compliance and protection of consumers from unfair trade practices

As highlighted in its Corporate Plan 2010-2012, the outcomes of the Fair Trading and Codex Alimentarius (FTCA) Division are:

Outcome:

3. Level playing field for Traders and Consumers

2.4.2 PERFORMANCE ACHIEVEMENTS:

Administration of the Codex Alimentarius

In the period under review, the Division continued promotion of consumer and trader awareness of their respective rights and obligations in the marketplace to enhance the level playing field for all. Due to budgetary constraints during the year under review, the Division reprioritize some of its activities resulting in the postponement of others to the next budget cycle. These included several scheduled meetings of the National Codex Committee Meetings and its subcommittees. More focus was placed on finalizing the Fair Trading Egg Standard which was commenced on the 10th June, 2010.

Representatives of the Samoa National Codex Committee including the CEO and Chairman of the Committee, representative from Health and CCP attended Codex meetings on behalf of Samoa. This was

seen as an achievement in itself given that Samoa like all other Codex Least Developed Countries (LDCs) and developing countries need to compete for resources from the Codex Trust Fund to fund its meeting participation in the area of food safety.

It was a significant development for it's the first food standard for Samoa; was developed entirely by locals and its existence will ensure consumers will have available quality and safe eggs for consumption. The Regulation ensures consumers have not only the quantity demanded, but also quality and safe eggs for consumption. Food Summit activity under the auspices of SNCC has been completed and achieved under leadership of MOH in first half of the financial year.

Fair Trading and Consumer Protection

The division continued to implement and ensure the compliance of fair trading and consumer protection legislation through monthly price adjustments for all petrol facilities in Upolu and Savaii, as well as ongoing visits to Savaii covering all traders on prices, product standards, and calibration of weighting standards as well as the distribution of four (4) General Price Orders to all retailers in the country. FTCA conducted 12 Petrol Adjustments also carried out two (2) General Inspections of retail outlets in Savaii and achieved 75% of traders inspected. There were also a high number of compliance in terms of complaints received, 89% successfully investigated and resolved on time. Survey of Wholesale Prices of goods under Price Control in Upolu has been conducted in the first half of the financial year to ensure that they are complying with the Prices stipulated in the GPO.

Prices Board

It has been recorded that the Prices Board sustained to its fixed pricing arrangement for goods under price control. The arrangement benefited consumers as they were now able to compare sales price of goods under price control with prices stipulated in the General Price Orders. In contrast, the prior arrangement using percentage mark-up was not very transparent for consumers. Ensuring effective compliance and freedom of consumers to exercise their rights in the marketplace has been governed by ongoing weekly inspections. Five tests baking for bread conducted to bakeries in Savaii and Upolu to guarantee accurate selling prices for this commodity was within the maximum price stipulated. Due to budgetary constraints, calibration of central standard units used by the Ministry has not been able to be conducted.

To facilitate Fair Trading and Consumer Protection, four meetings were held by the Board to review prices of Goods under price control. Approvals by the Board in the form of Price Orders were widely distributed by the Division using the media such as Television, radio and newspapers as well as wide distribution to all stores around Upolu, Manono and Savaii. Usually, distributions were carried out before the effective date.

World Consumer Rights Day

As required by a Cabinet Directive, celebrations were carried out for the annual commemoration of World Consumer Rights Day on every 15th day of March; this year's focus was the celebration of Trader/Consumer Awareness Program on the Egg Standard. The standard entailed product safety and quality standards of eggs for human consumption. Due to budgetary constraints, we publicized this special day using advertisement on television for a limited number of days.

2.5 APPRENTICESHIP, EMPLOYMENT AND LABOUR MARKET DIVISION

2.5.1 OBJECTIVE: Encouraging highly skilled local workforce and their full employment

As highlighted in its Corporate Plan 2010-2012, the outcomes of the Apprenticeship, Employment and Labour Market division are:

Outcomes:

4. Full Employment of workforce,
5. Highly skilled workforce,

2.5.2 PERFORMANCE ACHIEVEMENTS:

- Conducted Apprenticeship Council Meetings as projected under Fy2009/2010. About ninety (90%) percent satisfactory level of issues being discussed to ensure sustainability and improvement of the Apprenticeship Scheme. The implementation of the requirements under the Memorandum Of Agreement (MOA) signed between the Apprenticeship Council and the Training Provider (NUS) was one of the highlights for the division's achievements during the reviewing period,
- New applications for new entrants were assessed and accepted based on the set criteria under the Apprenticeship Program for the period under review,
- Conducted routine inspections and f/ups for employers where apprentices were employed. Visited apprentices during hours of training at NUS, to ensure full compliance of parties involved, Apprenticeship Council and the National University of Samoa being the Training Provider to the requirements of the Apprenticeship Program,
- Advisory Panel meetings were conducted prior to trade tests to ensure exam papers and other requirements for trade tests are well prepared. Advisory Panel Meetings for two trades, Carpentry & Joinery and Motor Mechanic were carried out,
- Upgrading classes for candidates of Carpentry and Joinery Trade as well as Motor Mechanic were conducted prior to trade tests, to ensure hundred (100%) percent satisfactory level of pass rate are achieved,
- Trade tests were carried out for Carpentry & Joinery and Motor Mechanic trades.
- Employment Return Forms re; employment history and conditions of employment for employees were collected from employers in the private sector, to assess the level of employment by industries plus other related information. Employment Return forms are also available at MCIL's website,
- Job seeking skills training was conducted, to assist jobseekers enhancement of knowledge on employment search skills, to ensure an increase number of participants who manage to get jobs after attending the crucial training,
- Distributed brochures and employment information to employers, employees, job seekers, school leavers and the public during trainings, career days, industry awareness workshops and emails,
- Hard copies for the 2007 Labour Market Survey Reports were also distributed to the stakeholders and the public during the review period. E-copies for the concerned report are also available at the ministry's website,
- One of the highlights for the division is reflected in the activity of creating awareness among the students at colleges aware of the different employment opportunities available in various industries. An Awareness Program was implemented and carried out on 18 June 2010. The activity targeted the senior level of college and was designed and initiated as a tool for the students at years 12 & 13 to equip them with ideas of a working environment especially when a student cannot reach further education. Presentations by different employers and government officials helped the target group with an understanding of the different job or employment opportunities available in Samoa, how they go about finding a job even though every single employer in place its own policies and working conditions.

2.6 INDUSTRIAL RELATIONS, WORK PERMITS AND OCCUPATIONAL SAFETY AND HEALTH DIVISION (IRWPOSH):

2.6.1 OBJECTIVE: Enforcing labour and employment relations, foreign workers and safe work at the workplace.

Outcomes:

6. Strengthen national labour and employment relations (LER) systems,
7. Improve Labour and Employment relations inspection and compliance with the LER Bill and Regulations,
8. Promote LER activities by employers and workers organisation,
9. Develop and enhance processes and systems on the approval of work passes for foreign workers
10. Strengthen national occupational safety and health systems,
11. Implement special programs for hazardous occupations,
12. Extend OSH protection to small to medium enterprises and rural and informal economy workplaces,
13. Promote collaborative actions against hazardous child labour and HIV/AIDs for stronger compliance,
14. Improve safety and health inspection and compliance with the OSH law and
15. Promote OSH activities by employers and workers organisation.

2.6.2 PERFORMANCE ACHIEVEMENTS:

- The total number of OSH routine inspections that had been conducted during the FY 09/10 was 300, an increase of 20% from the previous period (FY 08/09) with a total of 280 inspections. The main purposes of these inspections were to ensure the compliance of both the employees and employers on their legal obligations under the OSH legislations.
- Forty (40) work accidents were recorded, a decrease of 2.5% when compared to the previous year with a total of forty one (41). Despite this slight decrease, there has been a concern on the compliance rate regarding the reporting of accidents to the Ministry. Seventy (70) investigations were conducted on the reported cases during FY 09/10, and ninety (90) investigations including follow up visits were made in the previous year. From these investigations, the Ministry had established the main causes of the accidents and advised on preventative measures.
- Ten (10) meetings were held in connection with the Labour Law Reform Project, as compared to six (6) in 08/09
- Three (3) workshops were conducted in 09/10 to obtain stakeholders' views on the amendments to the OSH Act and Regulations, which enabled the participants (mainly the workers), to understand the provisions of the labour laws in relation to their safety and health at workplaces.
- More than 200 inquiries were received and attended to in 09/10 an increase of 166% from the previous FY08/90 with a total of 75 inquiries.

- 179 routine inspections on wages and conditions of employment at the private sector conducted during the financial year.
- Registration and investigations of workers complaints. During the financial year, the total of 183 complaints were registered, 175 cases were resolved through social dialogue whereas 8 cases were resolved through mediation and arbitration (section 38, LEA).
- 5 trainings carried out during the financial year on the Labour and Employment Act 1972. These workshops were to address the industrial relation issues for both workers and employers. These trainings were conducted in a Social Dialogue manner for open views in relation to provisions of the Labour Employment Act 1972.
- A total of 576 enquiries received, register and attend to in relating to the wages and employment conditions during the financial year were resolved through consensus and greater understanding of the divisional staff.
- 210 copies of brochures were printed and distributed and 100 copies of the draft of the Labour Employment Bill 2010 were printed and sent to the stakeholders during the Labour Bill consultations. The totals of 310 copies were printed during the financial year.
- In the period under review, a total of 353 work permits applications were received, registered, verified, investigated and recommendations made on them. In these applications, 39 were from manufacturing, 56 from commerce sector, 57 from tourism industry, 69 applications in management level, 34 for education purpose and 98 general applications i.e. babysitter, housemaid etc.
- There were 2 meetings of the new establish forum for the Industrial Relation as required by ILO standard. This forum is called Samoa National Tripartite Forum, and its first meeting was the discussion of the composition of the members as in the F.K. (08)48, and the progression of their work in the second meeting where they discussed the minimum wage.
- There were 5 consultations carried out for stakeholders both in Upolu and Savaii on the Labour Law Reform. 2 meetings with the Immigration Office regarding issues on the work permit to include in the Labour Bill as required under ILO, and 14 meetings for the Project Management Committee on monitoring the progress of the project.

2.7 REGISTRIES OF COMPANIES AND INTELLECTUAL PROPERTIES (RCIP) DIVISION:

2.7.1 OBJECTIVE: Full protection of rights of intellectual property creators and properties, full compliance with registration obligations under the companies' laws and other registries administered in the Ministry and Protection of efficiency and integrity of all registries.

Outcomes:

16. Full protection of rights of intellectual property creators and proprietors,
17. Full compliance with registration obligations under companies laws and other registries administered in the Ministry and
18. Protection of efficiency and integrity of all registries

2.7.2 PERFORMANCE ACHIEVEMENTS:

- A total of **126 new companies registered within the FY 09/10** and 210 companies re-registered with the requirements of the new companies act. There was an increase with the registration of companies with the implementation of the new Companies Act.

- **1082 inspections for companies** conducted during the financial year to remind companies registered under the NZ Companies Act 1955 to ensure to re-register under the New Companies Act.
- 2 seminars conducted in Upolu and Savaii for awareness on the importance of intellectual property and also mark the World Intellectual Property Day targeted Secondary Schools.
- More than 200 trade mark applications received and 109 trademarks registered within the financial year
- Ten patent applications received and registered within the financial year, an increase of 80% from the previous years.
- Inspections of video shops and enforcement of selling of original DVDs conducted twice a week
- Approved assistance from the AusAID to fund the review of the Samoa Intellectual Property Rights Related Laws Project

2.8 CORPORATE SERVICES UNIT (CSU):

2.8.1 OBJECTIVES: To ensure that sufficient resources (both financial and human) are available to support the effective delivery of the Ministry's services to achieve its Vision and Mission.

Outcome:

19. Sufficient resources are available to support the Ministry in achieving its vision and mission.

2.8.2 PERFORMANCE ACHIEVEMENTS:

The Corporate services unit continued to play a pivotal role in harnessing support for the delivery of the Ministry's resources. An ongoing constraint perhaps experienced across Government is the lack of capital resources required to support the work of the Ministry. Vehicle issues continued to be a problem with a fleet of 8 vehicles (three at the time requiring serious attention or complete write off). The Ministry managed to implement its activities for its six outputs with the use of five vehicles; two dedicated servicing the needs of the Minister's office. The Ministry made efforts to explore all options available to procure a vehicle even to the extent of seeking Cabinet approval, particularly during the RHD switch, however it was unsuccessful.

As much of the Ministry's work relies on paperwork, hence the breakdown of its main photocopier posed costly problems for the Ministry. The photocopier was much needed for servicing secretariat roles of the many boards managed by the Ministry as well as distribution of General Price Orders to all stores throughout Upolu and Savaii issued every month.

One of the key achievements for the corporate services was the approval of the establishment of a Principal IT officer position for the Ministry, to help with its ever increasing costs of computer repairs and maintenance. Another position much needed and which will continue to be pursued with the Public Service is a Legal Officer to assist the Ministry with the administration of its 37 legislations.

The main task implemented by the Corporate Services Division was the coordination and facilitation of the review of the 2003 – 2007 Corporate plan as well as the formulation of the 2010/2-12 Corporate plan. Internal consultations were carried out with all divisions which culminated in a stakeholder consultation held at the DBS on the 23 April 2010. The Ministry took note of all comments provided by participants from various Government, non government and private sector representatives.

Another outstanding activity for the Ministry was the annual reporting for the periods 2007 – 2009. The Corporate services were also tasked with the duty of coordinating and facilitating the drafting/compilation of the Ministry's outstanding annual reports for Cabinet and Parliament approval. It

Ministry of Commerce, Industry and Labour

was a difficult task considering some key senior staff had already left the Ministry. However, it is expected that the final reports for these financial years would be published by 2011. Both the Corporate planning and Annual reporting activities were key in bringing together the Ministry in formulating its vision based lessons learnt from experiences/barriers encountered, and celebrate achievements documented. It fostered even more collaborative planning, inspiring the six divisions to draw up a combined vision for the Ministry over the next 2 year.

SECTION 3: HUMAN RESOURCE & STAFF PROFESSIONAL DEVELOPMENT

Human Resource – Despite high staff turnover, the Ministry continued to deliver on its results with the commitment and dedication of remaining staff. High staff turnover is nothing new to Government Ministries as staff develop skills and find more attractive opportunities within the public service. Seldom have staff left to take on job opportunities in the private sector. To bridge the knowledge gap created by high turnover, the Ministry has placed emphasis on the potential benefits of capitalising on information technology tools in retaining knowledge and data to ensure knowledge is available for new staff to facilitate the timely achievement of results. This commenced with the approval and recruitment of an IT officer post. The formulation of the Ministry's first Service Charter was also a milestone in reinforcing attitudinal changes and refreshing Public Service Values and its important role in providing services to the public. The Ministry took an active role in participation in the Human Resource Coordinators Forum where information is exchanged on the various experiences of Ministries on human resource matters. Plans were in place for the cultivation of a good working environment for staff and in January 2010, a motivational training session was held on positive thinking and how it can contribute to bringing about positive impacts on results. Two submissions were also made for similar training exercise, for funding under the Samoa in Country Training programme (SICT) - Oloamanu for the next financial year. There are also plans to engage more with staff through a staff satisfaction survey to gauge staff perspectives on the general leadership and management of the Ministry.

Staff Professional Development - MCIL is one of the Ministries that enjoy training opportunities available under its various mandates. So as to keep itself and its staff abreast and knowledge in line with the dynamic changes in the global economies required in the areas of Commerce, Industry, Labour and Intellectual Properties, staff are encouraged to fully participate in overseas official meetings/workshops and trainings to build their knowledge and professional capability. They represented the government and presented on some of the foras and reported as usual to Cabinet on the outcomes of the meetings/workshops and trainings they attended. Annex 1 provides details of overseas trainings attended by staff. Apart from overseas trainings, staff were also involved in the various meetings held locally broadening their awareness of local development issues as well as enhancing cooperation with other Ministries where linkages of priorities exist. An important way forward which is in pipeline for implementation is the development of a Capability plan that would identify and help map skills, knowledge and attitudes required to support the achievement of the Ministries results. Information gathered from other internal evaluations like the Corporate Plan SWOT will provide enough data to draw up the Capability Plan.

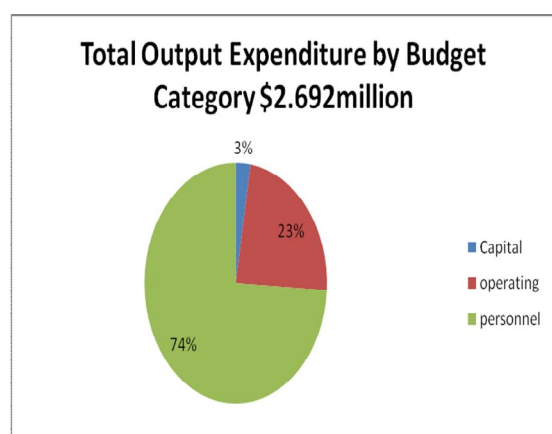
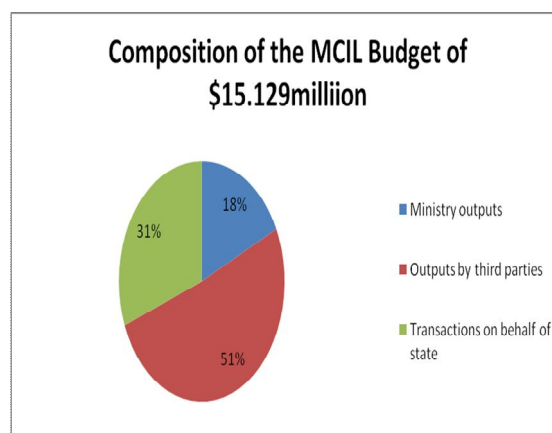
SECTION 4: MCIL BUDGET APPROPRIATION 2009-2010

4.1: EXPENDITURE DETAILS:

By the end of the financial year 2009-2010, the Ministry's total **approved budget stood at \$15.129 million**. There was an increase of approximately \$2.5 million during the year, for funds injected as part of assistance programmes to the private sector in response to the reconstruction efforts for small to medium accommodation facilities affected by the Tsunami of September 2009. This went directly to **transactions on behalf of the state (TBS)** component for a total allocation of \$4.687million. Only 45% of the total allocation for TBS was utilised by the end of the financial year, due to delays in securing and finalising operational procedures to safeguard accountability and transparency of the recovery programme. Other funding allocation provided for under the TBS component included Governments annual contribution to the Yazaki lease of \$1.012 million as well as office space rental for the Ministry with ACC premises of \$0.55million. Another significant expenditure under this component

An 18% (\$2.692million) of the total budget was provided for implementation of the 38 legislations of the Ministry. 95% of this 18% was utilised by the end of the financial year which is a marked improvement from 73% utilisation of previous financial year 2008/2009. You may note from the table that of this 95% of expenditures, 74% was for personnel 23% for operating and 3% for capital expenditures.

Included under the Ministry's **Third party component** is the \$7.5m provided for the operation of the Samoa Tourism Authority. Schedule 2 below provides details of financial expenditures for the period.



4.2 COST RECOVERIES/REVENUE COLLECTION

Cost Recoveries 2009 – 2010

Overall the Ministry Managed to collect 89% of its projected revenues for the period 2009 – 2010. The shortfall is due to drop in the number of recoveries collected under the apprentice scheme due to the drop in the roll of enrolment. This collection however is 44% increase in the volume of revenue collected as the grace period for registration of companies under the new Companies Act drew to an end.

SCHEDULE 1				
STATEMENT OF RECEIPTS for the financial year ended 30 June 2010				
	2010 \$	Estimate \$	Over/(Under) \$	2009 \$
RECEIPTS BY MINISTRY				
Commerce, Industry and Labour	268,627	302,240	(33,613)	185,389

TOTAL RECEIPTS	268,628	302,240	(33,613)	185,389
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Source: Ministry of Finance: Unaudited financial statements

Schedule 2: STATEMENT OF MINISTRY EXPENDITURE BY OUTPUT					
APPROPRIATION ACCOUNT					
for the financial year ended 30 June 2010					
		2010	Estimate	(Over)/Under	2009
		\$	\$	\$	\$
COMMERCE, INDUSTRY AND LABOR					
Outputs					
1.0	Policy Advice to the Minister	239,123	244,434	5,311	289,023
2.0	Ministerial Support	240,967	253,837	12,870	338,786
3.0	Management of Investment Promotion & Industry Development	426,939	452,326	25,387	431,011
4.0	Enforcement of Fair Trading & Codex Development	417,615	432,194	14,579	370,364
5.0	Administration of Apprenticeship Scheme, Employment Services & Labour Market	381,777	415,974	34,197	281,736
6.0	Enforcement of Labour Standards and Work Permits	297,079	311,657	14,578	151,657
7.0	Enforcement of Occupational Health and Safety Standards	185,975	193,790	7,815	0
8.0	Management of the Registries of Companies & Intellectual Properties	372,535	388,005	15,470	274,757
9.0	Enforcement of Occupational Health and Safety Standards	0	0	0	199,173
10.0	Management of Registries of Companies & Intellectual Properties	0	0	0	375,577
Total Outputs		2,562,010	2,692,217	130,207	2,712,084
Third Party Outputs					
	Samoa Tourism Authority	7,500,000	7,500,000	0	7,700,000
	Samoa Business Enterprise Centre (SBEC)	200,000	200,000	0	200,000
	Women in Business (Organic Farming)	50,000	50,000	0	-
Total Third Party Outputs		7,750,000	7,750,000	0	7,900,000
Transactions on Behalf of State					
Membership Fees					
	International Labour Organisation	9,888	11,142	1,254	10,026
	International Organisation for Customers	2,681	4,075	1,394	0
	World Intellectual Property Organisation (WIPO)	3,653	5,000	1,347	4,483
	World Association of Investment Promotion Agency (WAIPA)	5,000	5,800	800	5,152
	United Nations Industry Development Organisation (UNIDO)	3,082	4,270	1,188	0
		24,304	30,287	5,983	19,661
	Contribution to Private Sector	40,000	40,000	0	40,000
Rents and Leases					
	ACB Building	461,408	550,077	88,669	434,462

Yazaki Lease	843,666	1,012,399	168,733	972,745
Government Building Lease - MCIL	47,680	55,560	7,880	87,480
Commerce Sector - Tsunami Reconstruction Costs	500,000	2,500,000	2,000,000	0
Private Sector Support Facility	0	50,000	50,000	0
Apprenticeship Training Provider (NUSIOT)	121,920	123,800	1,880	0
	2,014,674	4,331,836	2,317,162	1,534,687
VAGST	68,893	325,196	256,303	1,140,720
Total Transactions on Behalf of State	2,107,871	4,687,319	2,579,448	2,695,068
TOTAL EXPENDITURE - COMMERCE, INDUSTRY AND LABOUR	12,419,881	15,129,536	2,709,655	13,307,152

Sources: Ministry of Finance: unaudited financial statements

Annex 1: Overseas Trainings Attended by MCIL Staff:

OVERSEAS TRAININGS/MEETINGS/WORKSHOPS - FY 2009-2010					
NOMINEE	DIVISION	VENUE	DURATION	MEETING/TRAINING	APPROVAL
Taupisi Faamau	CL 5.0 AELM	Nadi, Fiji	08/07/09 - 10/07/09	Pacific Sub-Regional Gender and Politics Training workshop	F.K.(09)26
Margaret Fruean	CL 8.0 RCIP	Geneva, Switzerland	23/07/09 - 24/07/09	WIPO High-level Forum on IP for the least developed countries	F.K.(09)27
Pulotu Lyndon Chu Ling	CL 3.0 IDIP	Adelaide, Australia	17/08/09 - 21/08/09	5th session of Pacer Plus Workshop	F.K.(09)30
Taupisi Faamau	CL 5.0 AELM	Adelaide, Australia	24/08/09 - 10/09/09	PACE Program	F.K.(09)31
Roger Toleafoa	CL 3.0 IDIP	Fuzhou, Fujian, China	24/08/09 - 13/09/09	Seminar on Investment and Cooperation Promotion	F.K.(09)30
Belinda Tafunai	CL 3.0 IDIP	Manila, Philippines	21/09/09 - 25/09/09	ADB Trade and Investment Integration Course	F.K.(09)35
Unasa Iulia Petelo	CL 4.0 FTCD	Korea			F.K.(09) Faapitoa 12
Pulotu Lyndon Chu Ling	CL 3.0 IDIP	Milan, Italy	07/10/09 - 16/10/09	XIV WAIPA World Investment Conference	F.K.(09) Faapitoa 12
Auelua Samuelu Enari	CL 1.0 CEO	Dar es Salaam Tanzania	14/10/09 - 16/10/09	LDCs Meeting	F.K.(09) 39
Ulises Rimoni	CL 3.0 IDIP	Beijing, China	13/10/09 - 02/11/09	Seminar on Trade Facilitation and Investment Promotion	F.K.(09)Faapitoa 13
Auelua Samuelu Enari	CL 1.0 CEO	Brisbane, Australia	21/10/09-23/10/09	PACER Plus meeting	F.K.(09)39
Margaret Fruean	CL 8.0 RCIP	Manila, Philippines	27/10/09 - 28/10/09	WIPO: Asia-Pacific Conference on National Intellectual Property Strategies for Development	F.K.(09)
Faatuai Lemafa	CL 4.0 FTCD	Jakarta, Indonesia	02/11/09 - 20/11/09	Regional Course on Key Issues on the International Economic Agenda	F.K.(09)41
Jacinta Matulino	CL 3.0 IDIP	Jakarta, Indonesia	02/11/09 - 20/11/09	Regional Course on Key Issues on the International Economic Agenda	F.K.(09)41

Julia Matai	CL 3.0 IDIP	Beijing, China	03/11/09 - 04/11/09	China Overseas Investment Fair	F.K.(09)41
Alataua Tuliaupupu	CL 8.0 RCIP	New Delhi, India	11/11/09 - 13/11/09	5th International forum on creativity and inventions - A better future for Humanity in the 21st Century	F.K.(09)41
Pulotu Lyndon Chu Ling	CL 3.0 IDIP	Brussels, Belgium	11/11/09 - 13/11/09	ACP Council of Ministers meeting and ACP Trade Ministers Meeting	F.K.(09)42
Karen Niumata	CL 4.0 FTCD	Auckland, New Zealand	24/11/09 - 26/11/09	Regional workshop on Metrology Legislation for the Pacific Islands	STSC dated 19/11/09
Auelua Samuelu Enari	CL 1.0 CEO	Geneva, Switzerland	30/11/09 - 02/12/09	WTO Ministerial meeting	F.K.(09)44
Pulotu Lyndon Chu Ling	CL 3.0 IDIP	Adelaide, Australia	07/12/09 - 11/12/09	PACER Plus training course	F.K.(09)45
Margaret Fruean	CL 8.0 RCIP	Bangkok, Thailand	16/11/09 - 17/11/09	Regional Seminar on IP and Traditional Knowledge, Genetic Resources and Traditional Cultural Expressions	F.K.(09)47
Susana Laititi	CL 8.0 RCIP	Tokyo, Japan	27/01/10 - 09/02/10	Training Course on Industrial Property Administration	F.K.(10)02
Taupisi Faamau	CL 5.0 AELM	Vanuatu	05/02/10 - 06/02/10	ILO Tripartite High Level Meeting	F.K.(10)03
Pulotu Lyndon Chu Ling	CL 3.0 IDIP	Adelaide, Australia	08/02/10 - 12/02/10	PACER Plus training course	F.K.(10)03
Auelua Samuelu Enari	CL 1.0 CEO	Vanuatu	08/02-09/02 & 10/02-12/02	ILO and UN Meeting	F.K.(10)04
Auelua Samuelu Enari	CL 1.0 CEO	Tokyo, Japan	01/03/10 - 02/03/10	WIPO High Level Forum on the Global IP Infrastructure for Promotion of Innovation	F.K.(10)07
Auelua Samuelu Enari	CL 1.0 CEO	Nadi, Fiji	09/03/10-12/03/10	PICTA Negotiations on Services	F.K (10)07
Margaret Fruean	CL 8.0 RCIP	Tokyo, Japan	01/03/10 - 02/03/10	WIPO High Level Forum on the Global IP Infrastructure for Promotion of Innovation	F.K.(10)07
Roger Toleafoa	CL 4.0 FTCD	Jamaica	10/04/10-19/04/10	Codex Alimentarius and SPS Workshop	F.K (10)12

Auelua Samuelu Enari	CL. 1.0 CEO	Paris, France	07/04/10-16/04/10	Codex Alimentarius Commission	F.K. (10)11
Pulotu Lyndon Chu Ling	CL 3.0 IDIP	Brisbane, Australia	17/04/10-24/04/10	Investment Training opportunity for Pacific Island Nations.	F.K. (10) 14
Taupisi Faamau	CL 5.0 AELM	Fiji	10/04/10-16/04/10	Youth Employment Project	F.K (10) 13
Gladys Fuimaono	CL 4.0 FTCD	China	15/04/10-26/04/10	42nd session of the Codex Committee on Pesticide Residues	F.K (10) 14
Aumua Isaia Lameko	IRWPOSH	Melbourne, Australia	29/04/10-08/05/10	Regional Conference for Judges and Arbitrators on Employment Dispute Resolution Systems in Asia and Pacific	F.K (10) 16
Pulotu Lyndon Chu Ling	CL 3.0 IDIP	Vanuatu	03/05/10-05/05/10	International Investment Agreement Provisions (Commonwealth Secretariat)	F.K (10) 15
Unasa Iulia Petelo	CL 4.0 FTCD	Quebec, Canada	28/04/10-10/05/10	38th session of the Codex Committee on Food Labelling.	F.K.(10) 15
Alataua Tuliapupu	CL 8.0 RCIP	Singapore	15/05/10-23/05/10	WIPO Regional Conference on Technology and Innovation Support	
Auelua Samuelu Enari	CL. 1.0 CEO	Geneva, Switzerland	27/05/10-05/06/10	WTO Meeting	F.K (10) 19
Tomasi Peni	IRWPOSH	Nadi, Fiji	21/06/10-24/06/10	International Programme on the Elimination of Child Labour (ILO-IPEC)	STSC - 22/06/10
Tomasi Peni	IRWPOSH	Singapore	28/06/10-12/07/10	Productivity Management Workshop.	F.K (10) 24

Annex 2:**Ministry:** COMMERCE, INDUSTRY & LABOUR**Output 1: POLICY ADVICE TO THE RESPONSIBLE MINISTER****Output Manager:** Chief Executive Officer**Description:** To ensure that the government is provided with relevant and timely advice relating to the development of the commerce, industry and labour sectors in Samoa.**Performance Measures:**

Activity:	Quantity:	Quality:	Timeliness:	Annual Achievements FY2009-2010	Recommendations/Way forward.
Meetings and consultation with the Minister	Meetings and consultations with the Minister on the status of projects such as: 12 Private Sector Support Facility (PSSF), 6 Law Reform Project with Public Sector Improvement Facility (PSIF) Reviewing of the Trade, Commerce & Industry Act Attend all Parliamentary sittings and give answers to parliamentary questions through the Minister Attend to all Parliamentary Sub Committee (PSC) meetings and give answers to all PSC questions	Minister is satisfied with the outcomes of consultation and advice given Minister is satisfied with the answers given Parliamentary Sub Committee (PSC) is satisfied with the answers given and any supporting documents	Within FY 2009/2010 and as required by Minister/Cabinet Within FY 2009/2010 and as required by Minister/Cabinet Within FY 2009/2010 and as required by the Parliamentary Sub Committee	Meetings and consultations were held upon request from DPM on ad hoc basis 4 PSSF meetings held 5 Law Reform Project Consultation held for Labour Law Reform between MCIL and the public and private sector in Upolu and Savaii. Target date of completion is October 2010 3 OSH Labour Reform Consultations held in Upolu and Savaii Review of TCI Act – 2 consultations with Law Reform Commission completed. The office of the Attorney General has postponed remaining consultations with MCIL until further notice. 7 Parliamentary sitting attended. CEO and Acting CEOs attended Parliamentary sessions to observe and provide answers to questions raised in the house relating to commerce, industry and labour issues.	Meetings and consultation to continue. Review and reform of Ministry legislations continue. Continue providing support for Parliamentary sessions.
Develop and maintain regional and international co operation	Attend at least 6 regional and 6 international meetings relating to Codex, International Labour Organization (ILO), World Intellectual Property Organization (WIPO), World Association of	According to agreements between Samoa and international/regional organizations	Within FY 2009/2010	Attended 1 regional meeting in Vanuatu accompanying the Associate Minister, 4 international meetings with the Minister on World Trade Agreement Negotiations, ILO, Codex, WIPO, WAIPA and UNIDO in Australia, Geneva, Tanzania & Japan	Continue active participation in both regional and international meetings on International conventions and issues relating to commerce, industry, labour and intellectual properties.

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	<p>Investment Promotion Agency (WAIPA), United Nations of Industry Development Organization (UNIDO)</p> <p>2 official functions to be hosted for international/regional organizations (Codex, ILO, WIPO, WAIPA, UNIDO)</p>	<p>Obligations and commitments to organizations are met</p> <p>Positive relationships and social dialogue with international/regional organization</p>	<p>Within FY 2009/2010</p>	<p>None was arranged during the period under review</p>	
<p>Develop and maintain partnership with the private sector and other stakeholders</p>	<p>Attend meetings of the following: 12 Industry Development Board 12 Prices Board 4 Apprenticeship Council 6 Samoa National Codex Committee (SNCC) 12 Samoa National Tripartite Forum</p>	<p>Stakeholders are satisfied with the outcomes of meetings and consultations</p>	<p>Within FY 2009/2010</p>	<p>7 meetings of TCI Board attended.</p> <p>There were various issues raised by different NGOs and Associations on ways to improve the assistance of government in the development of the private sector. Financial assistance from the government were awarded to S.A.M.E, Chamber of Commerce, Samoa Crops Association, Samoa Hotel Association and Samoa Mamanu Association through the Contribution to Private Sector funds</p> <p>4 PCB meetings held in the period under review. The outcome was the approval of: General Price Order December 2009 General Price Order April 2010 General Price Order June 2010</p> <p>4 Apprenticeship Council meeting attended The outcome of the last two meetings in the last half of financial year was the signing of the Memorandum of Agreement between the National University of Samoa and Government of Samoa through MCIL for the beginning of the Apprenticeship Scheme in Samoa in February 2010. Under this agreement, NUSIoT will conduct apprenticeship classes for apprentices for 12 months and it was approved that 50% of the fee will be paid by the government through MCIL, 30% to be paid by the employer and 20% by the student.</p>	<p>Continue to offer/review and monitor assistance schemes for private sector development in Samoa.</p> <p>To continue with monitoring of goods under price control.</p> <p>To continue the apprenticeship scheme under close partnership with NUS-IoT.</p>

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

				2 SNCC meeting held No SNTF meeting held	
Overall Management and Leadership of the Ministry of Commerce, Industry & Labour	1 stakeholder consultation for preparation of Corporate Plan 2009-2012 Annual Reports of 2005- 2009 to be completed Review Service Charter 2008/2009 4 Quarterly management meetings to be held and Review of the Capability Plan	In accordance with Corporate Planning Framework Report encompass all achievements and accomplishments of the Ministry Effective tool to promote the services of the ministry Effective decision making that drives the successful operation of the ministry	Within FY 2009/2010 Within FY 2009/2010 Within FY 2009/2010 Quarterly	Stakeholder consultation held in April 2010 for the Corporate Plan Annual Reports 07-08 and 08-09 completed. To be printed and tabled in Parliament in the next session Completed in December 2009 and uploaded on website Management meetings held on a weekly basis, no capability plan but preparations are in place for development of a Capability Plan as soon as the CP is completed.	To undertake a timely review of the corporate plan Reports to be prepared on a more timelier basis To continue with management meetings and implement plan in place for enhancing capacity of staff.
Participate and contribute in government integrated approach of effectively managing/implementing development projects	Attend at least 12 meetings of the Cabinet Development Committee 12 statutory board meetings to be attended: 12 National Revenue Board 12 Development Bank of Samoa Board 12 Accident Compensation Corporation Board 12 Samoa Tourism Authority Board 12 Electric Power Corporation Board 6 SBEC Board 12 Samoa Land Corporation Board 12 Samoa Qualifications Authority Board	Provide effective advice on issues with respect to the Ministry stance as a whole Provide quality decisions and effective monitoring approaches as to follow up action plans for the implementation of projects.	Within FY 2009/2010 Within FY 2009/2010	Achieved CEO or appointed ACEO attended these meetings and contribute ideas and ways to improve the service delivery of these different boards to the government and the public.	Recommend officers to continue participation In these meetings.
Advice on all matters pertaining to the CEO's functions within the Ministry: Registrar of Companies Registrar of Intellectual Properties Registrar of Trademarks &	At least 40 cabinet submissions prepared for Minister's endorsement At least 12 briefings with Minister on management issues implementing policies	All cabinet submission are endorsed by Minister Minister is well informed of issues relating to commerce, industry and labor inclusive	Within FY 2009/2010 Within FY 2009/2010	On going activity where necessary When required by DPM from time to time.	

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

Patents Commissioner of Labour Chairman Apprenticeship Council Foreign Investment Registrar		of the registries of companies and intellectual properties			
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Output 2: MINISTERIAL SUPPORT

Output Manager: Chief Executive Officer

Description: To provide the Minister of Commerce, Industry and Labour with financial, administrative and secretariat support service for its operations.

Performance Measures:

Activity:	Quantity:	Quality:	Timeliness:	Annual Achievements FY2009-2010	Recommendation / Way forward
Provide secretarial services to Minister of Commerce, Industry & Labour	The secretariat completes all ministerial correspondence in a timely manner. At least 40 cabinet submissions to be endorsed	Efficient and effective secretariat services Cabinet submission approved within time frame	Within FY 2009/2010 Monthly	Achieved as this is an ongoing service to the Minister Achieved as this is an ongoing service to the Ministry	Continue effective management and provision of support of secretarial services to the Minister's Office.
Provide administrative services to the Minister of Commerce, Industry & Labour inclusive of the Registries of Companies and Intellectual Properties.	Average of 12 ministerial overseas travels to be arranged for the Minister and Associate Minister (ACP/ILO/Codex) At least 12 meetings/consultations with CEO to be arranged Arrangement of at least 5 official functions for the minister for overseas delegations and foreign investors	Minister is 100% satisfied with administrative services provided	Within FY 2009/2010	The DPM and Associate Minister attended relevant and related meetings of ACP/ILO/CODEX on behalf of the government from time to time to represent Samoa's views on International Trade Agreements, Labour Issues and Food Standards and how these organizations can assist Samoa and what benefits Samoa will gain from being members of such organizations. As required by DPM from time to time One dinner function hosted by the DPM for the Star Kist Director and delegation from American Samoa when visited to discuss the possibility of setting up a Loining Factory here in Samoa.	

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

Provide transport services to the Minister of Commerce, Industry & Labour	Maintenance and service of ministerial vehicle	100% level of satisfaction	3 months or 3000 miles whatever comes first	Minister's vehicle is maintained and serviced regularly to ensure the safety on the road and the transportation of the Minister to and from.	
Provide informal reports (advice) on implementation of government policies	At least 12 meetings between the Private Sector and the minister to be coordinated for briefing the minister on matters related to commerce, industry and labour	Based on latest and updated related information provided	Monthly	Minister and private sector met from time to time to discuss issues relating to improving the private sector development in terms of financial and technical assistance the government can offer.	

Output 3: MANAGEMENT OF INVESTMENT PROMOTION & INDUSTRY DEVELOPMENT

Output Manager: Assistant Chief Executive Officer – Industry Development and Investment Promotion

Description: To facilitate the development of the industrial sector through active promotion of both local and foreign investment in the country. To enhance the development of a sound enabling investment environment through the provision of adequate, accurate and timely information for investor decision through effective administration of existing programs of assistance. These are aimed at sustaining the private sector development.

Performance Measures:

Activity:	Quantity:	Quality:	Timeliness:	Annual Achievements FY2009-2010	Recommendations / Way forward
Administer programs of assistance for Industry Development and Investment Promotion	Enterprise Incentives Scheme (EIS) All entries from Yazaki EDS Limited must be checked against approval order	95% satisfaction level of entries in accordance with approval order	Quarterly	No entries received.	Enterprise Incentives Scheme <ul style="list-style-type: none"> Yazaki was the last beneficiary under the Grandfather clause of this scheme. These benefits to Yazaki expired on 11th July 2010. Therefore this clause has been terminated and will not be renewed or extended.
	End of Project site visit in July 2010 - summary of expansionary developments to date	95% approved enterprises utilize incentives in accordance with approved conditions	Within 2 nd half of FY 2009/2010	An inspection was conducted together in December. A meeting on 30/9 to discuss progress of Cabinet decision on company's request was rescheduled due to tsunami.	
	Duty Suspension Scheme (DSS): Process all entries from 3 remaining companies (Nonu Samoa, R & L Keil Holdings Ltd. & CCK Trading)				Duty Suspension Scheme (DSS): <ul style="list-style-type: none"> The division continues to service the current beneficiaries under the scheme. Improvements of processes under the Duty Concession
	4 site visits including inspection of consignments	95% approved enterprises utilize assistance in accordance with stipulated conditions	Within FY 2009/2010	7 Entries processed for R & L Keil Limited (6) and Nonu Samoa Limited (1). Conducted 3 site visits for 3 companies: Nonu	
	Government Export Guarantee				

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	<p>Scheme (GEGS) Complete and finalize review of GEGS Operational Procedures - Under review & finalizes with the GEGS Committee.</p> <p>Duty Concession Scheme 20 applications are received and assessed against stipulated conditions of the Customs Amendment Act 2007.</p> <p>Undertake 10 site visits and inspection of consignments for approved applications:</p> <p>40 entries received and analyzed</p> <p>6 meetings to be conducted for the</p>	<p>95% satisfaction level of information updated, relevant and reported on</p> <p>95% of applications satisfy the stipulated criteria of the scheme</p> <p>95% of applications are approved by Cabinet as a “qualifying project” or Ministry of Finance as a “qualifying good” in accordance with Customs Amendment Act 2007</p> <p>95% of approved enterprises will utilize assistance in accordance with Customs Amendment Act 2007</p> <p>90% of approved entries are</p>	<p>Within FY 2009/2010</p> <p>1st half of FY 2009/2010</p> <p>Within FY 2009/2010</p> <p>Within FY 2009/2010</p> <p>Within FY 2009/2010</p> <p>Within FY 2009/2010</p>	<p>Samoa Limited, CCK Ltd and R & L Keil Ltd.</p> <p>A preliminary review report on GEGS has already been completed and a decision was made to put this scheme on hold until a meeting has been called with the GEGS Committee to discuss a possible way forward. A possible option as indicated by CBS is to utilize the remaining funds under GEGS for the NES project.</p> <p>A total of 15 applications rec'd directly by the unit. 11 applications approved by Cabinet and 4 pending submission of additional information.</p> <p>4 applications rec'd through Investment Committee were submitted to MCIL for comments. 3 pending submission of additional information, 1 declined.</p> <p>3 applications for 'approved goods' were received and approved by MoF.</p> <p>2 inspections for this FY were conducted in December 2009 for Upolu and March 2010 for Savaii and 7 separate site visits undertaken.</p> <p>A total of 125 entries received from 9 different qualifying projects. A Matrix containing details of all DCS & code 121</p>	<p>scheme and the passage of the Customs (Tourism & Manufacturing Development) Regulations 2010 have made it possible for other beneficiaries to be granted similar benefits under the Duty Concession Scheme.</p> <ul style="list-style-type: none"> • Site visits are ongoing and is part of the monitoring process to ensure that the imported goods under the scheme are used in accordance with the purpose of the scheme. • There were no major discrepancies reported or sighted during the reporting period except for the unpredictable nature of overseas markets which impacts severely on the efforts of local suppliers hence the inconsistent importation of materials during the reporting period. <p>Government Export Guarantee Scheme (GEGS)</p> <ul style="list-style-type: none"> • A first meeting of the Committee took place on 22nd December 2010. • The review of the guidelines, forms and other documents in accordance with the Public Finance Management Act 2001 is progressing. • Subject to Cabinet's endorsement this scheme could be revived within the next financial year.
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OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	<p>Duty Assistance committee</p> <p>Preliminary assessment of 6 project applications received and submitted to Investment Project Committee</p> <p>Code 121 (Customs Tariff Act 2008) 5 applications received, assessed and inspected against stipulated conditions of the Code 121 scheme</p> <p>Public awareness campaign for Code 121 & Duty Concession: 5 newspaper notices and 2 radio notices 1 TV program to be conducted for all schemes</p>	<p>in accordance with Customs Amendment Act 2007</p> <p>90% satisfaction level of Committees' decisions in accordance with the stipulated criteria</p> <p>95% satisfaction level of Investment Project Committee on submitted preliminary assessments</p> <p>95% of applications are approved by the Ministry of Commerce, Industry and Labour as qualifying company or by Ministry of Revenue as approved goods in accordance with the code 121 of the customs Tariff Amendment Act 2008</p> <p>Stakeholders are well informed and aware of the schemes and its processes & procedures</p>	<p>Within FY2009-2010</p> <p>Within FY 2009/2010</p> <p>Within FY 2009/2010</p>	<p>cases was developed.</p> <p>IDIP was represented at 8 meetings of the Investment Committee in Aug. Oct. Nov. Dec. Feb. March & May (2).</p> <p>Preliminary assessments were conducted for the 14 received applications before submission to MoF.</p> <p>Only one case was rec'd and assessed and approved as it met stipulated criteria of the scheme.</p> <p>No Public awareness conducted for the reporting period due to additional workload on the TTRP.</p>	<p><u>Duty Concession Scheme</u></p> <ul style="list-style-type: none"> The passage of the Customs (Tourism & Manufacturing Development) regulations 2010 has provided a more effective mandate for the division in carrying out its responsibilities for this scheme. The Guidelines for potential applicants has been reviewed and endorsed by the Investment Committee on 28th September 2010. There were no major discrepancies reported or sighted during the reporting period except for the delay in the implementation of some assisted projects, but all assisted projects are progressing. <p><u>Code 121 (Customs Tariff Act 2008)</u></p> <ul style="list-style-type: none"> The division will continue to encourage businesses to take advantage of this scheme. The private sector through the Trade Commerce and Industry (TCI) Board has revealed that their members do not have the time to complete the forms. The criteria might need to be reviewed within the next financial year through the TCI Board. <p><u>Public awareness campaign for Code 121 & Duty Concession:</u></p>
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OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

					The division will continue to liaise and encourage the private sector on these schemes through the TCI Board, PSSF & TTRP Steering Committees, other meetings, referrals, email and on the MCIL website.
To promote Samoa as a conducive Investment Destination.	<p>Foreign Investment Registry & Legislation 35 Foreign Investment applications received, analyzed & registered</p> <p>Undertake 2 site visits to all registered foreign investment businesses in Savaii & Upolu per annum</p> <p>Complete review of Foreign Investment Amendment Act & Regulation</p> <p>2 groups of investors to be facilitated</p>	<p>95% of approved applications are in accordance with Foreign Investment Act 2000</p> <p>95% satisfaction level in accordance with Foreign Investment Act 2000</p> <p>95% of information is relevant, reliable and accurate</p> <p>95% satisfaction level of information provided by relevant Government, Ministries, organization, businesses that met with the potential investors</p>	<p>Within FY 2009/2010</p> <p>Quarterly</p> <p>Within 1st half of FY 2009/2010</p> <p>Within FY 2009/2010</p>	<p>Received and assessed 64 applications. 63 of these applications were approved and 1 was declined as it was a Reserved activity (Car Rental).</p> <p>2 site visits undertaken to registered Foreign Investment Enterprises (FIEs) in Upolu from 1st – 8th December 2009 and in Savaii from 22nd – 24th March 2010.</p> <p>The review of the Foreign Investment Act 2000 is still ongoing. Awaiting response of the AG's for finalization.</p> <p>Facilitated the following Investment related Visits:</p> <ol style="list-style-type: none"> 1. Manukau City Council & NZ Pacific Business Council visit, 11 – 12 Aug 2009. Meetings with private sector and government officials in promoting trade and investment between Samoa and NZ. Follow up MOU of cooperation signed in 2005. 2. PIFS (Investment Policy Support Programme) -IDIP request for development of an Investment Action Plan. Don Jacobson & Cathryn Buis 14 – 17 Sept 09. 	<p>Foreign Investment Registry & Legislation</p> <ul style="list-style-type: none"> • Site visits are an important part of the monitoring process. There were some irregularities identified during the reporting period. These have been resolved in close collaboration with the Attorney General's office. • Further a special Cabinet Committee comprising CEOs and ACEOs of MfR (licenses), MPMC (Immigration & work permits and MCIL (Foreign Investment Certificates) has been established towards end of reporting period with the objective of ensuring a coordinated approach in facilitating these interrelated processes. • Updating the registry is an ongoing activity as it serves an important purpose in relations to the availability of information but also in providing accurate reports to parliament through the Minister on foreign investment trends. • The review should be completed by July 2011.

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	<p>Existing Foreign Investment Database to be redesigned, updated and reported on</p> <p>Samoa Investment Guide: Finalize review, design, and print & distribute 100 copies of the revised Investment Guide 2009</p> <p>Research on potential Investment opportunities</p> <p>National Investment Policy Statement (NIPS): Complete, print & distribute 100 copies of the Revised NIPS</p> <p>Updating of information on NIPS to be in line with existing & new policies and legislations.</p> <p>Samoa Investment DVD: Review the Samoa Investment DVD for promotional purposes</p>	<p>95% satisfaction level of information updated, relevant, reliable and accurate</p> <p>95% satisfaction level of potential investors with updated, reliable and accurate information on the investment guide</p> <p>90% of research investment opportunities are facilitated</p> <p>95% of potential investors will be fully aware of investment policies</p> <p>95% of information updated in the NIPS is relevant, reliable and accurate</p> <p>100% of information pertaining in this DVD to be relevant and accurate</p>	<p>Within 1st half of FY 2009/2010</p> <p>Within FY 2009/2010</p> <p>Within FY 2009/2010</p> <p>Within FY 2009/2010</p> <p>Within FY 2009/2010</p> <p>3rd Quarter of FY 2009/2010</p>	<p>3. PITIC Sydney Investment Promotion & export development visit. Messrs Patrick Martin & Collin Fulton 27/9 – 1/10 2009. Meeting with private sector & government officials re role of PITIC on export and investment issues. Only had the Monday meeting – unable to continue scheduled meetings of 28/9 – 1/10 due to earth quake & tsunami on 29/9/09.</p> <p>4. Commonwealth consultative visit 9-16 December 2009 on enhancing the competitiveness of Samoa MSMEs project. Private sector and relevant Ministries were consulted.</p> <p>FIC Database: are updated regularly i.e. on a weekly basis when applications are approved. Updated information from site visits is also uploaded and bi-monthly reports are provided to IDIP team.</p> <p>Work is currently underway to convert the Investment Guide into a simplified format. Targeted for completion and printing in the next FY2010/2011.</p> <p>To be undertaken under the PIFS Investment Support Policy Programme.</p> <p>NIPS completed and printed 100 copies.</p> <p>NIPS to be reviewed and updated a year after</p>	<p>The passage of the Amendment Bill and the Regulations would set a clear mandate for the division to effectively carry out expected activities and outcomes under the Act (amended).</p> <p>Samoa Investment Guide (IG):</p> <ul style="list-style-type: none"> • The review of the guide should be completed within the first six months of the next financial year. • Two documents are expected to be produced from this review: <ol style="list-style-type: none"> i. The Master IG contains all basic information investors needs to know about Samoa. ii. The promotion IG summarizes potential investment opportunities, processes for setting up businesses in Samoa and existing government support programmes. • The revised documents will be distributed to Samoa's overseas missions, made available at the office and uploaded on the MCIL website. • Updating of information is ongoing. <p>National Investment Policy Statement (NIPS):</p> <ul style="list-style-type: none"> • The June 2010 updated version has been distributed
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OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

				<p>printing.</p> <p>Put on hold due to limited resources but currently utilizing the MCIL website to upload updated information on investment opportunities where relevant.</p>	<p>to Samoa's overseas missions; and will be reprinted due to high demand.</p> <ul style="list-style-type: none"> Updating of information is ongoing subject to the passage of the introduction of new policies and new legislations relevant to the business environment. <p>Samoa Investment DVD:</p> <ul style="list-style-type: none"> The existing DVD has been uploaded on the MCIL website. The information is still relevant to the investment climate of Samoa. The DVD however compliments other similar productions and publications that are initiated by other key Ministries and organizations such as Samoa Tourism Authority, Ministry of Agriculture, Ministry of Natural Resources and Environment, Ministry of Health, Scientific Research Organization of Samoa and private sector organizations.
<p>Undertake research on Industry development and investment promotion issues to formulate and review policies</p>	<p>Prepare Investment and Industry Action Plan in accordance with streamlined process and procedures as indicated in Ministry of Commerce, Industry and Labour Corporate Plan & Investment Action Plan</p> <p>Review Setting Up Business Brochure – to design, develop & print</p>	<p>95% level of information is relevant and accurate. And informed private and public sector</p> <p>95% of the information is relevant and accurate</p>	<p>Within FY 2009/2010</p> <p>Within 1st half of FY 2009/2010</p>	<p>Industry and Investment Action Plans were developed through the review of the Corporate Plan. Also the PIFS Investment Support Policy Program would assist in developing action plans.</p> <p>Review of Setting Up Business procedures is</p>	<p>Industry and Investment Action Plan:</p> <ul style="list-style-type: none"> This is reflected in the division;' section of the MCIL Corporate Plan 2009-21012. Review of the Setting up business brochure has been completed. The updating of information is ongoing & is

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	<p>Undertake consultation & analysis for relevant sectors (WTO, PICTA, PACER & EPA, NES, CFMAC, Ozone Management, Shanghai Expo)</p>	<p>90% level of information is relevant and accurate.</p>	<p>Within FY 2009/2010</p>	<p>progressing</p> <p>Active participation through attendance of meetings and inputs on trade related matters as follows:</p> <ul style="list-style-type: none"> i. WTO – investment & incentives issues ii. NES – tariff review and schemes on duty exemptions iii. Integrated Framework – provided comments on issues relating to MCIL iv. EPA, PACER & PICTA – MCIL with MFAT represent Samoa to some of the regional meetings on the discussion of these trading arrangements <p>Business database is updated quarterly.</p> <p>A total of 10 Meetings, workshops & trainings attended by IDIP division staff are as follows:</p> <ol style="list-style-type: none"> 1. WAIPA 14 Annual meeting, Mila 12 – 14 Sept 2009 2. Pacer Plus – Adelaide, Module 6, Aug 2009, Module 7, Feb 2010 & Module 8, March 2010, Module 9 – Samoa, June 2010 3. MSMEs Programme -India Aug/Sept 2009 4. ADB Trade & Investment – Philippines Sept 2009 5. Keys issues on Internat’nal Economic Agenda - Indonesia Nov 2009 6. Trade Facilitation & Investment - China, Oct 2009 7. 1st Chinese overseas Investment Fair - Beijing Nov 2009 8. 2nd Pan-Commonwealth Conference on Professional Services – Mauritius, April 2010 9. WTO/ESCAP Advanced Regional Seminar on the GATS & Services Negotiations – Kuala Lumpur, May 2010; 	<p>made available to potential investors at the office and through email and MCIL website.</p> <ul style="list-style-type: none"> • The division is a member of the National Working Committee on Trade Arrangements; and continues to work closely in all consultations relating to all trade agreements that Samoa is a party to. • The staff on a rotational basis, are encouraged to take advantage of existing local and overseas capacity building programs – this is an ongoing internal arrangement. • Participation of staff to these foras is important in building their knowledge and capacity to better the implementation of their work. This is in line with their work on awareness/promotion of business opportunities for investment both from overseas and within Samoa .
	<p>Business database to be regularly updated and monitored</p> <p>Regional Workshops and meetings</p>	<p>90% of information updated, relevant, reliable and accurate.</p>	<p>Within FY 2009/2010</p>		

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

				10. Investment Expert Group Meeting – Port Villa, May 2010	
Provide Secretariat Support services	<p>Provide Secretarial support for the following: Trade Commerce Industry Development Board & its sub-committees – conduct 12 meetings per annum Lotonuu National Food Crisis Committee</p> <p>Private Sector Support Facility (PSSF) all funding under Ministry of Finance (Aid Coordination Division) 2 promotional campaigns to be conducted for the Facility:</p> <p>40 applications are received, analyzed and assessed on its merits</p> <p>Conduct 4 in-country presentation/training for the private sector (WIBDI, SHA, SCCA, Samoa Mamanu & other associations)</p> <p>3 Private Sector Business Forums to be conducted for the following</p>	<p>95% satisfaction level of the Board's & various Committee decisions are accorded to the enhancement of the industry & investment within the country.</p> <p>95% of the general community will be aware of these assistance schemes.</p> <p>90% applications satisfy the stipulated criteria under the Facility.</p> <p>A more informed private sector on the mechanisms of the Facility</p> <p>90% of the targeted audience</p>	<p>Within FY 2009/2010</p> <p>Half yearly FY 2009/2010</p> <p>Quarterly 2009/2010</p> <p>Within FY 2009/2010</p> <p>Within FY 2009/2010</p>	<p>7 meetings of the Industry Development Board were held in July, Sept, Nov, Dec, January, March & May. In addition 4 TCI Sub-committee meetings on Banking Lending Rates were held in April (2) & March (2).</p> <p>Lotonuu inactive and chaired by Private sector.</p> <p>National Food Crisis suspended.</p> <p>Promotional Campaigns are put on hold until after the PSSF review that is currently in progress.</p> <p>A total of 57 applications were received (16 Category A & 41 Category B) yet only 34 applications (11 Category A & 23 Category B) met the criteria of the scheme. Also processed & released cheques to 9 applications that were approved in FY 0809 but pending to required information. Noted end of project reports from 8 projects completed in FY 0809 and 3 project for FY 0910.</p> <p>Presentations to the private sector have already been prepared however, as the PSSF is currently under-review by KVAConsult Ltd hence, it has been agreed that these presentations be put on hold until the review is completed.</p> <p>No business forums have been conducted as priority has been towards the PSSF Review that commenced in October 2009. Also due to additional work on Tourism</p>	<p>Secretarial support</p> <ul style="list-style-type: none"> This is an integral part of the division's work and is ongoing. It is anticipated that the GEGS committee will also be transferred to the division from the Central Bank of Samoa for administration. <p>Private Sector Support Facility (PSSF):</p> <ul style="list-style-type: none"> The division continues to implement activities as per workplan. This includes the designing of improved processes for handling all PSSF and related activities in close collaboration with the Steering Group, Development Partners and stakeholders.

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	<p>sectors:</p> <ul style="list-style-type: none"> - Agriculture - Tourism - Manufacturing - Technology - Fisheries <p>Design, produce and distribute 200 PSSF brochures (English & Samoan) to stakeholders</p> <p>4 TV & Radio Programmes (2 TV programs & 2 Radio talks)</p> <p>4 Newspaper Ads (4 weeks prior to closing of round for both Categories)</p> <p>6 site visits of funding rounds and inspections of eligible projects</p> <p>Preparation and submission of (i) Financial Report and (ii) Report on Operational Budget</p>	<p>becomes informed of each industry's economic performance</p> <p>90% of targeted audience becomes aware of PSSF guidelines and eligibility criteria.</p> <p>95% of targeted audience becomes aware of PSSF guidelines and eligible criteria</p> <p>95% of targeted audience would be aware of each due date in advance.</p> <p>90% of projects satisfy stipulated criteria of the PSSF</p> <p>100% compliance with</p>	<p>Within 1st half of FY 2009/2010</p> <p>Within FY 2009/2010</p> <p>Within FY 2009/2010</p> <p>Within FY 2009/2010</p> <p>Half Yearly FY 2009/2010</p>	<p>Tsunami Rebuilding Program (subcategory of PSSF) that started in December 2009.</p> <p>15 TTRP applications were received under round 1 in April and 9 applications were received under round 2 in June 2010. Both rounds have 100% approval rate.</p> <p>Translation of the brochure into the Samoan language was completed in Sept 2009 however; printing of the brochure has been put on hold awaiting the outcome of the PSSF review.</p> <p>The PSSF review has yet to be completed, the Steering Group has decided to suspend all public awareness programs (TV, radio & newspaper advertisements) until the outcome of the review has been attained.</p> <p>3 PSSF newspaper notices calling for proposals at the end of the funding rounds were conducted.</p> <p>In addition, a total of 7 newspaper & TV notices were conducted for the new PSSF subcategory the commencement of the Tourism Tsunami Rebuilding Program.</p> <p>As there were no applications received in the first funding round (Category B R 1) only three site visits were conducted to potential projects received through Category A R#1 & Category B R#2 & R#4 before assessment reports on these projects were submitted to the PSSF Steering Group for their information and decision.</p> <p>The 6 months PSSF financial and operations report for the July-December 2009 period has already been submitted to MoF & Development Partners (NZ Aid & UNDP) in mid Jan 2010. A Quarterly Report (Jan-March</p>	
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OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	<p>Preparation and submission of (i) Annual Report on Operations budget (ii) Annual PSSF Financial Report</p> <p>1 Review Session of the PSSF Facility (Operations Manual)</p> <p>Establish inventory register for PSSF capital & stationery items</p> <p>Secretariat Support for the Steering Group to be provided for 8 meetings</p>	<p>Ministry of Finance and Development Partners financial reporting guidelines</p> <p>90% of the Committee's decisions are in accordance with the criteria of the scheme</p> <p>100% satisfaction level of information updated, relevant and reported on</p> <p>100% of items bought under PSSF are fully utilized to facilitate the servicing of the PSSF</p> <p>90% of the Committee's decisions are in accordance with the criteria of the scheme.</p>	<p>Half Yearly FY 2009/2010</p> <p>Within 1st half of FY 2009/2010 – beginning in July 2009</p> <p>Within FY 2009/2010</p> <p>Within FY 2009/2010</p>	<p>2010) was submitted through MoF on April as requested by UNDP.</p> <p>The Annual PSSF Financial and Operations Report for FY 0809 along with the PSSF Budget for FY 09/10 including the workplan has already been completed and submitted to MoF & Development Partners (NZAid & UNDP) for their information and endorsement in July 2009.</p> <p>Initial preparations of PSSF & TTRP Projects & Operations Reports for FY0910 were conducted for submission to MoF & Development Partners.</p> <p>Prepared ToR for the Review, invite bids from consultants to conduct review, screened proposals and select top 3 for the Steering Group's consideration in Sept 2009. Announced successful bid (KVAConsult Ltd) and upon signing of the contract commenced PSSF review in late Oct 2009.</p> <p>There were 3 meetings conducted for the Review, 1 with the Review Subcommittee and 2 meetings of the consultant and Steering Group to discuss the draft report. The Final Report was submitted by KVA to the Steering on 30 June 2010.</p> <p>An inventory for the registration of capital & stationery sourced under the PSSF has been set up and regularly updated on a weekly basis.</p> <p>A total of 10 PSSF and 8 TTRP meetings were conducted during the reporting period.</p>	
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OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

Output 4: ENFORCEMENT OF FAIR TRADING AND CODEX DEVELOPMENT

Output Manager: Assistant Chief Executive Officer – Fair Trading & Codex

Description: To provide and increase the promotion of consumer and trader awareness of their rights and obligations in the marketplace to achieve a satisfactory fair level playing field for all to interact and transact; to ensure achievement of voluntary compliance by traders thus reducing costly prosecutions; and to successfully develop a safe and quality product standard for the protection of consumer health in the country and to facilitate the achievement of international trader confidence in Samoa’s export products.

Performance Measures:

Activity:	Quantity:	Quality:	Timeliness:	Annual Achievements FY2009-2010	Recommendations/Way Forward
Administration of the Codex Alimentarius	1 General Principles meeting held in Mali Africa	Effective participation to support our stand as an LDC in the development of the Code of Ethics	Within FY 2009/2010	Attended in April 2010 in Paris	Consistency of participation to these international meetings is necessary. Regular meetings of the national committee and sub-committees encourage close collaboration in the preparation of national food standards. Sufficient budget should be made available to support the above. Collaborative effort between all members of the SNCC
	1 Food Labeling meeting held in Canada	Effective participation to ensure that our national labeling standards are align with those of our trading partners	Within FY 2009/2010	Attended in May 2010	
	1 Executive meeting of the Codex Alimentarius Commission in Italy	Effective participation to ensure our national food standards are inline with codex standards	Within FY 2009/2010	Attended in June 2010	
	12 National Codex Committee Meetings	Greater & effective involvement in developing food safety standards	Within FY 2009/2010	7 meetings conducted	
	12 Sub-Committee meetings developing for Food Hygiene (currently in working mode); Food Labeling, Bottled Mineral Water, and Fat Content in Meat	Greater industry input in standards setting processes	Within FY 2009/2010	7 Sub Com meetings held to finalize the Egg Std. 4 Food Hygiene meetings.	
	4 new food safety standards: Food Hygiene, Food Labeling, Bottled Mineral Water; and Fat Content in Meat	To protect the health of consumers and to facilitate fair trade	Within FY 2009/2010	Food Hygiene on 2 nd draft but put on hold by MOH till Food Act is passed.& Food Labeling still in draft form	
	2 Food Safety consultations on Food Hygiene and Food Labeling standards.		Within FY 2009/2010	1 consultation in March 2010 on the approved egg standard 2010	Completed. Consistent

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	<p>1 Promulgation of the Fair Trading (Approved Egg Standards) Regulations 2009</p> <p>1 Food summit activity under the auspices of SNCC</p>	<p>Greater industry and consumer input in the development of the standards</p> <p>Greater awareness on quality standards of eggs for human consumption</p> <p>Greater dialogue & exchanges with the private sector in the development of policies to combat food borne diseases; grown/consumption of healthy food for a balance diet and promoting the Codex Global Strategy on Diet, Physical Activity and Health issues</p>	<p>1st half of FY 2009/2010</p> <p>Within FY 2009/2010</p>	<p>Achieved in June 2010</p> <p>Completed under leadership of MoH in first half of the FY</p>	<p>monitoring a collaborative effort between MAF, MOH, MCIL</p> <p>Develop collaborative working relationship with the Ministry of Health to convene this important Summit every 2-years. Greater dialogue & exchanges with the private sector in the development of policies to combat food borne diseases; grown/consumption of healthy food for a balance diet and promoting the Codex Global Strategy on Diet, Physical Activity and Health issues</p>
<p>Enforcement and Compliance of Fair Trading & Consumer Protection Legislation</p>	<p>10 fuel price adjustments for all petrol pumps in Upolu and Savaii</p> <p>2 visits to Savaii to undertake calibration of flow meters, covering all traders on prices & weights/measures scales used by traders, general hygiene and storage standards. Duration of each visit is 1 week</p> <p>30 complaints received, recorded and investigated</p> <p>50 complaints and enquiries received are recorded into databases</p>	<p>Accurate adjustments with no complaints received on any variation of prices between petrol stations</p> <p>100% inspection of traders listed in database plus the newly set up businesses</p> <p>80% of complaints recorded are successfully investigated and mediated on time</p> <p>Record all contact details for all enquirers and</p>	<p>1st day of every month</p> <p>1st - visit 30th September 2009 2nd - visit 29th March 2010</p> <p>Monthly</p> <p>Monthly</p>	<p>12 petrol adjustments already conducted</p> <p>Achieved 75% of traders inspected</p> <p>89% successfully investigated and resolved on time, 11% of complaints were resolved in FY 10/11</p> <p>80 complaints and 50 enquiries were recorded within FY</p>	<p>To be on going</p> <p>This should be increased to twice quarterly as recommended by the Legislative Bills Committee. However a planned branch of the FTCD is being considered and partial funding has been approved.</p> <p>All complaints are being recorded and this is ongoing and recommended to maintain. Availability of the transportation to conduct daily investigation and monitoring as was the practice in the past.</p> <p>Transport specific for FTCD is recommended.</p>

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	Survey of Wholesale prices of goods under Price Control in Upolu	complainants into databases Effective monitoring of prices of goods under an enforced Order	Fortnightly	2 Surveys conducted in August and November	This is on-going to ensure prices are within the maximum limit prescribed in the General Price Orders and is recommended to be ongoing.
Administration of the Prices Board	12 Prices Board Meetings On-going monitoring and enforcement of enforced Price Orders 4 press releases per approved Price Order 8 Price Orders to be published on 2 widely read newspapers 8 printing per quarterly GPO @ 3500 copies /A2 size paper per quarter Samoan/English 8 product testing/processing of products under price control that are manufactured locally 1 Overseas Calibration of central standard units used by the Ministry	Quality decision making process for the benefit of consumers Ensure effective compliance and freedom of consumers to exercise their rights in marketplace Broad coverage of new prices for goods under price control Wide coverage of newly approved prices Wider circulation of GPO to all traders Upolu, Savaii, Manono, Apolima Accurate selling prices for these goods are within the maximum price stipulated Accurate product measurements	Monthly Within FY 2009/2010 Within FY 2009/2010 Quarterly Within FY 2009/2010 Twice within FY 2009/2010 1 st half of FY 2009/2010	4 Prices Board Meetings conducted to approve Price Orders Weekly inspections of traders to try and cover Upolu and two visits to service Savaii within FY 4 press releases on both radio and television concerning the increase in prices for flour, sugar and rice 12 Price Orders published – Observer, Savali and Newslite 8 GPOs were printed in English & Samoan at 2,500 per printing on A3 size paper 5 test baking for bread conducted to bakeries in Savaii and one in Upolu Not conducted due to budget cuts	Meetings scheduled on a quarterly basis but where there are ad hoc urgent applications, special meetings are convened. The process is recommended to maintain. Press releases to continue whenever necessary. With the Prices Board Orders the way forward to cut costs on publication, advertisement and distribution is for the Board to adopt again the Percentage Price Control System and focus on inspection and monitoring. If this course of action is adopted, specific vehicle for use by FTCD is the means to achieve consistent performance. Recommend to undertake annually should the proposed Metrology Bill is adopted.
World Consumer Rights Day Promotions:	1 TV Advertisement 60 seconds World Consumer Rights Day Banner (English Version) 6 Media releases on consumer issues	Effective promotion of Consumer Rights Greater promotion and awareness creation on World Consumer Rights Day Awareness of consumer issues	15 March 2010 8 – 15 March 2010 Within FY 2009/2010	1 TV Ad that was aired for only 5 days due to budget constraints 15-19 March 2010 1 banners 4 press and 2 media releases issued for awareness on egg standard	Recommend to maintain the practice.

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

Output 5: ADMINISTRATION OF APPRENTICESHIP SCHEME, LABOUR MARKET & EMPLOYMENT SERVICES (FORMERLY OUTPUTS 5 & 6 NOW MERGED)

Output Manager: Assistant Chief Executive Officer – Apprenticeship, Labour Market & Employment Services

Description: Administration of the Apprenticeship Act through the Apprenticeship Council training scheme, trade training and testing scheme in collaboration with the National University of Samoa Institute of Technology. Facilitation of the registration and referral of job seekers to employers for placement in available job vacancies compatible with their skills/experience. Collection of labor market information from employers for the assessment of employment levels, training needs and employment opportunities of the private sector

Performance Measures:

Activity:	Quantity:	Quality:	Timeliness:	Annual Achievements FY2009-2010	Additional Information & Way Forward
Providing secretarial support for the Apprenticeship Council for the effective administration of the Apprenticeship Scheme.	At least 4 meetings	90% of attendance, presentation of accurate information for better decision making.	Quarterly	Achieved: Four (4) Apprenticeship Council Meetings were carried out. Refer the following dates of implementation. 7 August 2009 27 October 2009 19 March 2010 30 June 2010	90 – 100% satisfactory level for coordination and registration of decision making by the Apprenticeship Council during the 4 meetings being conducted.
	Average of 60 new application to be investigated & assessed	90% accepted new applicants. Low attrition rate of existing apprentices	Quarterly	Achieved: A total of 45 new applicants were registered and accepted	Forty five (45) new applicants were assessed and accepted, such number is exceeded the average number of thirty (30) new applicants being expected.
	Average of 196 existing apprentices to be visited to ensure compliance with the requirements of the Apprenticeship Program.	90% satisfactory level of compliance with less number of failure rates and repetitions.	Within FY 2009/2010	Achieved: 25 Apprentices at year 4 level being confirmed to be graduated	Hundred percent (100%) of 25 apprentices at their final year are confirmed to graduate on the scheduled Apprenticeship Graduation on 29 July 2010. As a way forward, there is a need to increase the number of graduates under the Apprenticeship Program.
Conduct Routine Inspections &	900 routine inspections and f/ups, for	Minimize non compliance	Within FY 2009/2010	89% Achieved:	Proposed activities were not

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F/ups	employers both Upolu and Savaii.	and complaints of employers.		<ul style="list-style-type: none"> - 539 routine inspections - 264 follow ups - 803 total inspections 	fully implemented due to ongoing consultations of MOA.
Administration and coordination of Trade Testing for Carpentry and Joinery & Motor Mechanic Trades.	- At least four (4) Trade Panel meetings for Carpentry & Joinery	In accordance with the requirements of the Apprenticeship Act & Regulation	Within FY 2009/2010	Achieved: Three (3) Carpentry & Joinery Trade Panel Meetings were conducted for Grade 2 (2 & 6 November 2009)	One (1) Trade Panel Meeting was not implemented as all the requirements for this activity were achieved during the 3 meetings being conducted.
	- Four (4) Upgrading Classes for the similar trades.	For candidates to be well equipped prior to trade tests.	Within FY 2009/2010	Achieved: Four (4) Upgrading Classes being carried out. <ul style="list-style-type: none"> - 2 Upgrading Classes for Gr 2 (2nd Nov & 3rd Nov 2009). - 2 Upgrading classes for Gr 1 (23 & 24 Nov 2009). 	The Ministry has noted the effective and efficiency of carrying out of this activity. A total of 2 Trade Tests for Carpentry and Joinery were carried out.
	- Two (2) Trade Tests for the above trades.	Between 90-100% percent pass rate.	Within FY 2009/2010	Achieved: 2 trade tests for Gr 2 being conducted: <ul style="list-style-type: none"> - 6 November 2009 - 7 November 2009 2 trade tests for Gr 1 being conducted <ul style="list-style-type: none"> - 27 November 2009 - 28 November 2009 	The Ministry has noted a 100% pass rate of candidates who sat carpentry and joinery trade tests.
	At least one (1) trade panel meetings for motor mechanic.	In accordance with the requirements of the Apprenticeship Act and & Regulation.	Within FY 2009/2010	Achieved: 1 motor mechanic trade panel meeting	There is a need to increase number of apprentices to undertake this trade
Three (3) upgrading classes are required for Motor Mechanic trade	In accordance with requirements of the Apprenticeship Act & Regulation.	Within FY 2009/2010	Achieved: 3 upgrading classes for Motor Mechanic Gr 2: 15, 16, 17 June 2010	This activity is effectively implemented	

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	At least two (2) trade tests for Motor Mechanic	About 100 % pass rate	Within FY 2009/2010	Achieved: 2 Trade Tests for Motor Mechanic Gr 2, being carried out on 23 rd and 26 th June 2010 with (100%) pass rate.	Awareness programs for promoting this trade needs to be continued.
Review and update Labour Market Employment Information.	To collect 900 Employment Returns from employers both Upolu & Savaii	In compliance with Part IV of the Labour and Employment Regulations 1973	Bi-annually	56% of proposed target has been achieved.	505 E>Returns being collected for FY 2009/2010; 459 collected from employers in Upolu and 46 from Savaii. The set target was partially achieved as some employers were reluctant to submit E>Returns within the time frame and also for confidentiality purposes. For instance, diplomatic agencies and international companies. Staff movement was another contributing factors.
Administration and facilitation of Employment Service	Update of employers database and disseminate labour market database information.	Ensure accuracy of information received on new and existing employers. About 90% satisfaction level of disseminated information received by private sector employers.	Within FY 2009/2010	Achieved:	Using Other sources like RSE & Samoan Quota Schemes were used for updating MCIL Employment Data Base.
	Distribute 300-400 labour market reports and other relevant information pamphlets and brochures.	In compliance with Labour and Employment Act 1972.	Within FY 2009/2010	Achieved:	Dissemination of Labour Market Information to stakeholders and the public through emails, brochures, telephones ,career day, training & awareness workshops. 100 labor market reports had been distributed during the reviewing period as an e-copy of such report is now available at MCIL website. 200 brochures were distributed on the career day for senior schools. 100 brochures being dispatched during the Industry

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	To register an average of 100 job seekers, refer 50% and place 30% in paid employment.	Accurate information on qualification and experience of jobseekers to ensure referral and placement rate improves.	Within FY 2009/2010	Partially achieved	Day held in Savaii on 18 June 2010 126 jobseekers were registered during FY2009/2010, 47 referrals and 7 were placed in paid employment. Despite an increase number of jobseekers and referrals during the period under review, in comparison to FY2008/2009, MCIL noted the decrease in number of placement due to the fact that such process is totally up to the discretion of employers and the performances of applicants during interviews. As a way forward, there is a need for more financial resources under our allocated budget for conducting trainings for job seekers.
Training of jobseekers	Between 20-25 jobseekers to train	In compliance with Labour and Employment Act 1972.	Within FY 2009/2010	Achieved: 52% conducted 22 nd and 23 rd Oct 2009.	25 job seekers were invited and 13 were participated.
Coordinate Industry Awareness Day	One (1) Industry awareness day in consultation with employers , unemployed jobseekers, youths/students	90% response rate from selected job seekers.	Within FY 2009/2010	Achieved:	Conducted on 18 June 2010 at Salelologa Savaii with 90% success rate.

Output 6: ENFORCEMENT OF LABOUR STANDARDS AND WORK PERMITS (FORMERLY OUTPUT 7)

Output Manager: Assistant Chief Executive Officer – Industrial Relations, Wages, and Work Permits & Occupation Safety and Health

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

Description: Enforcement of terms and conditions of employment and policing of work places to ensure full compliance of both employers and workers to the requirements of Labor law. To address complaints & standards of Labor related investigations in accordance with the Labor and Employment Act 1972 and related amendments.

Performance Measures:

Activity:	Quantity:	Quality:	Timeliness:	Annual Achievements FY2009-2010	Recommendations/Way forward
<p>Ensure compliance of the Labour and Employment Act and Regulations and Amendments by Employer.</p> <p>Printing and distribution of the Industrial Relations Brochures</p>	<p>At least 15 inspections of employers per inspector per month</p> <p>Industrial Relations Brochures:</p> <ul style="list-style-type: none"> - Notice of Termination - Annual Leave & Proportionate Annual Leave - Overtime - Public Holidays - Sick Leave - Withholding Wages - Under-payment of Wages - Unauthorised Deductions - Hours of Work - Minimum Wage - Contract of Employment - Wages Book - Leave Cards 	<p>In accordance with section 20 – section 31 of the Labour and Employment Act 1972</p>	<p>Monthly</p>	<p>179 inspections have already been carried out within the FY.</p> <p>210 copies printed for the first half of the year for Industrial Relation Brochures</p> <p>100 copies of draft of the Labour Law Reform produced in the month of May for the stakeholder consultations.</p> <p>Total of 310 produced in this FY.</p>	<p>To increase numbers of inspection, and to recruit more inspectors for the field works.</p> <p>Increase level of understandings both employers and workers on their rights and obligations under the Labour Law, with intention to decrease numbers on complaint lodged with the Ministry</p> <p>Increase awareness for stakeholders regarding new conventions implemented in the Labour Bill in compliance with the ILO requirements.</p>
<p>Registration and investigations of workers complaints and grievances with the relevant provisions of the Labour and Employment Act and Regulations</p>	<p>At least 5 cases per inspector per month.</p>	<p>In accordance with the Labour and Employment Act and the Division's Work Plan.</p>	<p>15 working days to complete process</p>	<p>183 cases investigated during the FY.</p> <p>There were 8 cases resolved through conciliation.</p>	<p>Investigated Cases were attended and were solved on time by experience and resourceful staff.</p> <p>8 cases were settled through conciliation.</p>
<p>Consultation and Implementation of the Labour Law Reform Project under PSIF</p>	<p>6 Meetings with the project consultant.</p>	<p>In accordance with the project's terms of reference</p>	<p>18 months</p>	<p>14 Project Management Committee meetings.</p> <p>5 Taskforce include NUS Consult Ltd</p> <p>5 stakeholder consultations for Labour Law with the NUS Consult Ltd (4) Upolu and (1) Savaii.</p> <p>2 Meetings with the Immigration Office to conciliate the relocating of the Work Permit to</p>	<p>Project was consistency with the timeline despite the delay in some stages of drafting due to new issues arose from stakeholders comments that were send to the AG's office for opinion and comments, as well as comments from ILO expert from Fiji office. The Bill</p>

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

				MCIL and to include under the Labour Law Review as one of the ILO Convention required.	to be ready by the end of year 2011. Foreign workers provision now included in the new Labour Bill.
Conduct Industrial Relations Awareness Workshops	4 Awareness Workshops to be conducted: - Workers Obligations and Responsibilities - Employers Obligations and Responsibilities - Tripartite of Roles and Functions - Notice of Termination and Annual Leave	In accordance with the Labour and Employment Act and the Division's Work Plan.	18 months	5 workshops carried out for employers on Industrial Relations issues as proposed. These workshops were conducted for both employer and employee on Social Dialogue sessions.	Social Dialogue introduced as new mean of having open communication with employers and workers in tripartite forum. The Ministry find it successful and to continue using social dialogue as for future workshops.
Receive, Register and attend to enquiries relating to wages and conditions of employment	570 enquiries expected to be received and attended to Worker: - By Telephone - By Email - By Letter - In Person Employer: - By Telephone - By Email - By Letter - In Person	In accordance with the relevant provisions of the Labour and Employment Act, Regulations and the Division's Work Plan.	Within FY 2009/2010	576 enquiries were received for the FY09/10 and attended to.	These enquiries were successfully attended by the experience and resourceful staff.
Verify and assessed work permits for expatriates by Industry	375 applications expected to be received. 75 Manufacturing 38 Commerce 56 Tourism 38 Management 56 Education 112 General	In accordance with Part 8 of the Immigration Act 2004.	Recommendation of 14 days turn around	Total of 353 applications received during the FY09/10 Manufacturing = 39 Commerce = 56 Tourism = 57 Management = 69 Education = 34 General = 98	To streamline the process of work permit applied as stated in the SDS 2008-2012. To review the requirements on the application.
Administration and secretariat service of the Samoa National Tripartite Forum [Government; Workers, Employers]	At least 12 meetings annually - Minimum Wages Determination - Implementation Decent Country Work program - Ratification of ILO Conventions - Labour Law Review Project - Promoting Safer and Healthy	In accordance with the relevant provisions of the Labour and Employment Act, Regulations and the Amended Labour Law project.	Quarterly	2 meetings by the Samoa National Tripartite Board on the last quarter of the F09/10 First meeting was in March for the discussion of the functions and the composition of the board members. Second meeting was June for the discussion of	The forum's function is incorporated in the Labour Bill, as a requirement of the ILO. Forum to assist with Industrial matters and to advise the Cabinet of its decision making.

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	Working Environment			the Minimum Wage Review.	
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Output 7: ENFORCEMENT OF OCCUPATIONAL, SAFETY AND HEALTH STANDARDS (FORMERLY OUTPUT 8)

Output Manager: Assistant Chief Executive Officer – Industrial Relations, Wages, Work Permits & Occupational Safety and Health

Description: To enhance the productivity, morale and welfare of people at work, and of people affected by work activity by securing their safety, health and welfare, as well as the protection of the environment from risks to safety arising out of the activities of the employees at work.

Performance Measures:

Activity:	Quantity:	Quality:	Timeliness:	Annual Achievements FY2009-2010	Recommendations/Way Forward
Ensure compliance of the Occupational Safety & Health Act and Amendments (OSH) and Labour and Employment Act. Print OSH pamphlets and posters	At least 15 inspections per inspector per month - Employment of Children - Employment of Women - Machinery safety gears - Protection gears - Electrical safety	In accordance with the provisions of the Labour & Employment Act 1972 and the Labour & Employment Regulations 1973 and the OSH Act 2002	Monthly	300 routine inspections were conducted 350 have been printed and distributed	
Register and investigate work accidents	50 work accidents to be registered 90 investigations to be conducted on the reported cases	In accordance with the provisions of the Labour & Employment Act 1972 and the Labour & Employment Regulations 1973 and the OSH Act 2002	15-25 days	40 work accidents were recorded 70 investigations were conducted on the above cases	
Consultation and Implementation of the Labour Law Reform Project under PSIF	6 Meetings with the project consultant.	In accordance with the project's terms of reference	62 days	A total of 10 meetings were held to discuss progress of the Review	
Conduct OSH Awareness Workshops	4 Workshops: - Workers Obligations and Responsibilities - Employers Obligations and	In accordance with the provisions of the Labour & Employment Act 1972 and the Labour & Employment	Quarterly	3 workshops were conducted with Stakeholders (employers, workers and the public) to obtain their views on the amendments to the OSH Act and the OSH Regulations.	

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	<ul style="list-style-type: none"> - Responsibilities Tripartite of Roles and Functions - Promoting of safe and healthy workplaces 	Regulations 1973 and the OSH Act 2002 and International Conventions			
Receive and attend to Enquiries	At least 50 OSH enquiries are expected to be received from employers and workers	In accordance with the Labour laws	Within the FY 2009/2010	More than 200 enquiries were received and attended to	

Output 8: MANAGEMENT OF THE REGISTRIES OF COMPANIES, INTELLECTUAL PROPERTIES (FORMERLY OUTPUT 9)

Output Manager: Assistant Chief Executive Officer – Registry of Companies and Intellectual Properties

Description: Registration of companies, incorporated societies, cooperatives, credit unions, charitable trusts, trade marks, patents, industrial designs, instruments and charges in accordance with the relevant legislative requirements under the respective legislation.

Performance Measures:

Activity:	Quantity:	Quality:	Timeliness:	Annual Achievements FY2009-2010	Recommendations/Way forward
Registration of Companies, Incorporated Societies, Cooperatives, Charitable Trusts, and Credit Unions.	Average of 80 new companies, 10 Incorporated Societies, 1 Credit Union, 5 Charitable Trust and 2 Cooperatives Societies will be registered in this financial year	The documents required for the registration of companies, incorporated societies, credit unions, charitable trusts will be assessed to ensure that all the statutory requirements prescribed in the related legislation are adhered to.	Registration of Companies, Incorporated Societies, Credit Unions, Cooperatives, and Charitable Trusts to be completed within 5 days if all documents required are in order.	126 new companies registered 198 re-registered companies 11 incorporated societies 7 charitable trusts registered	This is an on-going requirement under all legislations for registration process
Re-registration of existing companies under the Companies Act 2001	Average of 500 existing companies to be re-registered.	The documents required for the re-registration of existing companies ensure that the requirement of the Act is adhered to.	Re-registration to be completed within a day if all documents required are in order.	210 existing companies re- registered under the new companies act	
Registration of trademarks, patents and industrial designs	Average of 150 trademarks applications filed	All documents required for the registration of trademarks, patents and industrial designs complies with requirements pertaining to these different types of Intellectual Property.	Registration of trademarks, patents and industrial designs to	129 trade mark applications received 109 trademarks registered	
	Average of 100 trade marks registered in this financial year			10 patents registered	

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

	Average of 2 industrial designs registered		be carried out within 12 months from the date of receipt of application if there are no objections received.	No industrial design registered within the financial year	
Computerization of Trademarks	Average of 200 registered trademarks to be entered and saved	Reduction in time taken to carry out searches and retrieve the required information.	Within FY 2009/2010	5,300 trade marks entered and saved	A project for electronic registry of trademarks is now in progress
Computerization of the Companies Registry	Average of 200 registered companies' records will be back captured.	Backup system for Companies Register will be created. Improvement in the process for registration of Companies. Reduction in time to register a company	Within FY 2009/2010	534 companies back captured	To be on going
Maintain and update the Register of Companies, Incorporated Societies, Cooperatives, and Credit Unions (CU)	Carry out inspections of 500 companies Carry out inspections of 150 Incorporated Societies Average of 5 Annual Returns for Credit Unions will be filed Average of 100 trademarks are renewed upon receipt of instructions from Agents Carry out investigations of any alleged infringement of IP	Ensure that all the different Registers of legal entities as well as registers of Intellectual Property are updated. Ensure that the legal entities comply with statutory requirements pertaining to their legal status. To minimize the production and distribution of pirated works. To reduce the existence of any counterfeit products.	Within FY 2009/2010	1082 companies inspected 165 incorporated societies inspected 283 companies Annual Returns filed 6 annual returns filed 143 trademarks renewed 25 trade marks abandoned Inspection of video shops and enforcement of selling of original DVDs are ongoing.	Companies and other legal entities comply with requirements of different legislations due to ongoing inspections and recommended to maintain.
Carry out training and awareness programmes	At least 4 training programmes will be carried out.	Increased level of understanding of stakeholders on Registration procedures for different legal entities.	Within FY 2009/2010	Only 2 trainings completed due to inadequate funds.	Need more funds to continue trainings and public awareness programmes
Prepare programmes for the celebration of the World Intellectual Property Day	Awareness programmes for owners and users of Intellectual Property	Clear understanding of Intellectual Property owners of the importance of protecting their intellectual creations and the commercialization	April 2010	Seminar for Upolu and Savaii for secondary schools to mark the World Intellectual Property Day	Recommend to maintain the practice

OUTPUT DEFINITIONS AND PERFORMANCE MEASURES

		of such creations			
Establishment of a Licensing and Membership Mechanism to facilitate the enforcement of rights of Copyrights holders	Average of 50 works by Samoan authors will be notified for the purpose of developing a Registration system	Reduction in the level of piracy of works	Within FY 2009/2010	Not completed due to inadequate funds.	The office started with a register to record works from authors and owners of copyrighted works.
	Establishment of a committee to work on enforcement of CR	Reduction in the unauthorized use of works			
	Copyright Regulations to be drafted	Initiate collection of royalties			