



**MINISTRY OF COMMERCE
INDUSTRY AND LABOUR**
ANNUAL REPORT
2019 - 2020

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Government of Samoa
OFFICE OF THE MINISTER
MINISTRY FOR PUBLIC ENTERPRISES
MINISTRY OF COMMERCE, INDUSTRY AND LABOUR,
(Accident Compensation Corporation, Samoa Housing Corporation, Samoa Land Corporation,
Samoa Sports and Facilities Authority, Polynesian Airlines Ltd)

Honourable Speaker of the House,

It is a pleasure for me to table the Annual Report of the Ministry of Commerce, Industry and Labour for the financial year July 2019 to June 2020, for consideration and discussion in this current session of the House.



Lautan Fio Selafi Purcell

MINISTER FOR COMMERCE, INDUSTRY AND LABOUR



Ministry of Commerce, Industry and Labour
Matagaluega o Pisinisi, Alamanuia ma Leipa



Honourable Lautafi Fio Selafi Purcell
Minister for Commerce, Industry and Labour

Pursuant to section 15 of the Public Service Act 2004, I hereby submit the Annual Report of the Ministry of Commerce, Industry and Labour for the financial year July 2019 to June 2020.

Faafetai

Pulotu Lyndon Chu Ling
CHIEF EXECUTIVE OFFICER

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Minister's Statement



Honorable Lautafi Fio Selafi Purcell

**MINISTER FOR COMMERCE
INDUSTRY AND LABOUR**

It is my pleasure to present the Ministry of Commerce Industry and Labour ('the Ministry') Annual Report for the financial year 2019/2020.

In July 2019, against all odds, our country made history in successfully hosting the 2019 XVI Pacific Games after 18 months of preparations. The Games became a powerful catalyst for change across the many sectors of our society and have certainly boosted the local commerce and tourism businesses with more than 5000 athletes and visitors looking to immerse in the Samoan shopping, cuisine, cultural and hospitality experience during the two weeks of the Games.

The Measles epidemic in late 2019 and the COVID-19 pandemic in the early 2020 have impacted the country's developments and its economy. As a direct result of COVID-19, the projection for Samoa's economy in the new fiscal year shows a negative growth by 2% due to the uncertain economic conditions faced not only by Samoa but also in global and regional markets. On a positive note, Samoa remains one of a small group of countries with no reported cases of COVID-19. However, the fight against COVID-19 will be a marathon and likely to continue to be felt economically for the rest of 2020 and into the medium to long term. In light of the COVID-19, our businesses have been able to rethink and strategize alternative ways of doing business. We have witnessed more willingness from businesses to engage customers through social media, the tourism industry are developing packages to attract domestic markets and businesses diversifying into other products and services.

The Government through this Ministry and its development partners and stakeholders continue to work in close collaboration with the private sector through social dialogue and forums to ensure assistance through the various Government stimulus packages cover as much of the country as possible in particular the priority sectors considered most affected or most vulnerable. The Government continues to provide financial assistance to a number of Private Sector Organizations to assist with administration arrangements.

Looking ahead, the Government will continue to collaborate with its key development partners to ensure continuity of assistance and support through its various projects to assist with the recovery of our economy, and to secure employment opportunities for our citizens during these hard times.

I extend my sincere gratitude to all the staff as well as our partners for your continuous contribution which has made the 2019/2020 financial year a successful one. Soifua

Word from the CEO



Pulotu Lyndon Chu Ling
CHIEF EXECUTIVE OFFICER

We are pleased to report on our achievements, challenges and the way forward of our planned work for the future. Our purpose to create an enabling environment for business development and innovation and create employment opportunities for our people remains crucial with the current external challenges that Samoa and the global economy is experiencing. The Ministry's work continues to evolve in order to respond to the Government's priorities and these external challenges. We continue to advise on and support the Government's wide range of reforms of our labour and foreign investment laws. In January 2020, the new minimum wage of \$3.00 for the private sector became effective. This is an important milestone for the Government in achieving its vision to improve the standard of living for all.

The COVID-19 pandemic affected how the Ministry conducts its business. We became proactive in disseminating the information and service to our clients, development partners and stakeholders through the use of the latest technological tools available to ensure the businesses and stakeholders are reminded and well informed of their obligations during the COVID-19. This would not be possible without the assistance of our key partner Government agencies and the private sector. The closure of international borders in the Pacific region and globally have impacted on key sectors of the economy. This certainly affected our labour sending unit under the Labour Mobility programs. However, the Government in partnership with its constituents has been working tirelessly on developing relevant packages for addressing the impacts of COVID-19 to ensure the most vulnerable are provided with some kind of social protection during these difficult times.

I want to thank our capable staff who have worked tirelessly in the frontline and behind the scene in an often challenging environment to provide the information and service which enable us to respond swiftly and make informed decisions. The spirit of ONEMCIL is important to the Ministry, and was best demonstrated by our responses to the Pacific Games, not to mention the Measles epidemic and the COVID-19 pandemic. In addition, we acknowledge the commitment and continuous support of our development partners and stakeholders in our efforts to deliver on our outcomes during the financial year under review. I look forward to pursuing and executing with staff the Ministry's next steps to continue accelerating sustainable development and broadening opportunities for all.

Our Organisation

Our Purpose

Our purpose is to facilitate an enabling environment for business development and innovation and employment creation for an improved quality of life for all. We work closely with other Government Ministries, State Owned Enterprises, and businesses to achieve our purpose and to accelerate sustainable development to grow a productive economy.

Our Vision

To become “a leader in promoting an enabling environment for diverse business innovation and employment in Samoa” in support of the Government’s vision of Accelerating Sustainable Development and Broadening Opportunities for all.

Our Mission

Fostering economic growth and prosperity in Samoa by promoting public private partnerships, and ensuring a fair trading platform for businesses and consumers.

Our Long Term Outcome

Enhanced investment resulting in increased employment, incomes and equitable distribution of the benefits leading towards poverty eradication.

Our Legal Mandate

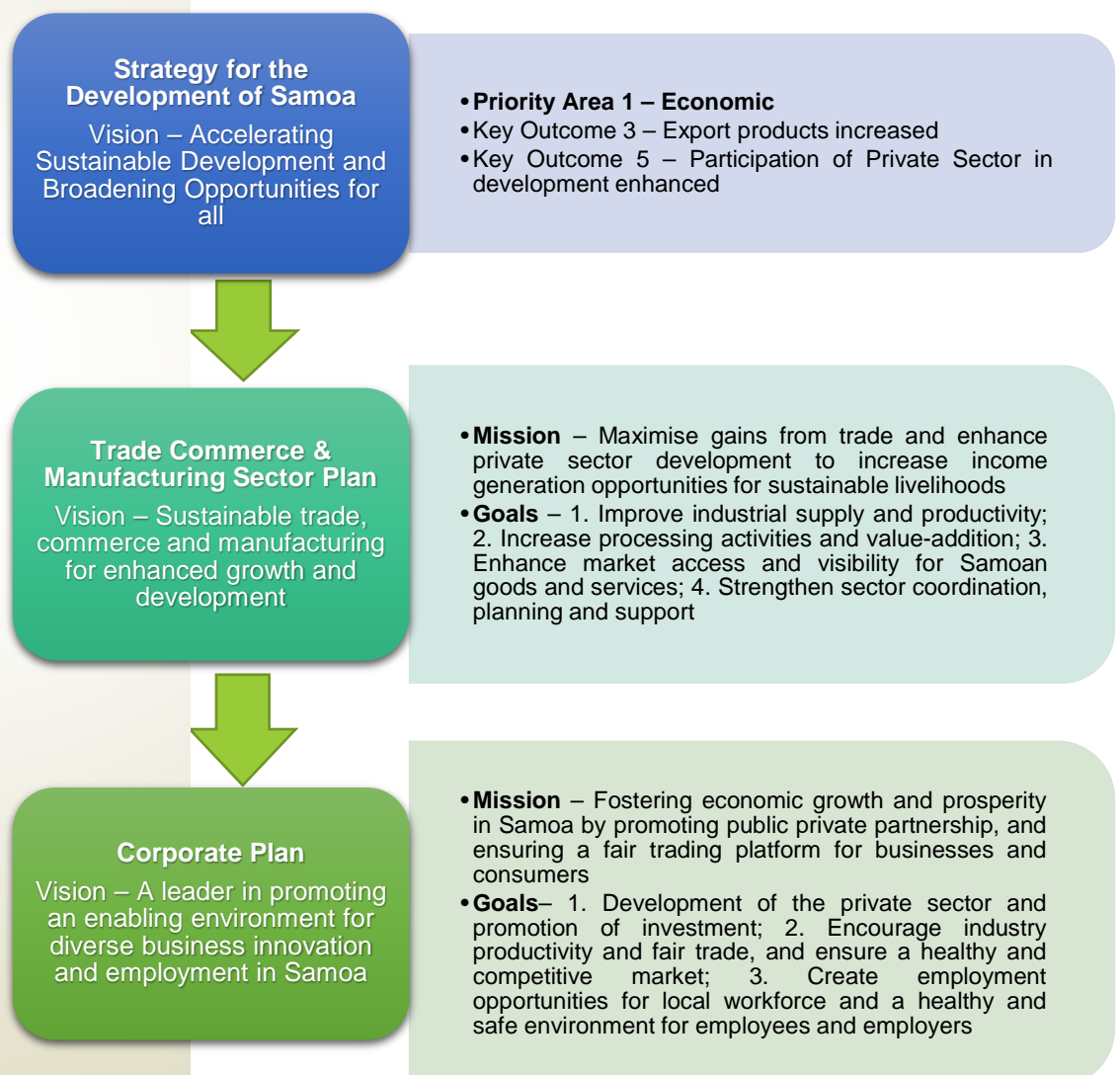
The Ministry is mandated to administer regulatory frameworks that:

- Promotes industry development, foreign investment and guarantees the rights of citizens to participate in the economy of Samoa;
- Sets standards to regulate fair competitive practices to promote a level playing field in all trades;
- Administers the Apprenticeship Scheme, Employment services, conducting of labour market surveys, collection and dissemination of Labour Market Information;
- Enforce labour and employment standards, approval of foreign employment permits and promote occupational safety and health;
- Administers the Labour and Employment Export Programmes;
- Manage the registries of companies and other legal entities, Intellectual property registers, and the protection of rights of Intellectual Property holder and enforces statutory obligations.

Our Strategic Direction

Our strategic direction is guided by the Government's strategic priorities outlined in the Strategy for the Development of Samoa (SDS 2016/17-2019/20), the Trade, Commerce & Manufacturing Sector Plan 2017/08-2020/21 and our Corporate Plan 2016/17-2019/20 as illustrated below.

In line with our classification as an entity for Economic Development, our work together with our stakeholders are directly linked to the addressing of Samoa's trade deficit (SDS Key Outcome 3) through value addition and recognition of Samoan goods and services to overseas markets. The Ministry aims to strengthen the Public Private Partnership (PPP) concept with its stakeholders, in-line with the Government's objective of 'enhancing the participation of the private sector in national development' (SDS Key Outcome 5).



Highlights of 2019/20

This Annual Report highlights the progress the Ministry has made during the 2019/2020 in delivering on Government's expectations for providing an enabling environment for private sector development and creating decent employment opportunities for all Samoans. Despite the current challenges of the COVID-19, the following were key highlights for the year.

GOAL 1 Development of the Private Sector and Promotion of Investment

Branding for business development

The Ministry in collaboration with the WIPO have started the work in establishing a National Branding Bureau to assist small and medium enterprises in the creation and building of the brands for their goods and services. This initiative is part of the WIPO Enhancement of Innovation and Intellectual Property (IP) Environment project that is being provided for Samoa as the only recipient from the Pacific Region and other participating countries from Asia.

Increased membership to International Intellectual Property registries for business development

Samoa's accession to the Patent Cooperation Treaty, Hague Agreement and the Lisbon Agreement will allow private sector businesses to trade worldwide with access to important and relevant information on promotion and marketing benefits and find ways to improve on innovation and protection of trademarks, geographical indications, patents and so forth.

GOAL 2 Encourage Industry Productivity, Fair Trade and a Healthy and Competitive Market

Revival of Price Control Orders under the COVID-19 State of Emergency (SOE)

The SOE stems the revival of the Price Control Order to protect consumers from businesses that may have taken advantage of the pandemic to escalate their prices unreasonably. Two Price Control Orders (PCO) for essential basic food items that were considered to be consumed by consumers on a daily basis were issued during the SOE. From inspections and monitoring of the PCO of the 202 shops at A'ana, Tuamasaga, Faleata, Vaimauga and Anoama'a districts, 85% of traders complied with the PCO and 15% were non compliant and were issued verbal reminders and warnings as corrective notices.

COVID-19 Assistance – Expansion to the CODE 121 Scheme

As part of the Government's Stimulus Package for enabling the Private Sector during the COVID-19 pandemic, the CODE121 scheme was expanded to include the agricultural and fisheries development projects. The Assistance is mainly for Duty exemption on imported materials required at 0% duty for the

Highlights of 2019/20

agricultural and fisheries development projects. Four applications were received for assistance, with two approved as 'qualifying businesses' and the other two applications pending approval due to awaiting required documents from the applicants.

ISO Membership for increased productivity

As the recognized National Standards Board for Samoa, the Ministry's membership as a Correspondent member of the International Organization for Standardization (ISO) was approved by Cabinet and therefore, allowing the Ministry to facilitate the development of national standards based on the needs of industry, community and the Government.

GOAL 3 Create Employment Opportunities and a Healthy & Safe Environment in Workplaces for all

New Minimum Wage of \$3.00 for the private sector came into effect.

The new minimum wage came into effect on the 1 January 2020, increasing the rate from \$2.30 since 2015. This milestone was realized with the cooperation of our stakeholders, the Samoa National Tripartite Forum and the support of the Samoa Governance Support Program.

Apprenticeship Training a pathway to employment opportunities

Forty-six apprentices and trades people graduated in February 2020. Of this number, 30 apprentices who have successfully completed the 4 year training program were awarded with Due Completion Certificates and 16 Trades people who have completed the Trade Test program in June 2019 were awarded Grade 2 Certificates in Carpentry and Joinery. A total of 121 registered apprentices was recorded in the Apprenticeship Training Program at the end of the 2019 calendar year. In addition, the program through the Workplace assessment project will improve the national competency standards for the 8 trades under the program which will lead to the accreditation of the program.

Enhanced the OSH Framework through a collaborative approach to improve OSH at the National Level.

The Ministry signed 3 Memorandum of Understanding (MOUs) with the Ministry of Health, Ministry of Police and the Samoa Fire and Emergency Services Authority which aim to improve data collection on workplace accidents, incidents and illnesses and working towards an OSH national data system. Eleven (11) Government Ministries, SOEs and Private sector workplaces were acknowledged and recognized for making the commitment by complying with the legislative requirements for OSH during the 3rd OSH Stewardship Awards to commemorate the World OSH Day in April 2020.

Challenges

MANAGING RISKS AND CHALLENGES

Our work in achieving our goals was immensely affected by the global health crisis. The Government's declaration of the State of Emergency (SOE) for the COVID-19 in March 2020 led the Ministry in prioritizing the health and safety of its employees and therefore, as endorsed by the Public Service Commission under its COVID-19 Response Plan, they were given the opportunity to take special leave with pay under special criteria of the SOE. Regardless, we continued with the available resources and implement our work as planned.

Despite the challenges, the Ministry became proactive in conducting its business, such as the use of technology to conduct webinar meetings with stakeholders and donor partners to ensure the continuity of policy work that were already in progress. The media and social media were used more frequently to disseminate important information of our services and other key aspects of our work. Some key services were on hold such as the issuing of foreign employee employment permits and foreign investment certificates, facilitation of seasonal employment programmes and the apprenticeship training program until some restrictions of the SOE were lifted and staff were able to resume work and carry out duties and responsibilities as mandated under our various legislation.

Despite the pro longed SOE, the Ministry continued to conduct its regulatory functions through its Monitoring and Evaluation to all businesses to ensure compliance is maintained during the restrictions of the COVID-19 in employment and workplaces.

As the Ministry continued to expand its work domestically and internationally a holistic review of its current organizational structure is a must to ensure staff are equipped with the skills and knowledge to keep up with the changing needs of the global business environment. It is important for the current staff with the technical knowledge to provide on the job coaching and training for the new staff. The need to ensure that sufficient resources are allocated for the successful discharge of relevant mandates as well and awareness training of the business community on how to keep up with the latest developments on new electronic systems for the ease of doing business. The Ministry with assistance from its partners, can provide capacity building for the staff to successfully implement and monitor compliance of requirements that are out of our locally acquired skills. The effort to seek training is ongoing to upgrade technical skills, implementation of quality assurance systems and increasing awareness among consumers and stakeholders. The Ministry's structure is expanding with more key technical and support positions approved by the Public Service Commission, and will continue with its structural review to address the aforementioned challenges.

SECTION 1 OUR YEAR IN REVIEW

This section provides an overview of the Ministry's work during the period under review as well as challenges faced in the delivering of our services. We have organized this section into our core services to show how we are progressing to deliver our outcomes for the development of the private sector and creating employment opportunities for all. The status and progress of implementation of our Performance Indicators for the financial year are provided in details in **Appendix 1** of this document.

1. Maximize Gains from Trade and enhance Private Sector development, to increase Income generation opportunities for Sustainable Livelihoods

TRADE COMMERCE AND MANUFACTURING SECTOR

The Trade, Commerce and Manufacturing Sector Plan (TCMSP) 2017/2018 – 2020/2021 continues to ensure the economic development of Samoa through strengthening trade and private sector development policies and interventions. The TCM Sector continues to propel development initiatives hinged upon the overarching vision of the TCMSP – “Sustainable trade, commerce and manufacturing for enhanced growth and development.” Moreover, the TCMSP streamlines the key policy outcomes three and five of the Strategy for the Development of Samoa, which are respectively “Export Products Increased” and “Participation of Private Sector in Development Enhanced.”

The re-current budget of the TCM Sector is directly complemented by two development projects: Trade Sector Support Programme (TSSP) funded by the Enhanced Integrated Framework (EIF); and the Samoa Private Sector Development Programme (PSDP) funded by New Zealand. A total of USD\$227,722.46 (SAT\$ 600,850.82) of EIF funding was mobilised under the TSSP, targeting to improve production systems and productivity to ensure consistency in quantity and quality for export, market information, use of appropriate technology to improve value-adding, competitiveness and product certification including fair trade.

In addition, the PSDP Component one (PSDP-C1) is a mechanism to assist in developing responsive mechanisms to address business enabling environment issues and priorities. The PSDP-C1 provides numerous technical assistance assignments conforming to a five-year budget estimated at NZ\$ 400,000. An operational budget is also provided by New Zealand amounting to NZ\$ 20,000 (SAT\$ 34,934.50) for administrative expenses of the PSDP-C1 governing entities, including the TCM Sector Coordination Unit. There were two projects funded under the PSDP-C1 this financial year: the development of the “Samoa Micro, Small and Medium Enterprises (MSME) Development Policy”; and the “Review of the Inclusive Development Financing Facility for Women and Youth in Savaii” through the Development Bank of Samoa.

Export Products Increased

Samoa's balance of payments is characterized by a large deficit in balance of goods and a surplus in the balance of services as well as substantial transfer inflows (remittances). Our trade in goods deficit balance for FY2019/20 amounts to approximately SAT\$(-738.27 million) with imports and exports respectively valued at approximately SAT\$ 853.32 million and SAT\$ 115.05 million.

Goods export for FY2019/20 are comprised of fresh fish (53%), taro (9%), noni and its by-products (4%), coconut and its by-products (5%), beer (4%) and others (25%). The imports for the reporting period comprise of petroleum (27.2%), food (21.4%), construction material (17.4%), motor vehicles (8.3%), and others (25.7%).

Samoa's economy is comprised of: 85.0% services; 9.5% Agriculture and Fisheries; and 5.5% Manufacturing. Therefore, Samoa has a surplus (estimated at SAT\$ 295.5million) in trade in services attributed to travel which is the determining factor for trend fluctuations. There was a 22% decrease in services trade surplus for FY2019/20. Nonetheless, the overall trade in goods and services balance for FY2019/20 notes an estimated deficit of SAT(\$ -442.77 million).

Transfer flow shows that Net direct investment (assets over liability) averaged at SAT\$ 4.4 million in FY2019/20 whilst the total remittances averaged at SAT\$ 362 million (19% of Real GDP) for the reporting period which is an increase of 2% compared to the last FY2018/19.

Participation of Private Sector in Development Enhanced

Samoa's GDP for FY2019/20 is estimated at SAT\$ 1.97 billion and disaggregated as follows: Commerce Sector (32.6%); Financial Services (10.8%); Agriculture (8%); Fisheries (1.3%); Utilities (3.1%); Public Administration (7.4%); Manufacturing, including food and beverages manufacturing (5.4%); and other Sectors accounting (31.4%).

The Ease of Doing Business in Samoa is continuing to improve with easy access to registering property, starting a business, getting electricity, paying taxes and enforcing contracts, regardless its 98th rank of Doing Business in 2020. The Distance to Frontier (DTF) measure is a more realistic measure for Ease of Doing Business as the score shows how far on average an economy is at a point in time from the best performance achieved by any economy on each Doing Business indicator since 2005 or the third year in which data for the indicator were collected. The measure is normalized to range between 0 and 100, with 100 representing the frontier. In this regard, Samoa's DTF score for 2020 is 62.1 and we are still ahead of other Pacific island countries.

Sector Work and Project Management

The TCM Sector Unit went through some implementation challenges during this financial year due to the impact of measles outbreak towards the end of the second quarter and then the COVID-19 pandemic this final half of FY19/20. However, this did not hinder the TCMSCU from implementing its role as the coordination and secretariat for existing TCM projects. Listed below are some of the key activities and achievements implemented through existing TCM projects:

TCM Sector-related work:

- Conduct internal annual review and mid-term review of the TCMSP action matrix;
- Launching of the Samoa Trade Information Portal (samoa.tradeportal.org);
- Conducted post-measles rapid impact assessment on private sector;
- Contribution to the development of the Labour Market Survey 2019;
- Contribution to the assessment of cases in the first round of the Green Climate Fund activity 2.2 – enterprise-based adaptation;
- Re-submission of the Samoa Beekeeper's Association project proposal to the Ministry of Finance for Overseas Development Assistance agency endorsement.

TSSP funded by the EIF:

- Participation of Samoa's Delegation to the Commerce and Trade Commission Meeting in Fiji;
- Additional clearance works for STEC warehouse facility as recommended after the site visit;
- WTO Training on Trade Statistics offered to public and private sector stakeholders;
- Funding of Basic English Training provided by Samoa Business Hub for seasonal employment workers
- Formal hand over of the STEC warehouse after successful completion of construction works by the contractor;
- ONE-MCIL awareness programmes covering Upolu and Savaii;
- Closing Audit to officially complete and close the TSSP-EIF account;
- Hiring of a local consultant to conduct the TSSP Final Evaluation;
- Procurement of equipment, stationeries and assets for TCM implementation works under MFAT and the Ministry;
- Finalising and processing of all paperwork pertaining to the formal handover of TSSP assets to TSSP Implementing Agencies;
- Preparation of final TSSP project reports as required by EIF and the Trust Fund Manager (UNOPS).

PSDP funded by New Zealand:

- Development of the MSME Policy which has been approved by the National Policy Coordination Committee for submission to the Cabinet for approval;
- Conducting of consultation and national validation workshop for the MSME Policy;
- Development Bank of Samoa (DBS) - Review of the Inclusive Development Financing Facility for Women and Youth in Savaii.
- Facilitation of three Project Approval Committee (PAC) meetings before the COVID 19 State of Emergency restrictions.

2. Supporting an Enabling Environment for Business Innovation

Samoa acceded as a member of the WIPO Intellectual Properties Agreements/Treaties.

The Government through the Ministry recognizes the valuable contribution of the private sector in the development of Samoa. In October 2019, in addition to the Madrid Protocol Agreement, Samoa deposited its instruments of accession to become a member of the **Patent Cooperation Treaty**, the Geneva Act (1999) of **the Hague Agreement** and **the Lisbon Agreement**.

Patent Cooperation Treaty

Samoa is the 153rd contracting party of the Patent Cooperation Treaty (PCT), which assists applicants in seeking patent protection internationally for their inventions, helps patent Offices with their patent granting decisions, and facilitates public access to a wealth of technical information relating to those inventions. By filing one international patent application under the PCT, applicants can simultaneously seek protection for an invention in a very large number of countries. The PCT entered into force in Samoa on January 2, 2020.

The Hague Agreement

Of the Geneva Act (1999) of the Hague Agreement, Samoa is the 62nd contracting party and the 72nd member of the Hague Union, which form the Hague System that offers design protection in the territories of up to 89 countries through a single international application and set of fees. The entry into force for Samoa was January 2, 2020.

The Lisbon Agreement

Samoa has joined the Geneva Act of the Lisbon Agreement on Appellations of Origins and Geographical Indications. The Geneva Act provides producers of quality products linked to origin with faster and cheaper access to the international protection of their products' distinctive designations. It further develops the legal framework of the Lisbon System, which helps promote many globally marketed products such as, for example, Darjeeling tea and Café de Colombia. The Geneva Act entered into force on the 26th February 2020 upon the accession of five eligible parties. Samoa was the 3rd member country of WIPO to accede to the Geneva Act.

Samoa Branding Bureau

Preliminary work on the setting up of a National Branding Bureau for Samoa has commenced with the assistance of the Asia Pacific Bureau of the World Intellectual Property Organisation under the Enhancement of Innovation and Intellectual Property Environment Project funded by the Government of South Korea through a Fund in Trust administered by WIPO. The main function of the Bureau is to promote and assist manufacturers and exporters with developing of their brands and protecting them through intellectual property systems such as trademarks, registered designs and geographical indications. Samoa is the only recipient from the Pacific with six other countries from Asia, namely Cambodia, Laos, Iran, Mongolia, Bhutan and Myanmar who stand to benefit from this Project. The duration of the project is five (5) years.

Samoa Business Name Register

Preliminary Work on the setting up of a Samoa Business Names Register has commenced with the help of the Asian Development Bank Private Sector Development Initiative (PSDI). This will be done under the Business Simplification Package, which has seen the conversion of the paper-based Companies Register into an online electronic register and the establishment of a Personal Property and Securities Register to promote access to credit. The establishment of a Business Names Register will facilitate the incubation and transition of the informal sector into small and medium enterprises.

Policy for the Development of Micro, Small and Medium Enterprises (MSMEs) in Samoa

In recognition of the importance of MSMEs to Samoa's economic development and local livelihoods, the Government of Samoa has committed to promoting and encouraging the development of MSMEs, hence the development of this MSME Development Policy and Strategy to prioritize MSME policy issues and to focus the Government's response in addressing these issues.

Government's Vision for MSMEs

"Samoa will have a sustainable and globally competitive MSME sector that contributes to growth in GDP, employment and exports".

The development of the MSMEs Policy & Strategy from September 2019 to February 2020 included the following activities:

- An extensive desk study of materials relevant to the multiple aspects of MSME development in Samoa and best practices globally.
- Consultations with more than 70 public, private and development sector stakeholders in country and through remote consultations.
- Questionnaires issued to the private sector directly and via private sector organisations inviting their views on key policy issues or to provide submissions.
- A validation workshop held on 22nd January 2020 with interested public, private and development partners stakeholders
- Circulation of the final draft to stakeholders for further comments on 14th February 2020.

The MSME Policy and Strategy features 6 goals and 22 specific strategies in support of those goals and the overarching Policy objectives. The 6 Goals being:

1. Development of supportive institutional and regulatory frameworks.
2. Provision of appropriate business advice and support.
3. Availability of finance, financial services and investment.
4. Supply of enabling infrastructure.
5. Availability of an appropriately skilled labour force.
6. Advancement of a culture of entrepreneurship and innovation

As the first foundational MSME Development Policy for Samoa, some policy options will take time to assess and have not been designed in detail. The implementation of high priority activities in the immediate term will provide further evidence to inform more specific policy reforms in the future.

Due to the limited availability of data on MSMEs in Samoa, the MSMEs Policy adopted an 'interim' definition for MSMEs as an indicative guide for current purposes, which can be updated when more reliable data is available in the next few years. The interim definition for MSMEs applies the number of registered employees as the business size indicator ('registered' constituting those workers registered for PAYE, and 'employees' using the definition from the Labour and Employment Relations Act 2013) as follows:

- Micro comprising less than 5 employees,
- Small: 5-9 employees,
- Medium: 10-25 employees and
- Large: comprising more than 25 employees.

The MSME Policy is now with the National Policy Coordination Committee (NPCC) for their consideration, prior to submission to Cabinet for approval.

3. Facilitate an Investment Friendly Environment

Promotional Tools and Activities

To improve awareness of private sector including potential investors on the Ministry's mandate in relation to foreign investment matters as well as the assistance administered for industry development, the Ministry's presence and participation was noted in several public workshops such as:

- Fact finding investment missions from overseas;
- Managed the information display booth for SQA Career Day;
- Managed the information display booth the China Export Ready Companies; and
- Managed the information display booth as a side event for the Pacific Regional Energy and Transport Ministers' Meeting.

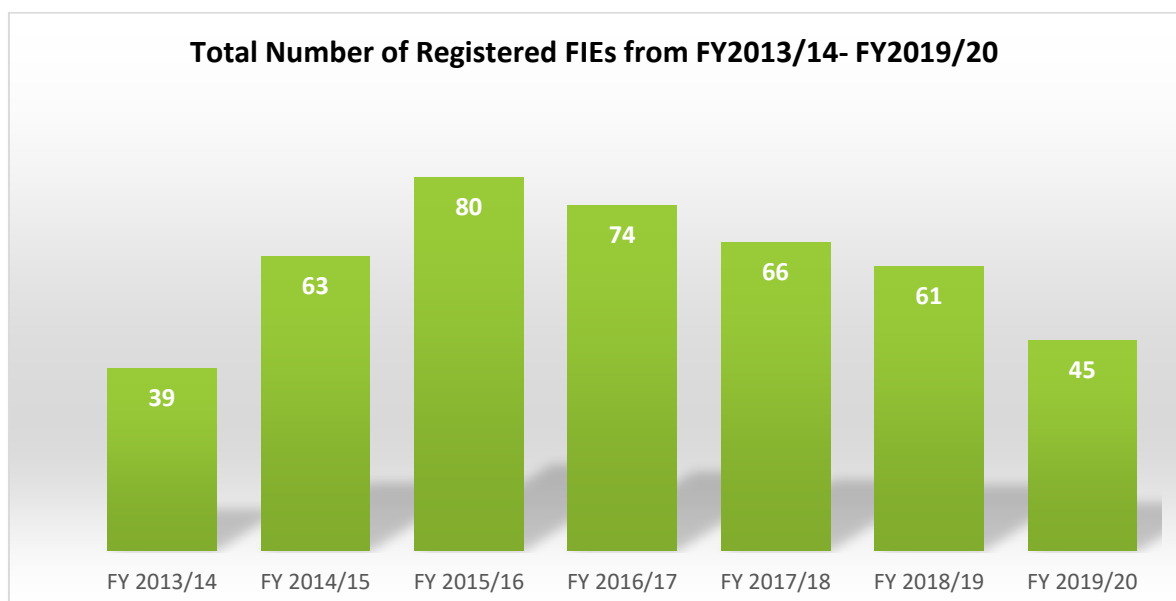
The Ministry also participated in overseas seminars including the first ever Pacific Exposition in NZ, the Seminar on Trade and Investment Facilitation in China and also the first Korean and Pacific Business Seminar in Fiji. These international seminars are avenues to further promote Samoa to further investors and to bring home relevant lessons and best practices to improve the investment environment of Samoa. In addition, the Ministry conducted its annual awareness programs in Upolu and Savaii to further raise awareness of the community and the public on Samoa's investment environment.

The Samoa Investment Guide and National Investment Policy Statement were reviewed, updated and reprinted in June 2020. The promotional documents are updated on an annual basis to ensure all information relevant for the information of investors is included and up to date. The Setting up a Business brochure in both English and Samoan versions were also updated to reflect some of the changes in procedures and fees over the years.

New Registered Foreign Investment Enterprise

A total of **45** new Foreign Investment Enterprises (FIEs) registered in the reporting period and is recorded as a **26.2%** drop compared to the **61** registered in the last FY2018/2019.

The graph below depicts the trend of registered Foreign Investment Enterprises for the last seven consecutive financial years.



The downward trend after the peak in FY15/16 as illustrated above is mainly due to the challenges within the investment environment including the lack of key incentives to attract more foreign investors as well as less insufficient promotional activities undertaken to further promote Samoa as

the favourable destination for investment. One of the contributing factors to the decline from FY16/17 onwards is the change in administrative procedures where overseas consultants employed by Government are no longer registered as Foreign Investors.

Towards the last six months of the reporting period, foreign investment was severely impacted by the Measles epidemic in late 2019 followed by the COVID-19 pandemic which has affected the rest of the world economies including Samoa.

The 'Professional Services' and 'Retailing' sectors have continued to be highly favoured by investors recording yet the highest numbers as depicted in the table below followed by Manufacturing and Restaurants:

SECTOR/INDUSTRY	TOTAL
Professional Services	8
Retailing of goods EXCLUDING food and drink items	8
Manufacturing	7
Restaurants/Café	7
Other Services such as Salon, Car Wash etc	7
Wholesale and Distribution	5
Accommodation	2
Agriculture	1
TOTAL	45

The **45** new registered FIEs will create an estimated **478 potential employment opportunities** and have declared an estimated total initial working capital of **SAT\$1,846,041** in their application forms as their potential capital investment into Samoa's economy.

In comparison to the estimated initial working capital of **SAT\$8,387,390** recorded in the previous financial year, the massive reduction by 78% reflects the decrease in the number of registered FIEs and also taking into account the different sizes and nature of each business operation that has been registered.

Renewals and Amendments to Existing Foreign Investment Certificates (FICs)

In addition to new applications, the Ministry also received applications for renewal of, and amendments to existing certificates. The table below summarizes the number of applications received for renewals and the various amendments made during the reporting period:

Number of Renewals & Amendments Applications	Total
Renewals	139
Other Amendments (change of location, addition/removal of trading name, change in shareholding details etc)	30
Additional Activities	18
Removal of Activities	14
Additional Branches	4
TOTAL	205

Annual Renewal of Foreign Investment Certificates

All registered FIEs were advised to renew their foreign investment certificates on an annual basis in line with Section 8B of the Foreign Investment Act 2000 ('FIA'). This allows the Ministry to keep updated records of each business in addition to information collated from inspections carried out. Public notices through social media, television and newspapers from April to May 2020 were issued to remind all registered FIEs of their renewal obligations under the FIA. Consequently, a total of 115 certificates have been cancelled after the 10 working days given for submission and reconsideration.

Citizenship by Investment Program

Applications received and assessed

One (1) application for the Program was received and assessed during the reporting period but due to other required documentations that were not submitted as well as the application and due diligence fees that are yet to be paid; the application was put on hold. One (1) application to be a promoter under Section 21 of the Citizenship Investment Act was also received and assessed during the reporting period and awaiting the fee of \$1000 to be paid before submission to the Citizenship Investment Committee for consideration and approval of the Minister.

Review of the Citizenship Investment Act 2015

Since the Citizenship by Investment Program became effective in 2017, no approval for citizenship has been granted under this Program but only 2 applications were received with the first one subsequently withdrawn and the second being put on hold. A number of submissions were received recommending review of the Program as its process was considered as not attractive to foreign investors. Hence funding was sought and approved from DFAT Australia under the auspices of the Samoa Governance Support Program. The Project aims to review the legislation pertaining to Citizenship by investments is aimed at attracting foreign investment into Samoa and contributes to generating employment as well as sustainable and equitable human and economic development. The review commenced in May 2020 with the TA working remotely from overseas due to COVID-19 border lockdown.

Review of the Reserved and Restricted Lists

One of the main recommendations from Phase One of the Review of the FIA that commenced in 2018 was to conduct a separate and thorough review of the Reserved and Restricted Lists given its complexity and sensitivity.

This separate project commenced in March 2020 funded by the Samoa Governance Support Program. The first consultation was held with 3 industries including representatives of the Manufacturing, Tourism and the Transport Industries. Due to the closing of international borders, the TA continued to work remotely from overseas to ensure the project continued to move. Upon completion of this separate review, the initial review of the FIA will recommence to continue with the implementation of recommendations from Phase One and most importantly drafting of the new FIA Bill.

The main outcomes expected from the Review of the two Lists

- Improved policy and legislation regarding the Lists;
- Set criteria, systems and procedures for determining inclusions/exclusions in the Lists; and
- A more socially just and economically effective foreign investment framework that contributes to sustainable human and economic development in Samoa.

MONITORING AND EVALUATION

During the reporting period, two inspections were carried out to all FIEs registered in FY16/17 in Upolu and for all FIEs in Savaii.

Out of the 110 FIEs inspected, the following was noted:-

- 21% (23) were confirmed active while
- 79% (87) were confirmed for deregistration.

Of the 23 FIEs that were active:

- 39% (9) were found to be fully compliant and
- 61% (14) were found to be partially compliant.

The 61% partial compliant are the FIEs who have changed locations without advising the Ministry and others have not renewed their FICs but are still operating.

For all renewals and amendment applications received in the reporting period, spot checks were also carried out to confirm their status of operations before approval and issuance of certificates.

All the inspected FIEs that were found active were reminded of their obligations under the FIA and its Regulations to ensure continuous compliance on their part.

The Inspection Team also conducted inspections of 10 non registered FIEs in Savaii. These include retails stores which is a Reserved Activity under the FIA and the business licenses are registered under local Samoan people but the operations are funded by non-citizens. These cases have been noted to be submitted for the Joint Action Compliance and Enforcement Taskforce for further investigation and appropriate actions.

Joint Action for Compliance and Enforcement (JACE)

The JACE Task Force comprising of the Ministry of Customs and Revenue, Ministry of the Prime Minister and Cabinet (Immigration Division) and the Ministry, was established in May 2019 and conducted two meetings during the reporting period with 1 joint inspection to 5 stores (mainly retail shops in town) where non-citizens were confirmed to be involved in. The findings and recommendations were noted for improvement of future joint inspections and for appropriate actions to be taken.

4. Provide a High Level of Industry Development

GOVERNMENT ASSISTANCE FOR PRIVATE SECTOR DEVELOPMENT

1. PRIVATE SECTOR ORGANISATION (PSO) GRANTS

As part of the Government's continuous commitment to strengthening the public private sector partnership, as well as assisting in the development of the Private Sector, Cabinet approved the allocation of the annual PSO Grant for this reporting period to 12 PSOs to assist with their administration operations and also to support them during these challenging times where COVID-19 has severely affected their normal business operations.

These eligible PSOs are those with commercial affiliations and registered with the Ministry under the Incorporated Societies legislation. There are set criteria and factors to be considered in determining the amount of grant to be awarded to each organization, such as registered membership, established office, submission of audited financial accounts and strategic plans as well as progress of development projects that the PSO has undertaken for its members.

For this reporting period, the Government has increased the grant from \$200,000 to \$250,000 and the approved allocation was as follows:

Approved grant per Private Sector Organization for 2020	
Private Sector Organization	Total grant for Year 2020
1) Samoa Chamber of Commerce Inc	\$50,000.00
2) Women in Business Development Incorporated	\$45,000.00
3) Samoa Association of Manufacturers and Exporters Incorporated	\$40,000.00
4) Samoa Hotels Association Inc	\$35,000.00
5) Business of Salafai Association Inc	\$20,000.00
6) Samoa Federated Farmers Incorporated	\$12,000.00
7) Savaii Samoa Tourism Association Inc	\$12,000.00
8) Small Business Association of Samoa Arts & Handicrafts Incorporated	\$10,000.00
9) Samoa Banana Farmers Association Inc	\$9,000.00
10) Samoa Mamanu Designs & Manufacturers Association	\$7,000.00
11) Samoa Farmers Association Inc	\$6,000.00
12) Tautai Samoa Association Incorporated	\$4,000.00
TOTAL	\$250,000.00

2. DUTY CONCESSION SCHEME (DCS)

Amendments to the Customs (Tourism & Manufacturing Developments) Regulations 2010

The amendments to the Customs (Tourism & Manufacturing Development) Regulations 2010 which came into effect on 28 October 2019 expanded the scope of the Regulations to include Agriculture and Fisheries Development Projects. The amendment Regulations also resulted in the Principal Regulations being renamed as the "**Customs (Development Projects) Regulations 2010**".

Due to on-going requests from Private Sector businesses in Industries that are currently not covered by the DCS, the review of the scope, criteria and requirements for the DCS is therefore a continuing task. Another proposal was put through for the Investment Committee's consideration for the Regulations to be further amended to extend its scope to include any other Tourism development related project that would contribute favourably to the enhancement of the quality and variety of tourism products and services. The proposed amendments as contained in the Draft Customs (Development Projects) Amendment Regulations 2020 are being consulted on by the Investment Committee members.

Applications received, assessed and approved/declined/pending

A total of 9 new applications were received and facilitated within this reporting period; an increase from the 8 applications received and facilitated in the previous financial year. Of the 9 new applications received and assessed, 3 projects were approved by the Investment Committee and will be submitted to Cabinet for approval as ‘Qualifying Projects’. The 2 pending Manufacturing cases are awaiting consideration of the Investment Committee, whereas the 2 pending Tourism related cases are awaiting amendments of the Customs (Development Projects) Regulations 2010 to expand the scope of the Tourism Development Projects to include other tourism related developments.

INDUSTRIES	STATUS		
	Approved	Declined	Pending
Manufacturing	1	-	2
Tourism	-	-	2
Agriculture	2	-	-
Fisheries	-	-	-
Aviation	-	-	-
Applications outside the scope of the DCS			
• Information, Communication and Technology		2	

The total investment by the above-mentioned applicants into the economy, as indicated in their DCS applications, is estimated at approximately **SAT\$72 million** which is SAT\$17 million more than the estimated total investment from Projects reported in the previous financial year. The total estimated investment of SAT\$72 million is based on 6 projects as 3 of the Projects did not provide any information regarding their anticipated total investment.

The expansion of the scope of the Customs (Tourism & Manufacturing Development) Regulations 2010, effective from October 2019 and renamed as the Customs (Development Projects) Regulations 2010 that now includes the Agriculture and Fisheries Development Projects contributed significantly to the above increase in total estimated investment by DCS applicants. One such applicant contributing an estimated SAT\$40 million for its Agricultural Development Project.

Requests for extension of time for Duty Concession incentives

Two (2) requests for extension of time were received, assessed and declined by the Investment Committee as requests were received when their timeframe had already lapsed. A request for extension is to be lodged before the timeframe is lapsed hence the decision to decline. Both requests were from Qualifying Projects in the Tourism Industry with 1 request for the extension of their construction materials timeframe and the other for the extension of their Office amenities timeframe.

Request for Additional Goods

A total of 41 requests for additional goods imported were received from Qualifying Projects during this financial year; a 57.7% increase from the previous total of 26 requests in the previous financial year.

Of the 41 requests received, 39 requests were from one Qualifying Projects in the Tourism Industry which were all approved, with the total value of additional goods imported amounting to \$7.8 million. Two (2) were from the Manufacturing Industry, with 1 being declined by the Investment Committee

due to the imported goods not forming an integral part of the applicant's Manufacturing process; and the other being put on hold to await further information from the applicant.

Pending cases from the previous financial year

A total of 4 applications reported in the previous financial year were carried forward to the current reporting period, 1 application was subsequently approved under the Code 121 Scheme, pending the amendments to the Customs (Tourism & Manufacturing Development) Regulations 2010 to include Agricultural and Fisheries Development Projects and 3 applications were not approved due to the applicants not providing the necessary documentation that was requested by the Investment Committee.

3. CODE 121 SCHEME

A total of 3 new applications were received and assessed. Two (2) were approved as "Qualifying Businesses". One of the approved applications was initially filed for consideration under the Duty Concession Scheme (DCS) but was referred and approved instead under the Code 121 Scheme as it did not fulfil the requirements for the DCS. One (1) was put on hold to await the necessary documentation that was requested from the applicant. All 3 applicants applied in the Category of "**Commercial Manufacturers of Agricultural Products for Export and Import Substitution**".

The Ministry continued to receive regular queries from local businesses seeking duty concession assistance under the Code 121. However, some did not follow up with filing an application due to the lack of a Business Licence and not meeting the VAGST threshold of \$130,000.00 requirement.

CODE 121 Assistance expanded as part of the COVID-19 Stimulus Package

As part of the Government's efforts to boost the Agriculture and Fisheries Sector amidst the COVID19, the COVID-19 Stimulus Package announced in April 2020 included an expansion to the CODE 121 Scheme to include all equipment and inputs required for Agricultural and Fisheries Development Projects, regardless of their qualifying project status.

The said assistance was for the reduction of Import Duty to 0% for imported raw materials, equipment and other related inputs from overseas suppliers for use by approved applicants who are conducting Agriculture and Fisheries development projects. The duration of this assistance is envisaged for the 6 months period from April to October 2020. Four (4) applications were received and assessed during the reporting period of which 2 were approved with 'qualifying business' status; and 2 are pending approval due to awaiting required documents from the applicants.

MONITORING AND EVALUATION (including Employment Opportunities created)

During the M&E inspection, it was noted that the beneficiaries of the Duty Concession Schemes were negatively impacted by both the Measles epidemic and the COVID-19 Pandemic. The most significant adverse impact were experienced by operators in the Tourism industry with the loss of incoming overseas tourists that led to the mass laying off of employees within this reporting period.

Two (2) inspections were conducted during the reporting period, in both Upolu and Savaii to 27 beneficiaries to ensure their compliance with the conditions of the Duty Concession and the Code 121 Schemes. The inspections were to follow up on the progress to date of each development project, employment and whether materials imported under the Schemes are used for the purpose for which they were approved.

Site visits was conducted to 7 out of the 9 new DCS applicants as part of the preliminary assessment process, to obtain further information on the relevant businesses and to sight the progress of their projects to determine whether they are eligible for duty concession assistance. The other two (2) new applicants that were not sited were from the ICT industry and such industry is not eligible under the DCS.

13 DCS beneficiaries were inspected; 69% (9) are fully compliant and 31% (4) are qualifying projects at various stages of operation: 1 has not operated since approval of its duty concession eligibility with the business having closed down; 1 has yet to commence its manufacturing operations, 1 has already ceased operations without informing either the Ministry or the MCR and 1 has yet to utilise its duty concession eligibility

14 Code 121 beneficiaries were inspected; 79% (11) still utilizing the scheme and were deemed compliant and 21% (3) no longer utilise the Scheme for duty assistance.

Employment Creation from Qualifying Projects under the Schemes

As depicted in the table below, a trend appears to be emerging of decreasing number of employment opportunities created (from 1,286 in FY2017/2018 to 532 in the FY2019/2020) by the inspected projects in the various industries that have been approved for Duty Concession Scheme and Code 121 Scheme eligibility. Whether this is indicative of the employment situation throughout the wider business community, is beyond the scope of this report.

Industry/Sector	Number of Employment in the Qualifying Projects Inspected FY2019/2020	Number of Employment in the Qualifying Projects Inspected FY2018/2019	Number of Employment in the Qualifying Projects Inspected FY2017/2018
Manufacturing Sector	271*	441*	906
Tourism Sector	120*	345*	303
Code 121 Qualifying Businesses	141*	203*	53
Aviation Sector	**	25*	24
TOTAL	532	1,014	1,286

**These are not actual figures but estimated numbers provided by personnel during the Inspections. Some businesses were undergoing changes in their operations with the on-going effects of the COVID-19 Pandemic.*

***Employment numbers for Qualifying Projects in the Aviation Sector were not included in this year's inspections due to the eligibility period of previously approved Projects having lapsed/expired.*

SAMOA EXPORTS AWARDS 2020

The Ministry in partnership with the Samoa Association of Manufacturers & Exporters (SAME) commenced preparations in November 2019 for the launching of the Samoa Exports Awards 2020 ('SEA 2020'). The SEA 2020 was intended to be a continuation of and builds upon the lessons learned and the platform established by the inaugural Samoa Exports Awards that was held in June 2018.

In addition to the nine (9) Awards Categories to be competed for, the SEA 2020 introduced a new award category – Best Creative Industry – to recognize the contribution of small to medium sized export businesses. This also is to address the feedback from the export business community of large sized export businesses dominating each award category.

The SEA 2020 was initially planned and confirmed to take place in June 2020. However, due to the continuing State of Emergency (SOE) for protection against the COVID-19 pandemic and the uncertain business environment facing many exporters, the decision was made by the Ministry and SAME to defer the Samoa Exports Awards to June 2021.

Before the postponement of the event, the following were some of the work already carried out by the Ministry in partnership with the SAME:

- Soft launch in mid-February 2020;
- The Ministry again took up the Secretariat role for organizing and overseeing the first meetings of the National Samoa Exports Awards Committee (NSEAC), the Evaluation Committee for the SEA 2020 comprising of representatives from 7 Government bodies: MCIL, CBS, MCR, MFAT, MoF, SBS, and STA as well as holding regular meetings with the SAME Organizing Committee;
- 90 Application forms were emailed to all identified exporters, private sector organisations and interested persons from the business community and follow up phone calls and emails to all eligible exporters encouraging them to apply for the SEA 2020;
- A total of 9 Information Sessions were held, which included 2 information sessions in Savaii. The Information Sessions were held in collaboration with the SAME and SCCI, to provide potential applicants with the opportunity to raise any queries regarding the questions in the Application Form, the assessment process as well as the selection criteria;
- Preparing and posting several ads on social media (Facebook), newspapers as well as the TV stations, to increase awareness of the SEA 2020 and to further remind potential applicants of the SEA 2020, the due date for Applications and the weekly Information Sessions.

OBJECTIVES OF THE SAMOA EXPORT AWARDS

- Provide recognition and reward for excellence in exporting;
- Encourage and stimulate exporting activity;
- Build greater understanding of what is required to succeed in exporting;
- Build partnerships between Government and Private Sector to support export growth;
- Encourage Innovation amongst manufacturers, exporters and service providers

5. Enhance and Promote effectiveness of Competition and Fair Trade in markets to benefit Consumers, Businesses and the Community

SAMOA COMPETITION AND CONSUMER COMMISSION

Since the start of the Samoa Competition and Consumer Commission's (Commission) operation, the focus was primarily on the administrative setup of the work for the first three years as endorsed by Cabinet. The annual report 2019/2020 outlining all the work progress of the Commission during the period was submitted to Cabinet.

Price Control Review

One of the challenges following the enactment of the Competition and Consumer Act (CCA) 2016 was the ongoing receipt of complaints from the public/consumers as well as the business community to either amend or repeal the General Price Order (GPO); and, on the other, consumer expectations regarding the prices of certain goods and services. Government policy and supporting legislation regarding price controls therefore need to be reviewed and recommendations made for change that consider the economic cost-benefits of existing policy, comparative evidence from economies of a similar size and structure to Samoa, and stakeholder views.

With funding from the Samoa Governance Support Programme (SGSP) in July 2019, public consultations with stakeholders including the private sector and some of the government Ministries were held to collect information about the effectiveness and the efficiency of the price control policy, the potential impacts of the policy on consumers, the business environment & trade performances and competition in the face of international and Samoa's domestic market and the economy.

The outcome report identified potential gaps in the CCA 2016 and recommended that consideration be given to amending it (and, if necessary, government policy) so as to: *provide better for the regulation of hidden forms of ineffective competition, such as undeclared activities and/or practices (e.g., informal sector, tax evasion, etc.), the introduction of price controls (price ceilings and price floors) for purposes other than the correction of market failures, such as food security, and the protection and development of national industry (e.g., anti-dumping measures)*

The second phase of the project that specifically focused on the execution of the recommendations including some of the highly prioritized ones such as the establishment of a Consumer Council was on hold due to the COVID-19 pandemic.

Consumer Council

The outcome report of the Price Control policy, legislation, and practice identified the absence of a formal Association in Samoa (a Consumer Council) to represent and protect consumers' interests and welfare, namely: an officially recognised organisation through which consumers can voice their concerns and receive information and education regarding their rights and duties, the working and state of the markets, price behaviour, availability and quality of products.

Consumer Councils can contribute to the attainment of the CCA's objective of promoting competition and protecting consumer interests. Given the importance of this task, a proposal for technical assistance was submitted to the Samoa Governance Support Programme which SGSP has fully supported and accepted. All tasks funded by the SGSP are on hold due to the current pandemic.

Memorandum of Understanding (MOU) between the Fijian Competition and Consumer Commission (FCCC) and the Samoa Competition and Consumer Commission (SCCC).

The development of the MOU is completed but due to the impacts of the COVID-19 pandemic, signing of the MOU is now on hold until further discussions with the FCCC. The MOU was one of the resolutions of the SCCC trip to Fiji in August 2019 aiming to promote cooperation and coordination among both Commissions and an effective and efficient partnership within the framework of the implementation of competition and consumer law issues.

Memorandum of Understanding (MOU) between the Ministry and the Ministry of Customs and Revenue

The MOU was formulated following a Cabinet directive to revive the Price Control Order to monitor prices eliminating hardship from unreasonably high prices charged by businesses during the SOE. The MOU was signed in May 2020 by both the CEOs of MCIL and MCR.

Price Control Order in the wake of COVID-19

The SOE stems the revival of the Price Control Order (PCO) to protect consumers from businesses that may have taken advantage of the pandemic to escalate their prices unreasonably.

Two (2) SOE Price Control Orders were issued during the reporting period. Product categories only included essential basic consumer food items. Copies of the PCOs were distributed to all traders in the country. All traders were strongly advised to comply with the stipulated prices and display PCOs for ease of the public's access to price information. The Ministry continues to monitor trade compliance with the PCOs.

Policy Arrangement for Costing Information

The policy on the submission of costing has been revived to resolve complications that arose during the preparation of the Price Control Order for the SOE. This policy arrangement required importers to submit all costing information for imported products to the Ministry for assessment and stamp approval before passing to the Customs Division of the Ministry of Customs and Revenue (MCR) for releasing of consignments. A notice was disseminated publicly for information of importers on the reinforcement of this policy arrangement for costing submission.

World Consumer Rights Day (WCRD)

The one week celebration for the WCRD was held in Savaii to promote services and boost awareness to all stakeholders (consumers/traders) to further enhance understanding of their obligatory roles and conduct inspections to ensure compliance of all traders. One awareness program conducted in Salelologa was recorded as a success with a good turn up of participants from different areas of Savaii. Comments conveyed by participants relating to presentations were useful in supporting and improving the functions of the Ministry. Inspections were also carried out as part of the awareness program to all traders in Savaii. It was recorded the positive compliance of the majority of traders with their obligatory roles while a few were advised to adhere to their obligations and will be monitored in follow up inspections.

E-Commerce

The UNCTAD in its rapid e-trade readiness assessment for Samoa revealed the possibility of having a digital economy in the country if Samoa is able to accelerate adoption of key measures aimed to support the development of an e-commerce ecosystem (e-commerce strategy, regulatory framework) and private sector investment (affordability, access to finance). The main challenge stated in the assessment report is the absence of a National Strategy to enhance the development

of e-commerce in the country. The proposal to the Australian Department of Foreign Affairs and Trade to engage Technical Assistance is on hold due to COVID-19.

CODEX - PROTECTING CONSUMER HEALTH AND COMMODITIES

The Samoa National Codex Committee (SNCC) was fortunate to receive financial assistance from the FAO to support Codex activities during the reporting period. The project aimed at strengthening the SNCC's understanding of Codex and how to develop national food standards. Four (4) awareness programs were conducted in both Upolu and Savaii by the two consultants Mrs. Ann Hayman and Mr. Stephen Musubire. The awareness programs provided opportunities for stakeholders and SNCC to become aware of guidelines for accessing resources for national Codex work and assessing the Codex systems capacity in Samoa.

Another part of the technical cooperation programme was to review the operations of the Codex Trust Fund. It was a team effort activity with the assistance from our consultants in collating the information for the application. The Samoa Codex Trust Fund application had been approved in principle by the FAO/WHO Codex Trust Committee and this fund will help the SNCC to conduct more trainings, review Codex documents and to develop more food standards.

The Codex Secretariat prepared and submitted two position papers for the possibility of increasing the exportation of Samoa and the region's kava products to the Australian markets. The Australian Government through the Ministry of Health accepted the first proposal for countries of the region to import into Australia only 4kg of kava for personal consumptions. Work on the second phase of the project for commercial exportation of kava products is currently under review. Samoa was also nominated by the regional Codex Committee (CCNASWAP) after the meeting in 2019 to Co-Chair with Tonga the E-Working Group for the development of the regional standard for Noni Juice and products.

NATIONAL STANDARDS BODY

The Ministry is the National Standards Body (NSB) for Samoa and is specializing in the development and adoption of internationally-harmonised standards in Samoa. As the recognized NSB, the Ministry is entrusted to administer the Samoan standardization program, facilitate the development of national standards based on the needs of industry, community and government. The Ministry is also tasked to assist relevant agencies for enforcing, regulating or certifying compliance with those standards. In March 2020, the Cabinet approved the Ministry as a correspondent member of the International Organization for Standardization (ISO).

National standard SNS 4766: 2019 Polyethylene storage tanks for water and chemicals

The Ministry coordinated the technical review of Australia/New standards (AS/NZS 4766: 2006) with the aim of adoption as the National Samoan Standard for the manufacturing of polyethylene tank products. The effort to develop a local national standard was mainly driven by constant disputes between local tank manufacturers on quality assurance measures.

A Standards and Product Safety Advisor was recruited via the Australian Volunteers International, Mr. Phil Miles, who authored a process for the development of the National Standard for manufacturers of Polyethylene tanks on the 20th March 2019. The Samoa Tank Manufacturing Standard Working Group was subsequently established to apply its expertise to consider and make recommendations regarding adoption, in part or full, of the AS/NZS 4766: 2006 Polyethylene Storage Tanks for water and chemical as a Samoan national standard. The final draft was approved in September 2019 with the official adoption of the Samoa National Standard – SNS 4766: 2019.

The Ministry is presently seeking Technical Assistance to assist in Capacity Building for pertinent officials of the Ministry to successfully implement and monitor compliance of the SNS 4766: 2019

locally thus upgrading the skills on training for technical skills, implementation of quality assurance systems and increasing awareness among consumers and stakeholders.

METROLOGY

Verification & Inspection of Weighing Instruments and Calibration of Petrol Stations

All Suppliers of weighing instruments (scales) have been registered and given certificate of approval to sell and repair. The initial verification and inspection of scales have been completed for both Upolu and Savaii during the reporting period.

The calibrations and adjustments of Service Stations around Upolu and Savaii were conducted on a quarterly basis for the reporting period. This was to check the accuracy of flow meters and petrol stations and also to collect fees for servicing flow meters and new registrations. All Service Stations tested during the reporting period were in compliance with certain standards required by the Metrology Act 2015.

Daylight Saving Time

One of the major tasks performed by the Ministry every financial year is to monitor and provide awareness for the Daylight Savings Time (DST). The DST is a process of adjusting clocks in advance or backwards by one hour. DST was passed in Samoa in 2010. Advertisements of DST was publicized on the media for the public's awareness. The next DST will begin on the 27 September 2020 and ends on the 4 April 2021.

Town Clock

The Ministry has been tasked by Cabinet as the official custodian of the town clock including the provision of repair works, painting and decoration to beautify the clock for the Independence celebration, Teuila Festival, and Christmas Eve. There are approved fees recently endorsed by Cabinet for using the Town Clock Tower (TCT) and the guidelines are in place to guide all companies and not for profit organizations that are willing to use the town clock for their awareness programs.

MONITORING AND EVALUATION

Awareness programs

Four engagement programs were conducted in both Savaii and Upolu to further enhance the understanding of consumers, the business and the general communities on their roles and functions; A special TV advertisement on construction works and building of houses was prepared to further strengthen our awareness campaigns to consumers and the business community in order to minimize complaints received on this nature.

Inspections

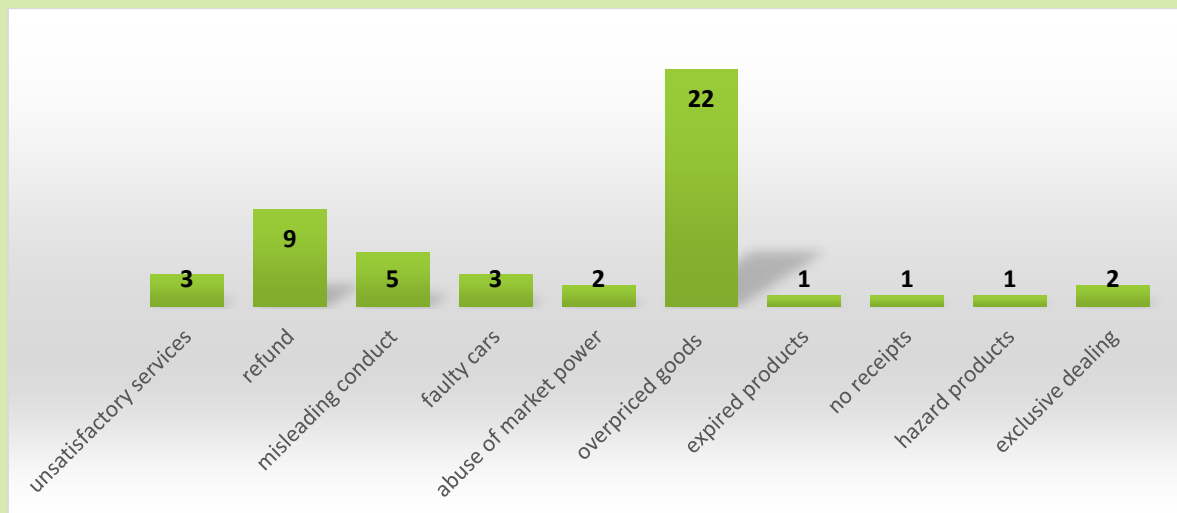
A total of 511 traders were inspected including follow up inspections during the reporting period. During these inspections, traders were advised and made aware of their obligatory roles. 90% of traders complied with their roles. Non-compliant traders were given warnings and monitored by follow up inspections.

Enquiries

A total of 127 enquiries were recorded for Upolu:

- 82 enquiries related to Competition; 12 enquired about clarifying the Competition and Consumer Act 2016, 4 on refunds and 66 related to the Price Control Order particularly on prices of daily products; such as sugar, flour, rice, butter, chicken, cigarettes and beer.
- 26 enquiries related to Metrology; 17 related to scales verifications, 3 enquired about petrol calibrations and 6 on daylight savings.
- 7 enquiries related to Codex; 3 on food standards, 1 on expired products and 3 on product labelling.
- 12 enquiries related to others, such as tax payments, business license requirements and banned plastic bags.

Complaints



A total of 49 complaints were recorded which were received through telephone, email, formal written statements and in person. 90% of these complaints were lodged by consumers as opposed to 10% lodged by traders against other traders.

The highest number of complaints fell under overpricing category. These overpricing complaints lodged by consumers regarding high prices charged by traders as opposed to stipulated prices in the Price Order for items such as sugar, rice and chicken leg. There were also the complaints relating to customers' claims for refund, misleading conduct, faulty second hand cars and unsatisfied services. All these complaints were resolved within the period. The majority were resolved on the spot while others were investigated and taken through to the conciliation process.

MCIL SAVAII OFFICE

The Savaii Office's main objective is to administer the functions of the Fair Trading, Competition, Consumer Protection and Metrology and to facilitate matters pertaining to the overall mandate of the Ministry and stakeholders in Savaii. The following activities were conducted during the reporting period.

Inspections

A total of 311 traders was recorded and inspected on a weekly basis in Savaii during the reporting period including follow up inspections.

An average compliance of 89% was recorded of traders who complied with all the various obligations under the Competition and Consumer Act 2016. 11% represents traders that have not complied mainly in the areas of not marking prices on products or shelves, unable to provide a receipt due to not having a receipt book, and not displaying PCO.

Enquiries

A total of 302 enquiries were recorded. The majority of enquiries related to matters pertaining to fair trading, labour issues, seasonal workers program and registry of companies as well as issues related to other ministries such as Revenue, Health, Building and Gambling. A total of 24 applications for incorporation registration were facilitated and referred to the responsible division.

Complaints

41 out of 302 enquiries were complaints. 18 complaints were on industrial relations & labour matters and 23 on fair trading and competition issues. All cases on fair trading and competition matters were resolved while others on labour issues were referred on time to the responsible division.

Metrology

Ongoing verification of weighing equipment to all businesses in Savaii and 317 traders (including hardware and manufacturing companies) were verified and given certificates of verification.

Petrol adjustment is conducted on a monthly basis and quarterly calibration of seven (7) petrol stations including the two (2) newly established in Salailua (December 2019) and Tufutafoe (May 2020). The Savaii team also represented the Ministry in the Petroleum Task Force site visit as well as Energy Sector consultation conducted in Savaii.

Office Renovation

Maintenance works have been done to replace old ceiling board and electric lights on the old section of the office. Other renovations will be subject to availability of savings from budget.

6. Strengthen Social Dialogue and Advice on Industrial Relations, Foreign Employee Employment Permits and Occupational Safety and Health

INDUSTRIAL RELATIONS

The Ministry through the Industrial Relations ('IR') unit primarily focuses on enforcement of labour and employment relations standards across the private sector and the State Owned Enterprises. This aims to provide a fair and equitable level playing field for both workers and employers while promoting compliance with the labour laws in place.

Key Performance Indicators ('KPIs') are set every financial year to ensure the execution of these functions are achieved as detailed in **Appendix 1** under "*Output 6: Enforcement of Labour Standards and Assessments of Work Permit*". The Unit has managed to achieve 4 out of 7 KPIs (57%) due to advanced planning and coordination of the IR team. However, the one remaining KPIs (43%) relates to only 5 Samoa National Tripartite Forum (SNTF) meeting conducted instead of 6 as most scheduled meetings for the last half of the reporting period could not be conducted due to the Measles epidemic and the COVID-19 pandemic.

An important milestone achieved in the reporting period was the approval by the Government of the new minimum wage of \$3.00 for the private sector that came into effect on the 1 January 2020. The last increase was in 2015 to \$2.30. This milestone was realized with the cooperation of our stakeholders and SNTF members and the support of the Australian Samoa Governance Support Program (SGSP).

ISSUES AND CHALLENGES

The Ministry continued to face existing issues and challenges in the executing of its regulatory roles.

1. Misinterpretation of the labour laws (The Act and its Regulations)

This has been an ongoing issue where the employers tend to challenge the interpretation given out to them referring to the laws being too general and open to different meanings. There are also gaps already identified in the labour laws hence why the Labour and Employment Relations Act ('the Act') is now currently under review. Education of the new Act will be crucial once passed by Parliament.

2. Ignorance of the law by employers

This is a common issue during M & E and inspections. Some employers continue to ignore their responsibilities stated in the Act and are often found to be non-compliant or partially compliant. For instance, in the recent follow up inspection for Upolu, there are still employers who are non-compliant though they were given warnings in the initial inspection such as maintaining records as required by the legislation.

3. Impacts of External Factors e.g. late progress on the Act Review

The review of the Act has been ongoing for over 1 year since the first draft Bill was presented to the Office of the Attorney General(OAG) in June 2019. We have yet to receive a certification for the Bill to be tabled in Parliament. This has been an ongoing issue which is understandable given the OAG is currently facing competing priorities but unfortunately it holds up our proposed activities for the financial year.

4. Lack of authority under the Act and Regulations

Despite our existing employment grievances processes, it is noted there are still several outstanding cases which have lasted more than 6 months or so. There are no current provisions that allow us to enforce our preliminary assessment results and penalize the employers when they fail to comply with our notices and advice.

5. Limited Resources

Based on recent survey data Samoa currently has a private formal sector of 18,295 with 1,300 employers. There is clearly a shortage of resources given the Ministry have 4 Labour Inspectors to monitor and enforce compliance among both the Private and Public sector groups.

6. Delay on International Labour Standards Reporting

The Ministry continued to face delays in certification from the OAG which also affects deadlines for reporting to the ILO. As the focal point for ILO, the Ministry is responsible to provide reports on time but usually faced delays given the reason mentioned above and also when requesting information from other stakeholders.

FOREIGN EMPLOYEE EMPLOYMENT PERMITS (FEEP)

Part IX of the Act governs all the functions the FEEP Unit is administering. In particular, thorough assessments and issuance of FEEP as it is pertinent that any non-citizen who wish to work in Samoa must hold a valid Employment Permit.

Given the solemnity of assessing FEEP applications, the Ministry established a FEEP Policy which was approved by Cabinet and came into force in February 2018. It is now used as guidance to ensure that FEEP are granted and limited to non-citizens with the skills, qualifications and experience that are in shortage in the Labour market in Samoa.

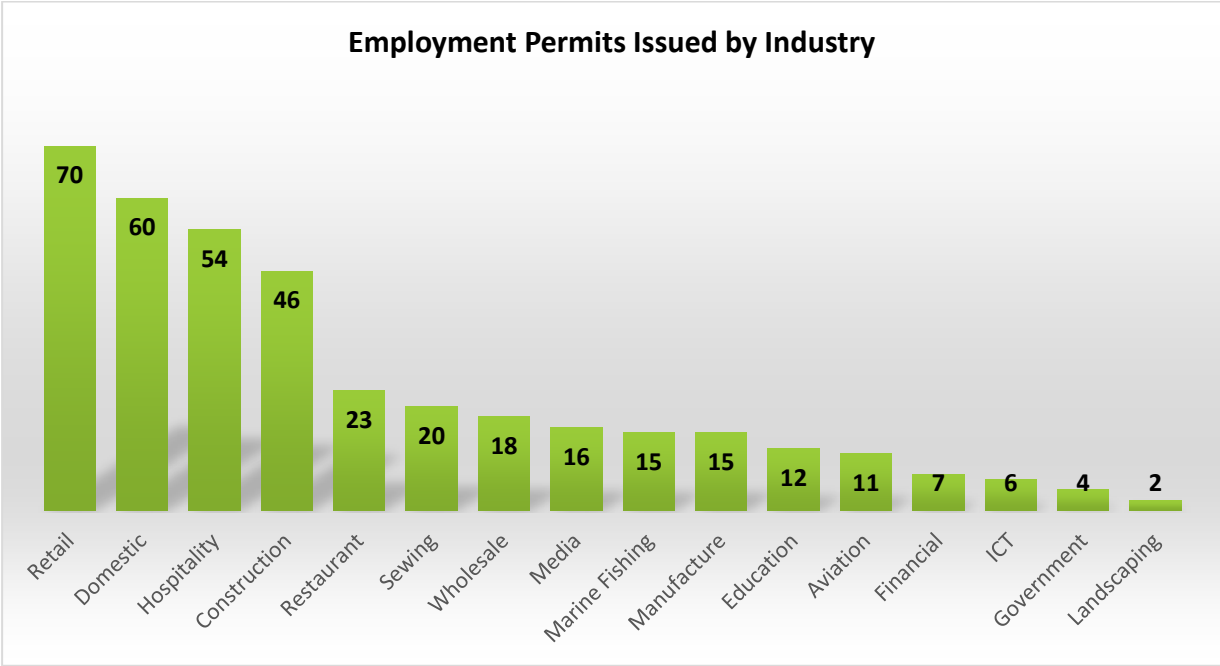
Key Performance Indicators 'KPIs' for the unit are set every financial year under "Output 6: Enforcement of Labour Standards and Assessments of Work Permit" to ensure the execution of these functions are achieved.

Table 1 Assessment of FEEP 2019 - 2020

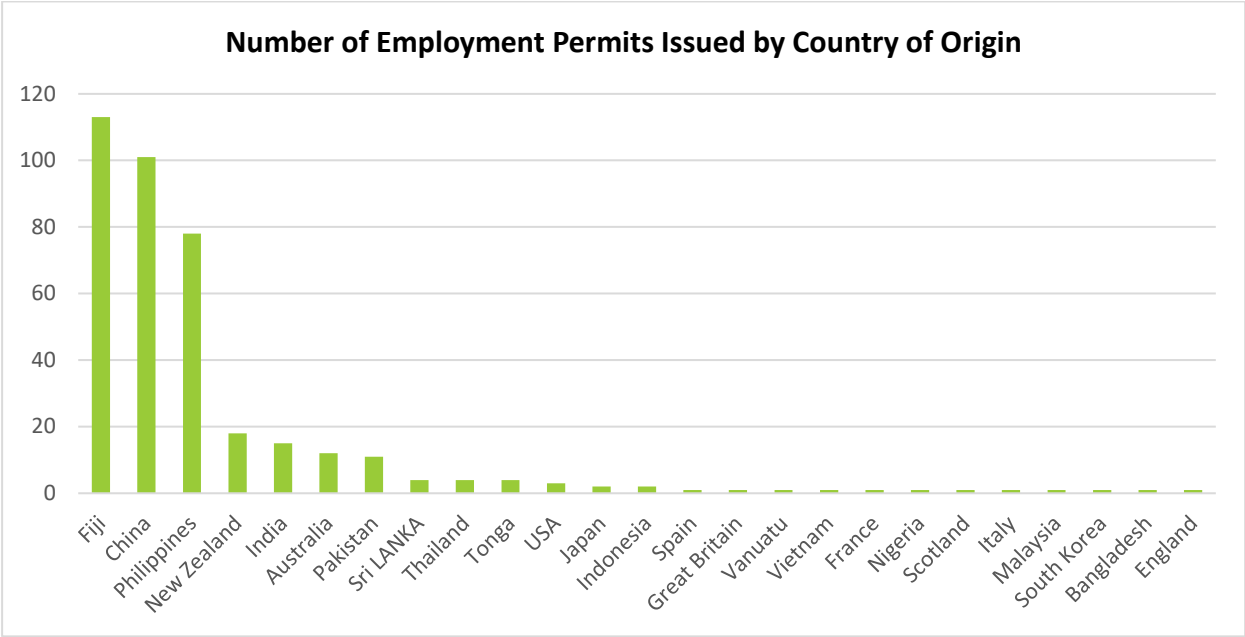
	FY19/20	FY18/19
TOTAL NUMBER FEEP APPLICATIONS RECEIVED	379	457
FEEP Applications Approved	359	387
FEEP Applications Declined	3	10
FEEP Applications Incomplete	5	
FEEP Applications Exempt	nil	60
FEEP Assessment Carry Forward to FY20/21	12	

As reflected in the **Table 1** above, the reporting period saw a decrease of FEEP applications lodged by 17.1% with 379 application compared to 457 FEEPs application lodged in FY18/19. A significant decrease of 7.2% also in the number of issued FEEP compared to 387 FEEP issued in the previous financial year. This decrease is due to the Measles epidemic and the closure of international borders due to COVID-19 pandemic.

The **Graph 1** below shows the top 4 industries most FEEPs were issued to. These were the Retail, Hospitality, Domestic work and Construction respectively. In addition, the top 4 labour sending countries were Fiji, China, Philippines and New Zealand as shown in **Graph 2**.



Graph 1- Employment Permits issued based on Industry



Graph 2- Employment Permits Issued based on country of origin

ISSUES AND CHALLENGES

Four (4) awareness programs was conducted to educate employers and foreign employees on their obligations and rights and ensure they are adhering to the Working Terms & Conditions of their FEEP. Despite these ongoing awareness programs, the Ministry still encounter challenges of non compliance of both employers and foreign employees with the Working Terms & Conditions of their FEEP as highlighted below.

1. Foreigners living and working in supermarket/ retail shop

This is an ongoing issue during M&E inspection, where foreigners are found working and living within supermarkets and retail shops. When they are queried regarding their status, they claim that they are not there to work, but just to help out (“fesoasoani”). These foreigner’s status are either under Visitors Permit or under family reunion with no work permit issued.

2. Non-Compliance by employers

Another ongoing issue, is the non-compliance of employers. When they are asked regarding foreigners working and living in their supermarket/ retail shops, they claimed that they are their relatives who are visiting and are helping out on the specific day as they (employers) are busy somewhere else.

3. No instant fine for non-compliant employers

Under the Act, there is no instant fine issued to non-compliant employers, however a stand-down period (is issued if non-compliance continues. (*Note: Stand-down period prevents employers from recruiting non-citizens for up to 12 months.*) This does not prevent or stop the employer from employing foreigners without work permits as they had not applied for the work permit before, therefore a stand-down period is impracticable.

OCCUPATIONAL SAFETY AND HEALTH

The Occupational Safety and Health (‘OSH’) Unit is mandated to administer the Samoa Occupational Safety and Health Act 2002 (‘Act’) and its Regulations 2017 ensuring that safety and health is paramount within all workplaces in Samoa. Through providing effective and efficient advice based on the legislation, conduct inspections to ensure compliance, investigate thoroughly reported workplace accidents and incidents, provide sound resolution to address safety and health matters and importantly for the Ministry to educate and provide awareness to ensure that employers and employees are competent in their obligations. In addition to regulatory functions, the Ministry has enhanced its priority for OSH under the Samoa Occupational Safety and Health Framework 2018, through a collaborative approach to improve OSH at a national level. The overall Key Performance Indicators (‘KPI’) achievement for the reporting period under “Output 7: Enforcement of OSH Standards” which stand at 67% was affected greatly by the health crisis.

During the reporting period the Ministry successfully signed 3 MOUs with the Ministry of Health, Ministry of Police and the Samoa Fire and Emergency Services Authority that aims to improve OSH data on workplace accidents, incidents and illnesses and working towards an OSH national data system. The third OSH Stewardship Awards was also successfully completed online on the 28 April 2020.

MONITORING AND EVALUATION

Inspections

Ninety three (93) initial inspections were conducted within the reporting period. This include 6 Monitoring and Evaluation activities conducted for all Government Ministries, State Owned Enterprises, Petrol Service Stations in Upolu and Savaii, Waste Collector Business and Construction Businesses in Savaii. Due to the Measles and SOE for COVID-19, the team was unable to conduct follow up inspections to verify compliance level within the review period. The priorities for the new financial year is to focus on conducting follow up inspections and progressing with developing of Codes and Guidelines to assist with improving compliance across public and private sectors.

Workplace Investigations

For this reporting period, 11 reported workplace accidents were all resolved. The Ministry is still experiencing under reporting of workplace accidents/incidents and illnesses and hence ongoing non-compliance of employers in adhering to their reporting obligation. The Ministry has in place a MOU with the Accident Compensation Corporation ('ACC') since 2018 and within the review period 72% of workplace accidents is reported and received by ACC, the Ministry believes this is driven by compensation. The Ministry will continue its awareness campaign on section 20 and 21 of the Act on reporting obligation, in addition to the progress work towards an integrated OSH data system with successful signings of MOUs with relevant Ministries.

Awareness and Social Dialogue

Twenty-seven (27) awareness programs were conducted in the reporting period, this number include programs for seasonal workers Pre-Departure Orientation and our ongoing partnership with Samoa Business Hub in educating small business owners. Moreover, given the circumstances with the SOE requirements and restrictions during the Measles and the COVID-19, awareness and ongoing dialogue with OSH Taskforce have been very limited to the end of the financial year.

7. More Employment Opportunities for All, generating income to improve the standard of living

LABOUR MOBILITY

For the reporting period, Samoa as a labour source country has been very fortunate with additional seasonal labor migration opportunities in both New Zealand and Australia. Both the extension of the scope of existing schemes as well as the introduction of new programs promoting longer contractual terms have become key avenues, supporting one of Samoa's key development strategy: poverty alleviation through increased income generation employment opportunities.

Within the Ministry, the Labour, Employment and Export Programme ('LEEP') Division is the implementing unit, entrusted with the overall administration and implementation of Samoa's labour mobility aspirations.

Status of Samoa's Participation in Existing Seasonal/Temporary Labour Mobility Schemes

At the conclusion of the financial year, Samoa is noted as being a beneficiary to three (3) established bilateral schemes with New Zealand and Australia. This is inclusive of:

- i. NZ RSE-Recognized Seasonal Employer Scheme (established 2007). Recruits workers for horticulture and viticulture industry only for up to 7 months.
- ii. Australia SWP- Seasonal Workers Program (established 2012). Recruits workers for low skilled jobs for up to 9 months, across various regions.
- iii. Australia PLS- Pacific Labour Scheme (established 2018). Recruits workers for low and semi-skilled jobs in rural and regional Australia for up to 3 years.

In addition to the aforementioned, the Ministry is also facilitating opportunities through other temporary migration pathways for New Zealand under the Essential Skills Category. Under this migration pathway, Samoan citizens are recruited for work under:

- i. Pacific Trades Partnership (PTP) initiative: which recruits trained carpenters for short-term employment
- ii. Approval in Principle (AIP): recruits workers for meat works/abattoir industry for short term employment

Financial Year (FY)	RSE	SWP	PLS	AIP	PTP*
FY18/19	2315	677	15	286	29
FY19/20	2409	504	168	327	N/A

** Recruitment for PTP is not conducted on an annual basis as compared to other programmes.*

Labour Mobility in the Wake of COVID-19

Much like other beneficiaries to established temporary labor mobility schemes, Samoa has been affected directly by border closures and grounded international travel due to the threat of the global pandemic-COVID-19.

When the governments of New Zealand and Australia closed their borders to non-nationals & non-citizens from mid-March 2020, at least 70 to 75% of the annual counts for seasonal workers from Samoa were already in their respective host countries. According to LEEP's projection (using FY 18/19 as a base year), the number of workers who were directly affected by the loss of work contracts due to the closure is estimated at 600 – 700. These are workers that are normally deployed for work for the April-June for RSE & SWP period annually plus adjustments based on new opportunities.

To get a basic understanding of the economic value these work opportunities potentially equate to, it is worth noting that:

- For RSE, the average residual income Samoan workers employed picking and packing apples, kiwifruit during the 2017/2018 season is estimated to range from \$8,350 - \$10,700NZD¹ (equivalent to \$14,601 - \$18,723.11 Samoan Tala). This is the total earnings that workers have available after deductions for savings and/or sending home.
- For SWP, the average net income for a seasonal worker over a six months period is estimated to range from \$7,208 - \$8,868AUD² (equivalent to \$13,374 - \$16,897 Samoan Tala). This is the total earnings that workers have available after deductions for savings and/or sending home.

Overall, though there is consensus that restricted mobility does have a monumental effect on livelihoods and employment security, the true magnitude of the resulting downturn on the volume of disposable income the workers bring back and also the level of remittances is still premature to determine. Thus the next 6 to 12 months will be a very crucial time.

In the interim, the Ministry continues to work with key industry and other government agencies in not only ensuring the safety and well-being of workers in their respective host countries, but also reassuring them of Samoa's commitment to capitalizing on opportunities that will be made available during these unprecedented times.

Emergent Priorities and Trends

Beyond the short term goals of attaining a greater share of overall numbers for each scheme, the strategic focus and priorities for the Ministry and LEEP also encompasses other specific thematic areas such as: gender inclusivity, formalization of acquired skills, mitigation of related social issues and also successful reintegration.

Though some of the above are not new challenges, there has been notable progress made. Examples of strategies and remedial actions that have been undertaken includes (but not limited to);

- considerable effort to secure employers in new sectors that encourage the recruitment of women and other disadvantaged groups;
- provision of additional support mechanisms for workers whilst in destination countries and also policies and strategies to mitigate the social impacts on families and communities;
- leveraging existing relationships and/or establishing formal arrangements with local training providers (APTC, NUS , SBH etc.);
- continuous advocacy and engagement of key national stakeholders including accreditation agency(ies), commissioning and supporting extensive research on best practice and of course, working with the workers, families & wider communities.

¹ Bedford, R. & Bedford, C. (2017). RSE earnings and remittance surveys. Samoans, Tongans and ni-Vanuatu employed in Hawke's Bay, the Bay of Plenty and Marlborough for 18-22 weeks, 2014/15 and 2016. Report for MBIE. Wanaka: Bedford Consulting.

² World Bank staff calculations.

APPRENTICESHIP, EMPLOYMENT & LABOUR MARKET

Encourage skilled trades people to drive innovation and productivity

Skilled people helps businesses to drive innovation, productivity, growth and global competitiveness. It is important therefore, opportunities are available for skilled trades people to utilize to upgrade their skills and gain formal recognition through formal training which can easily allow them to find employment opportunities in Samoa and internationally. It is for this reason that the Ministry through the Apprenticeship Council and the SQA Board have signed the “Statement of Agreement” that will see the close collaborative work between the Ministry, our National University and the SQA in improving the national competency standards and workplace assessment of the Apprenticeship Program which leads to the accreditation of the Program in the future. This joined effort reflects the incorporation of the new National Competency Standards for the 8 trades under the Program.

The Apprenticeship Program

Two new trades were added under the Apprenticeship Program. The Electronic Technology trade is currently taught and delivered by National University’s Faculty of Technical Education (FOTE). The NUS is revising and finalizing the curriculum for the second trade Spray Painting & Panel Beating prior end of the 2020 School Calendar Year. The Program commenced on the 6 May 2020 until 10 December 2020.

A total of 121 apprentices was recorded in the Apprenticeship Program for School Calendar Year 2019 and the reporting period, an increase by 4% compared to FY2018/19 116 apprentices. 59 new entrants were approved and qualified to attend the programme for the School Calendar Year 2019.

The number of apprentices per trade for the reporting period is as follows:

Trades	Number of Apprentices
Electrical	33
Plumbing and Sheet metal	28
Motor Mechanic	23
Carpentry and Joinery	16
Electronic Technology	10
Refrigeration and Air Condition	5
Welding & Fabrication	5
Fitting and Machining	1
TOTAL	121

From the 121 in the program, 30 apprentices graduated after the final assessment of 4 year apprentices and by official approval of the Apprenticeship Council, awarded with Due Completion Certificates while 91 continued on with the program. The number of apprentices graduated from the different trades are: Motor Mechanic – 8; Electrical – 8; Plumbing & Sheet metal – 8; Carpentry & Joinery – 5 and Welding and Fabrication -1. Final exams and assessment for apprentices was deferred to January 2020 because of the Measles epidemic.

Trade Testing Scheme

This is one of the Ministry’s initiative to recognize and to accommodate local trades people who have extensive knowledge and experiences in the trades area but no formal qualification especially the early school leavers. Sixteen (16) candidates who sat the Trade Test Exams for Carpentry and Joinery Grade 2 in June 2019 successfully passed and graduated in the Apprenticeship Graduation in February 2020.

Two (2) Trade Tests were also conducted during the reporting period. Nine (9) candidates sat the Trade Test Exam for Welding and Fabrication Grade 2 in May 2020 and 17 candidates for the Carpentry & Joinery Grade 1 in June 2020. All 26 candidates successfully passed the Theory and Practical test and will be graduated during the Apprenticeship Graduation planned for December 2020.

MONITORING AND EVALUATION

Routine Inspections & Follow-ups

A total of 390 inspections both routine and follow-ups was conducted during the reporting period. The inspections and follow-ups is to ensure the sustainability and continuous improvement of the program and to strengthen partnership between the Ministry and the industries that provides On the Job training and the practical component of the Apprenticeship Program. The KPIs for the Apprenticeship is detailed in Appendix 1 of this report under “**Output 5 Administration of Apprenticeship Scheme & Employment Services**”. Seventy eight (78%) percent of set target of combined routine inspections and follow-ups was achieved as other inspections was on hold due to the Measles epidemic and the COVID-19 pandemic which delayed the commencement of the Apprenticeship Training program.

Awareness Programs

The Ministry promoted its Apprenticeship, Employment and Labour Market core functions and various services during routine inspections, investigations and follow ups to workplaces and industries. Promotions was also done through public notices, advertisements, newspapers plus serving clients, enquiries and the public through phone calls, emails, face to face consultations plus other related forms of communication on a daily basis. Awareness programs such as the Industry Day and Job seekers training were postponed during the reporting period due to the restrictions of the Measles epidemic and the COVID-19 pandemic which have impacted on the Ministry’s budgeted activities and targets.

EMPLOYMENT AND LABOUR MARKET

EMPLOYMENT SERVICES

The number of jobseekers registered with the Ministry for the reporting period is 148 (online registration 129 & 19 internal). A reduction is noted in comparisons to the previous financial years depends mostly on the priorities and preferences of people looking for employment plus Samoa was heavily affected by the Measles Epidemic Outbreak and the COVID-19 restrictions.

About eighty seven (87%) of jobseekers were utilizing the ministry’s On Line System to search for jobs and the majority were women. The remaining percentage which is 13% of registered unemployed people were using manual system during the period under review.

LABOUR MARKET SURVEY 2019

The 2019 Labour Market Survey (‘LMS’) of the formal private and public sectors was conducted from April to July 2020. The LMS main focus is to extract more reliable data and comprehensive labor market information that will provide baseline to inform labour policies and to ensure alignment with national priorities to assist economic growth. The LMS covered 1,300 employers and 18,295 employees, 18% higher in comparison to the 2016 LMS of 720 employers with 13,044 employees.

Below is the summary of findings of the LMS 2019.

LMS 2019 RESPONSE RATE	932 of 1,300 employers (71%)
FORMAL PRIVATE SECTOR	
SIZE OF WORKFORCE	18,295 Employees
DISAGGREGATION BY SEX	11,160 (61%) Male; 7,135 (39%) Female.
DISAGGREGATION BY AGE	4% of the workforce are aged 15 to 19 years; 36% of the workforce are aged 20 to 29 years; 47% of the workforce are aged 30 to 49 years; 13% of the workforce are aged 50 years and above.
DISAGGREGATION BY INDUSTRY	28% employed in the “Wholesale and Retail Trade, Repair of Motor Vehicles and Motor Cycles” industry 13% employed in the “Accommodation and Food Service Activities” industry; 9% employed in the “Manufacturing” industry; 8% employed in the “Construction” industry; 35% employed in other industries.
DISAGGREGATION BY CATEGORY OF WORKER	25% of the workforce are categorised as “Service and Sales Workers”; 15% of the workforce are categorised as “Elementary Occupations”; 12% of the workforce are categorised as “Craft & Related Trade Workers”; 11% of the workforce are categorised as “Managers”; 11% of the workforce are categorised as “Professionals”; 10% of the workforce are categorised as “Technicians and Associate Professionals”; 9% of the workforce are categorised as “Clerical Support Workers”; 7% of the workforce are categorised as “Other Occupations”.
VACANCIES	There were 794 vacant positions reported during the survey: 183 (23%) in the “Wholesale and Retail Trade, Repair of Motor Vehicles and Motor Cycles” industry; 141 (18%) in the “Accommodation and Food Service Activities” industry; 77 (10%) in the “Administrative and Support Service Activities” industry; 74 (9%) in the “Financial and Insurance Activities” industry; 62 (8%) in the “Construction” industry; 61 (8%) in the “Manufacturing” industry; 42 (5%) in the “Education” industry; 154 (19%) in other industries.
STAFF TURNOVER	Total Recruitment amounted to 3,735 employees (2,339 male and 1,396 female) across all industries. Total Cessation amounted to 2,472 employees (1,539 male and 933 female) across all industries.
LOWEST WAGE PAYABLE	3,167 employees (17% of workforce) earn the lowest wage payable by employers, of which: 60% are male and 40% female; The majority of male earn minimum wage in the range of 2.61 – 3.60 tala; The majority of female earn minimum wage in the range of 2.31 – 2.60 tala. 32% (1,024 employees) are paid hourly wage in the 2.61 – 3.60 tala range; 24% (766 employees) are paid hourly wage in the 2.31 – 2.60 tala range; 18% (559 employees) are paid the minimum hourly wage of 2.30 tala; 24% (767 employees) are paid hourly wage of 3.61 tala and more; 2% (51 employees) are paid below the minimum hourly wage.

EDUCATION ATTAINMENT	4% of the workforce finished school in Primary level; 53% of the workforce finished school in Secondary level; 14% of the workforce have a TVET/PSET certification; 29% of the workforce finished Tertiary level education
BUSINESS FUTURE OUTLOOK	437 employers plan business expansion over the next two years; generating 2,556 new employment opportunities
PUBLIC SERVICE WORKFORCE	
SIZE OF WORKFORCE	3,997 Employees
DISAGGREGATION BY SEX	2,283 (57%) Female; 1,714 (43%) Male
DISAGGREGATION BY CATEGORY OF WORKER	82% are Permanent Officers; 10% are Contract Officers (including Chief Executive Officers); 8% are Temporary Workers and Wage Workers.
CONSOLIDATED FORMAL SECTOR WORKFORCE	
SIZE OF WORKFORCE	22,292 Employees (18,295 Formal Private Sector; 3,997 Public Sector)
DISAGGREGATED BY SEX	12,925 (58%) Male; 9,367 (42%) Female
EMPLOYMENT STANDARDS AND CONDITIONS	
AVERAGE WORKING HOURS	Average daily hours of work across different occupation groups is 8.06 hours. Average weekly hours of work across different occupation groups is 41.33 hours.
AVERAGE INDUSTRY EARNINGS	Highest average weekly earnings is in the “Manufacturing” industry with 1,445.15 tala Lowest average weekly earnings is in the “Agriculture, Forestry and Fishing Activities” industry with 138.99 tala
OCCUPATIONAL SAFETY AND HEALTH MATTERS	Evacuation Plans – 547 of 932 Employers are compliant (59% compliance rate) Provides Personal Protective Equipment – 424 Employers (45% compliance) Maintain Accident Register – 327 Employers (35% compliance)
DISCRIMINATION IN THE WORKPLACE	Fair Salary – 95% agree that they are compensated fairly; Gender Pay Parity – 94% agree that there is no gender pay discrimination; Fair Working Entitlements – 97% agree that their working conditions are fair. 99% of those surveyed disagreed to having any form of discrimination (sex, race, age, disability) in their workplaces.
ADDITIONAL INFORMATION	
SKILL SHORTAGE & TRAINING NEEDS	571 of 932 (61%) Employers identified skills shortage as a challenge for their businesses 2,709 Employees or 15% of the Formal Private Sector workforce need upskilling
EXPATRIATE EMPLOYEES	156 Employees were identified by Employers as having a Foreign Employee Employment Permit (FEPP). 111 of this 156 are Male; 45 are Female. Reasons for foreign hiring include: to coincide with company policies (foreign companies); the technical expertise needed for the work is not found locally; and in some cases employers are dissatisfied with the continuous dishonesty and poor attitudes of local employees.
GREEN JOBS	508 jobs (3%) in the Formal Private Sector workforce can be classified as Green Jobs

Source : Samoa Labour Market Survey 2019

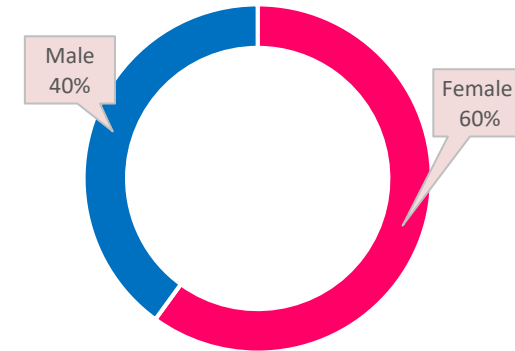
SECTION 2 HUMAN RESOURCE

MCIL EMPLOYEES AS AT 30 JUNE 2020

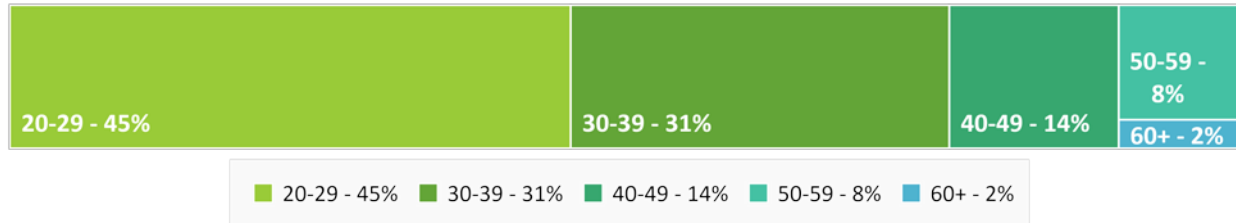
CATEGORY	FY19/20	FY18/19	FY17/18	FY16/17	FY15/16
Contract	12	10	10	9	9
Permanent	79	77	77	72	68
Term Employment	5	2	0	0	0
TOTAL	96	89	87	81	77
Vacant Positions					
Newly Established Positions	0	3	0	4	9
Vacant positions with Funds	5	7	5	7	5
Vacant positions with no funds	3	3	5	3	0
Total Established Positions	104	102	97	95	91

Sources: (i) MCIL Quarterly HR Reports; (ii) Organizational Structures

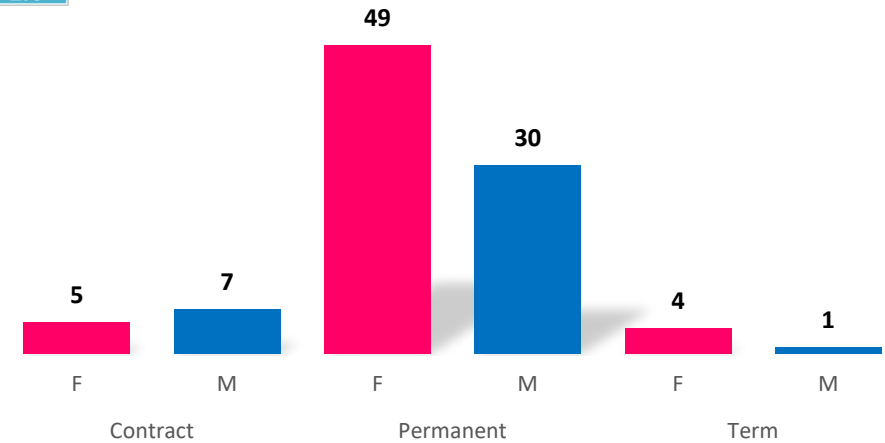
Gender



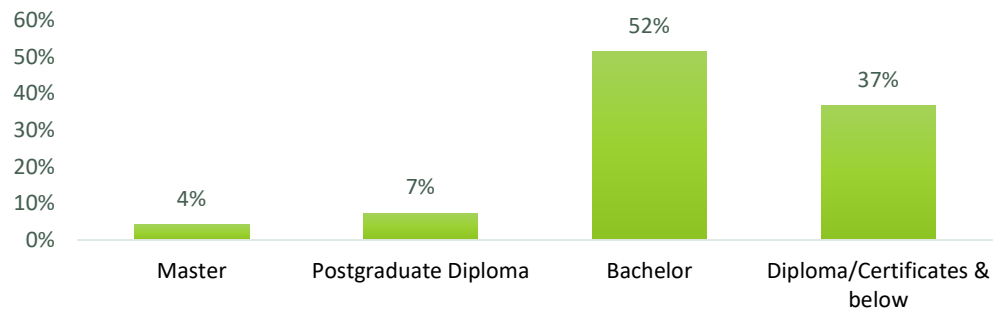
Age Profile



Employee Classification Level by Gender



Qualification Profile



Staff Development

The Ministry continues to support and encourage its staff members at their own cost and time to pursue further studies for professional and personal development. Twelve (12) staff members are pursuing higher qualifications at the National University of Samoa, 3 staff pursuing their bachelor's degrees and 9 completing their post graduate studies. With the expansion of our Information and Technology processes and systems, and the need to secure our data and information, we were fortunate to have our Principal ICT officer graduated with a Masters Degree in Cyber Security, from the University of Waikato in New Zealand under the NZ Scholarship.

Thirty eight (38) staff attended overseas training, (17 female and 21 males), and 9 staff attended in country trainings, (4 females and 5 males). In addition, one of our Intellectual Property staff members is currently undergoing a 12 months internship at the office of the World Intellectual Property Organisation in Geneva.

Internal Promotions

Twelve (12) staff members were promoted internally to various positions. The internal promotion of staff in the past 12 months was a result of staff development through on-the-job training, coaching, mentoring, up-skilling, job rotation and building confidence through involvement in meetings, conferences and public forums.

Internal Promotions	Total
Assistant to Officer	1
Officer to Senior	7
Senior to Principal	2
Principal to Contract Employee	2
Total	12

State of Emergency Special Leave in response to COVID-19 Pandemic

The normal operations of the Ministry was affected by the number of staff members that were granted Special Leave due to the SOE in response to the COVID-19 pandemic. Thirty six (36) staff members were on Special Leave with full pay and are categorized in the table below, as per PSC Circular Memorandum 2019/2020 – 22. The remaining staff continued to work to ensure the service to the stakeholders, clients and the general public was prioritized.

Special Conditions for Special Leave	Number of Staff
Employees aged 60 years and over	2
Employees with underlying medical conditions	16
Employees affected by the unavailability of public transportation to travel to work	14
Employees affected by the closure of schools and need to attend to their children	3
Employees who was on maternity in NZ and was stranded there due to borders closed	1
Total	36

SECTION 3 FINANCE

BUDGET OVERVIEW

Our activities are funded mainly by the Government appropriation and Donor Funded Programs. The funds appropriated for the Ministry by the Government in the reporting period were allocated into major budget categories;

- i. Outputs Delivered by the Ministry – funds for Personnel, Operations and Capital;
- ii. Outputs Provided by the Third Parties – funds for Government agencies and Private Sector Organizations;
- iii. Transactions on Behalf of State – funds for membership fees to international organizations, rent and leases and Government grants to the Private Sector.

DONOR FUNDED DEVELOPMENT PROJECTS

There are provisions in the Ministry's Forward Estimates for the reporting period for 3 Development Projects under the Donor Cash Funded budget category, in which the Ministry is one of the key implementing agencies. The managing of funds for these projects are with the Ministry of Finance.

- **The Labour Mobility Program** funded by the Government of Australia provides personnel support for a period of three (3) years (2019 – 2022) a total of SAT180,000.00 to fund the salaries including employer/employee contribution of two Senior Officers within the LEEP in particular the Seasonal workers program and PLS. In addition, additional funding received for the Pacific Labour Facility (PLF) of \$16,000 per annum for personnel support of two part timers who are assisting the PLF with reviewing and updating the register of workers under the PLS program.
- **The Private Sector Development Initiative Component One (PSDP-C1)** funded by the Government of New Zealand is a 5 year program which provide annual budget support of NZD20,000 (SAT\$34,934.50) for the administration/operation costs for the project through the Trade Commerce and Manufacturing Sector.
- **The Trade Sector Support Programme** funded by the Enhanced Integrated Framework ended in June 2020 with no cost extension to wrap up ongoing activities and projects was completed in August 2020 As reported in this report, a total of USD\$227,722 (SAT\$600,851) was mobilized under the TSSP for the Sector project management implementation.

REVENUE

Our Non Tax Revenue (NTR) sources are mainly fees and charges paid by third parties as mandated by our legislation under the following functions:

1. **Output 3 (Management of Industry Development & Investment Promotion)** - fees and charges for applications of Foreign Investment Certificates and Citizenship by Investment Program (CIA);
2. **Output 4 (Enforcement of Fair Trading Standards)** – fees and charges for verification and calibration of scales, weights and petrol pumps;
3. **Output 5 (Administration of the Apprenticeship Scheme)** – registration fees for new entrants into the Apprenticeship Program and Trade Testing Scheme;
4. **Output 8 (Registration of Companies & Intellectual Properties)** – fees and charges for maintaining the various registries under the Ministry such as companies, other entities, and intellectual properties;

Total revenue collected was \$378,456.00 (73%) more than the target revenue collection for the reporting period (refer **Table 1** below). This is mainly due to:

- i. 8% of NTR collected are fees and charges for applications of foreign investment certificates which have exceeded the target of \$10,000; no applications for the CIA Program received during the reporting period which contributed to the low collection;
- ii. 77% of NTR collected are fees and charges for verification and calibration of scales, weights and petrol pumps;
- iii. 99% of NTR collected are registration fees for the Apprenticeship and Trade tests;
- iv. 285% of NTR collected are fees and charges of registries for companies, other entities and intellectual properties. Since Samoa acceded as a member of various agreements and treaties (Madrid Protocol & Hague) under the auspices of the World Intellectual Property Organisation, international fees collected accounts for 58% of NTR collected for the Registries of Intellectual properties alone.

NON-TAXATION REVENUES	Actual 2020 SAT\$	Target 2020 SAT\$	% Collect	Actual 2019 SAT\$
1530 - Management of Investment Promotion & Industry Development	15,210	181,000	8%	66,545
1540 - Enforcement of Fair Trading and Codex Development	17,985	23,475	77%	24,288
1550 - Administration of Apprenticeship Scheme & Employment Service	14,876	15,000	99%	10,070
1580 - Management of Registries of Companies & Intellectual Properties	849,809	300,000	284%	395,031
1691 – CSU	50	0	0	0
TOTAL	897,930	519,475	173%	570,428

Table 1 Non Tax Revenue 2019-2020 subject to audit (extract: Finance One Transaction Listing for Receipts 30 June 2020)

EXPENDITURE

For the reporting period, the final estimated total appropriation was higher by 4% than the original appropriation approved in the beginning of the reporting period. This is due to additional funds provided for under the Unforeseen Expenditure budget (SAT\$183,968) and the First Supplementary budget (SAT\$64,055) for the operations of the Samoa Liaison Officer's office in Australia established in July 2019 for the seasonal workers program. Of the \$20,169,091 million tala approved at the beginning of the reporting period, 99% was utilized for the various operations of the Ministry as per **Table 2** below.

	Actual 2020 SAT\$	Estimate 2020 SAT\$	Funds Remain SAT\$	Actual 2019 SAT\$
Outputs Delivered by Ministry	4,806,610.00	4,877,505.00	113,079.00	4,412,805.00
Outputs Provided by Third Parties	13,763,582.00	13,763,582.00	0.00	12,416,895.00
Transactions on Behalf of the State	1,338,325.00	1,485,821.00	147,496.00	1,326,395.00
TOTAL APPROPRIATION	19,908,517.00	20,169,091.00	260,574.00	18,156,094.00

Table 2 Appropriation Estimates 2019-2020 :subject to audit

Our largest areas of spend are on personnel which accounts for 78% of our Annual budget appropriation for FY19/20 as reflected in **Table 3** below. Majority of funds remain for Outputs delivered by the Ministry derived from Personnel i.e. salaries of vacant positions that were filled later in the reporting period, board allowances for sitting allowances of ministry boards on hold due to COVID-19 restrictions which were later held in the final six months of the reporting period and employer contributions.

PERSONNEL COST	Actual 2020 SAT\$	Actual 2019 SAT\$
Salaries	3,401,426.00	2,894,847.00
Salaries Overtime	1,974.00	4,425.00
Employer Contribution	317,156.00	238,865.00
Permanent allowances	4,258.00	3,998.00
Temporary Allowances (Higher Duties, Examiners, Others)	162,961.00	71,159.00
Employee Benefits (Long service, resignations)	42,903.00	14,840.00
End of contracts (Senior Executive & Contract Officers)	33,440.00	29,272.00
Board and Committee Allowances	55,692.00	46,596.00
TOTAL PERSONNEL COSTS	4,019,810.00	3,304,002.00

Table 3 Personnel Costs 2019-2020 unaudited (extracted from Finance One System)

ASSETS

By the end of the reporting period, the Ministry have procured assets funded from savings and Cabinet approved worth \$101,245 for new staff, vehicle for our Liaison officer in Australia as well as replacements for written off assets due to wear and tear, damaged conditions and equipment that no longer fit for use due to their useful life. Similar assets are grouped in Categories as per **Table 4** below. These assets are used for more than one year and asset stock take are carried out to ensure they are labelled, and accounted for during the reporting period.

Asset Category	Amount SAT\$
Furniture and Fittings	3,160.00
Computers & Equipment	840.00
Motor Vehicle	46,278.00
Office Equipment	50,967.00
TOTAL ASSETS PROCURED 2019-2020	101,245.00

Table 4 Assets procured 2019-2020 subject to audit (Public Accounts 2019-2020)

MINISTRY OF FINANCE



STATEMENT OF CERTIFICATION

The Statement of Receipts and Payments, Schedule 2 and accompanying notes/information from other schedules of the Public Accounts on assets (fixed assets and account receivables) and payables for financial year ended 30th June 2020 form part of the Financial Statements for the Ministry of Commerce, Industry and Labour. These are drawn up in accordance with the reporting requirements of the Public Financial Management Act 2001 and Amendments, Part XIV, Financial Reporting and International Public Sector Accounting Standard (IPSAS).

As required by PFM Act 2001 and Amendments, Section 110, Ministry of Finance hereby certifies that the attached Financial Statements for Ministry of Commerce, Industry and Labour are based on unaudited results for the year ended 30 June 2020, as reflected in the accounting records of the Ministry of Finance for the Treasury Fund.

On behalf of the Government of Samoa.

A handwritten signature in blue ink, appearing to read 'Oscar Malielegaoi'.

Leasiosiofa'asisina Galumalemana M. Oscar Malielegaoi
Chief Executive Officer

Date: 15 / 10 / 20

GOVERNMENT OF SAMOA

SCHEDULE 2.5

STATEMENT OF MINISTRY RECEIPTS BY REPORTING CATEGORY
AND EXPENDITURE BY OUTPUT
APPROPRIATION ACCOUNT
for the financial year ended 30 June 2020

	Notes	2020 \$	Original Estimate \$	Final Estimate \$	(Over)/Under \$	2019 \$
COMMERCE, INDUSTRY & LABOUR						
RECEIPTS						
Ordinary Receipts						
Other Revenues						
Fees & Other Charges		897,930	519,475	519,475	(378,456)	571,824
TOTAL RECEIPTS		897,930	519,475	519,475	(378,456)	571,824
PAYMENTS						
Outputs						
1.0 Policy Advice to the Responsible Minister		910,027	881,907	920,407	10,380	827,554
2.0 Seasonal Employment Unit		545,403	573,904	581,103	35,700	350,525
3.0 Management of Investment Promotion & Industry		588,065	610,844	599,844	11,779	542,486
4.0 Enforcement of Fair Trading and Codex Development		721,812	722,300	722,300	488	726,250
5.0 Administration of Apprenticeship Scheme & Employment Services		529,395	558,671	558,671	29,277	538,010
6.0 Enforcement of Labour Standards & Work Permits		531,554	558,776	555,776	24,222	488,429
7.0 Enforcement of Occupational Safety & Health Standards		311,911	313,382	313,382	1,470	301,505
8.0 Management of the Registries of Companies & Intellectual Properties		668,443	657,722	668,206	-237	638,045
Total Outputs		4,806,610	4,877,504	4,919,688	113,079	4,412,805
Third Party Outputs						
Samoa Tourism Authority (STA)		13,263,582	13,010,582	13,263,582	(0)	11,966,895
Samoa Business Enterprise Centre (SBEC)		450,000	450,000	450,000	0	450,000
Samoa Chamber of Commerce		50,000	50,000	50,000	0	0
Total Third Party Outputs		13,763,582	13,510,582	13,763,582	(0)	12,416,895
Transactions on Behalf of State						
Membership Fees						
International Labour Organisation		11,019	11,142	11,142	124	9,752
International Organisation for Consumer Union		1,399	6,200	6,200	4,801	1,305
World Intellectual Property Organisation(WIPO)		8,258	12,000	12,000	3,742	7,617
World Association of Investment Promotion Agency		14,179	15,500	15,500	1,321	13,706
United Nations Industry Development		2,044	11,560	11,560	9,516	0
Corporate Registry Forum		1,115	1,565	1,565	450	1,102
Competition Commission		15,000	15,000	15,000	15,000	4,779
		38,013	72,967	72,967	34,954	38,262
Government Policies / Initiatives						
Contribution to Private Sector		200,000	200,000	200,000	0	200,000
Apprenticeship Training Provider (NUS)		140,560	178,000	178,000	37,440	142,080
Exporter of the Year Awards - SAME		10,000	10,000	10,000	-0	0
		350,560	388,000	388,000	37,440	342,080
Rents and Leases						
ACB Building Rent/Lease		697,458	704,977	704,977	7,519	693,454
Rent - Fair Trading Division Office in Savaii		4,070	5,616	5,616	1,546	5,352
Rents & Leases for Home and Office of the Samoa Liaison Officer (NZ) for RSE		55,908	58,312	58,312	2,404	52,080
Rents & Leases for Home and Office of the Samoa Liaison Officer (Australia) for RSE		15,544	0	15,544	0	0
		772,979	768,905	784,449	11,470	750,885
VAGST Output Tax		176,772	234,077	240,405	63,632	195,167
Total Transactions on Behalf of State		1,338,325	1,463,949	1,485,821	147,496	1,326,395
TOTAL PAYMENTS - COMMERCE, INDUSTRY & LABOUR		19,908,517	19,852,035	20,169,091	260,574	18,156,094
RECEIPTS OVER PAYMENTS		(19,010,586)	(19,332,560)	(19,649,616)	(639,030)	(17,584,271)

GOVERNMENT OF SAMOA

SCHEDULE 2.5

**STATEMENT OF MINISTRY RECEIPTS BY REPORTING CATEGORY
AND EXPENDITURE BY OUTPUT
APPROPRIATION ACCOUNT
*for the financial year ended 30 June 2020***

GOVERNMENT DEVELOPMENT PROJECTS

<i>Notes</i>	2020	Original Estimate	Receipts	Payments	Opening Balance
	\$	\$	\$	\$	\$
Grants - GDP					
Enhanced Integrated Framework Trade (UNDP)	543,267	0	29,047	540,605	1,054,863
Samoa Private Sector Development Programme (NZ)	51,691	35,504	35,267	19,290	35,713
Assistance to Support the Labour Mobility Unit of Samoa (AusAid)	115,432	83,267	183,640	67,990	0
TOTAL GOVERNMENT DEVELOPMENT PROJECTS	710,389	118,771	247,954	627,885	1,090,576

Additional Information to Accounts:

Schedule 4 - Unforeseen Expenses

Revised Budget	183,968
Actual Payments incurred during the financial year	175,953

Schedule 9 - Fixed Assets

Opening Balance as at 1st July 2019	1,666,154
Additional Assets purchased during the financial year	101,245
Assets Disposed/Written-Off during the financial year	367,056
Closing Balance of Ministry's Fixed Assets as at 30th June 2020	1,400,343

Appendix 1 FULL YEAR REVIEW OF PERFORMANCE INDICATORS/MEASURES 2019 -2020

Output 1 : Policy Advice to the Minister of Commerce, Industry & Labour

Output Performance Measures, Standards or Targets

Performance Measure/Indicator	2019-20		Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken
	Budget Standard or Target	Traffic Light Progress Indicator	
Dates by which Annual Report 18/19 is submitted to Cabinet and Parliament	(i) Cabinet by October 2019, (ii) Parliament by December 2019	Achieved	(i) Annual Report 18/19 submitted to Cabinet in October 2019 (ii) Approved for submission to Parliament ref: FKK(19) LL12 12 in December 2019. Report was discussed with the Economic Sector Committee in February 2020. Committee report issued for Ministry's comments in April 2020
Dates by which the Annual HR report for PSC and Procurement report for MOF submitted	1st Report (Apr-Jun'19) - July 2019 2nd Report (Jul-Sept'19) - Oct 2019 3rd Report (Oct-Dec'18) - Jan 2020, 4th Report (Jan-Mar'19) - Apr 2020	Achieved	All reports were submitted to PSC and MOF as per time plan
Share of Commerce and Manufacturing Sector to the National Gross Domestic Product	40% of GDP	Partially achieved	Partially Achieved – 38% Samoa's GDP for FY2019/20 is estimated at SAT\$ 1.94 billion (estimate includes 3% contraction) and disaggregated as follows: Commerce Sector (32.5%); Financial Services (10.6%); Agriculture (8%); Fisheries (1.4%); Utilities (2.9%); Public Administration (7.3%); Manufacturing, including food and beverages manufacturing (5.5%); and other Sectors accounting (31.8%).
Number of opinions/advice on legal or policy matters provided on all issues, contracts and legislation related to Commerce, Industry and Labour	100 advice/opinions (verbal and written) by end of June 2020	Achieved	Target achieved for the reporting period

Output 2 : Seasonal Employment Unit

Output Performance Measures, Standards or Targets

	2019-20		
Performance Measure/Indicator	Budget Standard or Target	Traffic Light Progress Indicator	Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken
Number of workers screened and deployed: New Zealand Australia	NZ - 1700; Australia - 400	Achieved	<p>(i) NZ/RSE: 2409; PTP/NZ: N/A; AIP/NZ: 327;</p> <p>(ii) SWP/AUST: 519; PLS/AUS:168</p> <p>Despite exceeding set targets compared to the previous FY, Samoa's participation in temporary labour mobility schemes was severely affected by the global pandemic, COVID19, as international travel came to a halt and border closures meant restricted mobility for workers. Forecast by LEEP estimates that between 600-700 workers would've been recruited for the March-June period, however border closures meant foregoing those opportunities in NZ and Australia was inevitable. Note: There are no figures for PTP /NZ for FY19/20 as recruitment for the programme is done annually as opposed to other schemes.</p>
Number of Employers recruiting from Samoa: New Zealand Australia	NZ - 40; Australia - 7	Achieved	<p>(i) NZ (Combined): 57; (ii) Australia (Combined): 11;</p> <p>In spite of COVID 19, there was a noted increase in the number of employers recruiting from Samoa for NZ (denoting increased employer confidence and interest to use Samoa as their preferred labour source destination). For Australia, 2 SWP employers had their recruiting privileges deferred for FY 19/20 whilst undergoing an official inquiry.</p>
Capacity building: Number of trainings, site visits secondment for staff	10	Incomplete	<p>Total Capacity Building:</p> <p>A lot of the proposed capacity building activities, especially secondment/site visits were deferred due to border closures and also as other activities were given priority. There are however plans to defer them for the upcoming FY especially given important reforms to LEEP's divisional structure which saw the recruitment of ACEO, 2 Senior Personnel (and 1 Principal Officer pending). This will bring the total number of permanent staff to seven (7) - the most number of personnel since the division's inception in 2011.</p>

Number of pre-departure orientations and debriefings conducted for workers.	200	Incomplete	75 smaller groups PDOs and debriefings and 2 combined PDOs in November 2019 and in February 2020 for both Australia and NZ. All other PDOs planned were on cancelled due to COVID-19 restrictions and international borders for NZ and Australia on lockdown.
Liaison Officer (NZ based): Number of monthly reports submitted to CEO and Unit.	12	Achieved	18 reports submitted by the Liaison Officer (NZ) who commenced duties in January 2020
Conflict Resolution: Percentage of grievances received by the Division efficiently managed and resolved in accordance with policies and processes in place	90%	Achieved	All matters and grievances received and recorded by LEEP during the FY were resolved within the appropriate timeframe (i.e) no outstanding cases deferred. Most cases were resolved by LEEP in consultation with liaison officers, however, complicated matters were overseen by ACEO of LEEP and LEGAL.
Percentage of overall administrative /operational work conducted utilizing website and Electronic Labor Mobility System (ELMS) Database such as update registration database	70%	Achieved	Work ready pool for NZ and Australia are up to date for upcoming recruitment as soon as the international borders are opened for NZ and Australia.
2 policies to be developed and approved by the LEEP Committee by December 2019	Labour Mobility Policy and the LEEP Operations Manual	Achieved	The Review of the Labour Mobility Policy and LEEP Operations Manual is completed but the LEEP Committee has not been able to convene since March 2020 due to COVID-19 SOE restrictions
Satisfaction of employers and other agencies with Division's service delivery as measured by findings from end of season survey.	1	Incomplete	Deferred to next FY as LEEP reviews content and format of survey to reflect the changing priorities as set out in the LEEP Strategic Plan 2019-2023. That being said, LEEP has officially launched and/or reviewed other key documents and projects closely linked to its service delivery. This includes but not limited to: Labour Market Intelligence Report (2019), MOU with Samoa Business Hub for delivery for pre-departure and reintegration training (2019), Workers Agreement (2020),

Output 3: Management of Investment Promotion & Industry Development

Output Performance Measures, Standards or Targets

Performance Measure/Indicator	2019-20		
	Budget Standard or Target	Traffic Light Progress Indicator	
<p>Private Sector Development/Assistance Schemes:</p> <p>i. Number of new applications received, approved & declined under the Duty Concession Scheme (Tourism, Manufacturing & Aviation Transport Developments);</p> <p>ii. Number of new applications received, approved and declined under the Code 121 Scheme (Commercial Manufacturers - Agricultural, Handicraft, Elei and garments; Commercial Poultry Farmers);</p> <p>iii. Number of new applications received and approved for a Grant under the Private Sector Organisation (PSO) Grant Scheme.</p>	(i) DCS - 12; (ii) Code 121 - 3; (iii) PSO Grant - 12	Achieved	<p>i) Duty Concession Scheme = 52</p> <ul style="list-style-type: none"> • New applications received – 9; Applications approved – 5; Applications declined – 2; Applications pending decision by the Investment Committee – 2 • Applications for extension received & declined – 2 • Applications for additional goods – 41; applications approved-39; application declined-1 ; pending decision by the Investment Committee-1 <p>ii) CODE 121 = 3</p> <ul style="list-style-type: none"> • New applications received – 3; applications approved – 2; applications await more information – 1. <p>CODE 121- COVID-19 STIMULUS PACKAGE</p> <ul style="list-style-type: none"> • New applications received – 4; applications approved-2; applications await more information-2 <p>iii) PSO Grant - 12</p>
<p>Foreign Investment and Citizenship Investment Registrations:</p> <p>i. Total number of new, renewals and amendment applications received & approved for Foreign Investment registrations;</p> <p>ii. Total number of Citizenship Investment applications received, assessed and approved by the Citizenship Investment Committee</p>	(i) 100 new, renewals and amendments; (ii) 1 application receive and assess for the Citizenship by Investment Program	Achieved	(i) Total of 250 applications received; new applications approved - 45; applications for renewals - 139; applications for amendments - 66; (ii) Citizenship by Investment Program - 2 applications received; 1- await further information, 1 - pending decision by the CI Committee

<p>Policy & Legislative Review Projects: Date by which: (i) Development of a National Industry Development Strategy (NIDS) & Micro Small Medium Enterprises (MSME) Policy is finalised and implemented; (ii) Review of the Scope of the Duty Concessions Scheme (DCS) and necessary amendments to the Customs (Manufacturing & Tourism Developments) Regulations 2010; (iii) Completion of the Project on the Review of the Foreign Investment Act 2000 and its Regulations; (iv) Review of current Processes, Guidelines and relevant Criteria pertaining to the Citizenship Investment Act 2015; (v) Review of the PSOs Grant Scheme eligibility Criteria and total funds approved by Cabinet for Disbursement.</p>	<p>By 30 June 2010</p>	<p>Incomplete</p>	<p>(i) IN PROGRESS - MSME Policy: September 2019 - consultative process with stakeholders; 22/1/20 – National Validation Workshop to present the Draft MSME policy presented to stakeholders for comments; 14/2/20 - Final draft completed; 21/5/20 - TCI Board approved the Policy on 21/5/20 and was referred to the National Policy Coordination Committee (NPCC-MPMC) before submission to Cabinet for approval. NIDS: to commence in FY20/21 pending the completion of the MSME Policy. (ii) Review of DCS is ongoing process. Amendments to the Regulations which expand the scope to Agriculture and Fisheries projects came into effect on 28/10/19. (iii) Review of the FIA on hold to await the completion of the Review of the Restricted and Reserved Lists (iv) Review of the Citizenship by Investment Program - discussion underway for review with funding from DFAT. (v) COMPLETED: Review of the PSO Grant eligibility criteria on going with increased approved funding from \$200k to \$250k</p>
<p>Enforcement: (i) Percentage of foreign investors complying with the requirements of the Foreign Investment Act (FIA) 2000 & Citizenship Investments Act 2015 (based on monthly monitoring/enforcement site visits); (ii) Percentage of DCS and Code 121 recipients complying with the requirements of the Customs (Manufacturing & Tourism Developments) Regulations 2010 and the Customs Tariff Amendment Act 2008 (based on quarterly monitoring/enforcement site visits)</p>	<p>90%</p>	<p>Achieved</p>	<p>(i) Out of the 110 FIEs inspected, only 23 were confirmed active while the other 87 were confirmed non-active and therefore, were deregistered. Out of the 23 active FIEs inspected, 39% were found fully compliant, while 61% were found partially compliant. The target is still considered achieved given the higher percentage of inspected FIE's were confirmed closed down. (ii) 2 Inspections were conducted during the year in both Upolu and Savaii to beneficiaries of the DCS and Code 121 Schemes. 69% (9/13) of inspected DCS beneficiaries were deemed fully compliant. 31% account for 4 qualifying projects at various stages of operation: 1 has not operated since approval of its DCS eligibility with the business closed down, 1 has yet to commence its manufacturing operations, 1 has already ceased operations without informing either MCIL or MCR and 1 has yet to utilize its DCS eligibility. For Code 121, 79% (11/14) of beneficiaries inspected were deemed compliant and 21% (3/14) no longer utilize the Scheme for duty assistance.</p>
<p>Trade, Commerce and Industry Board (TCID): Total number of TCID Board meetings on private sector issues</p>	<p>4</p>	<p>Incomplete</p>	<p>Two Meetings of the TCI Board were convened during this FY. The target of 4 meetings would have been achieved, if not for the State of Emergency restrictions associated with the Measles Epidemic in the latter part of 2019 and the COVID-19 in 2020.</p>

<p>Public Awareness Programmes: Total number of Public Awareness programmes conducted on all Private Sector Development Assistance Schemes, Foreign Investment Sectors and the Citizenship Investment Program - to be conducted on tv/radio/newspaper and with various private sector associations.</p>	6	Achieved	A total of ten (10) Awareness Programs were conducted during the reporting period including 3 ONEMCIL Awareness Programs (2 Upolu, 1 Savaii), one (1) presentation at the NZSTIC & NZPBC Business Mission, 1 presentation at the UNESCAP 'Catalyzing Women Entrepreneurship' Workshop, 1 presentation at the MNRE's IPP Workshop, 1 presentation at the China Business Seminar, 1 Booth at the China Export Ready Companies, 1 Booth at the Side Events for the Pacific Regional Energy & Transport Ministers Meeting (PRETMM) and 1 Booth at the SQA National Career Day.
<p>Annual Reporting Date by which the (i) Annual Foreign Investment Report and (ii) Duty Concession Scheme Report completed and submitted to the Minister of Commerce Industry & Labour;</p>	<p>(i) Annual Foreign Investment Report - by 24 December 2019; (ii) Duty Concession Scheme Report - by 30 June 2020</p>	Achieved	<p>(i) Annual Foreign Investment Report was submitted to the Minister on 24/12/2019. (ii) DCS Report for FY2019/2020 being finalized for submission to the Minister.</p>
<p>Review of Investment Promotional Tools: Date by which (i) A number of foreign investment promotion activities and tools developed are updated (e.g. use of social media such as Facebook, updated video clip on website and investment promotion missions conducted) (ii) Annually review the National Investment Policy Statement (NIPS), Samoa Investment Guide (SIG), Samoa Investment Promotion Video and the Investment Sector Profiles, are completed to ensure updated information is made available to potential investors.</p>	<p>(i) Foreign Investment Tools - by 24 December 2019; (ii) NIPS, SIG and Promotional Video - by 30 June 2020</p>	Achieved	<p>(i) Three (3) promotional activities were undertaken during the reporting period including participation in the Pacific Exposition in Auckland NZ, Seminar on Trade and Investment Facilitation in Beijing China, and the Korea-Pacific Business Seminar in Nadi Fiji, 2 promotional tools were also updated in June 2020 including the English and Chinese versions of the Setting up Business Brochures (ii) Review of the NIPS & SIG completed. The Investment Video is still being reviewed to ensure the standard for promotion is reached for enticing more foreign investors</p>

Output 4: Enforcement of Fair Trading & Codex Development

Output Performance Measures, Standards or Targets

Performance Measure/Indicator	2019-20		Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken
	Budget Standard or Target	Traffic Light Progress Indicator	
Number of food safety standards to be developed and approved by the National Codex Committee. Food Standards to be enforced by MOH.	2	Incomplete	A proposed draft of the Regional standard for Fermented Noni Fruit Juice and Regional standard for Ava will be submitted to the Committee for adoption
Percentage of trader compliance in using accurate weighing and measuring equipment (mass, volume and length) in accordance with the Metrology Act 2015, for the protection of consumer interest.	90%	Achieved	90% of traders inspected complied with the metric units applied for trading purposes. All 24 Petrol Service Stations for both Upolu and Savaii were adjusted on a monthly basis and calibrated twice in the financial year. The renewal of business license for selling scales has continued together with the verification and inspections of weighing instrument (scales)
Number of Samoa Competition and Consumer Commission Meetings on competition and consumer issues	6 meetings	Achieved	6 meetings including online meetings during the Measles epidemic and COVID-19 pandemic were held within the reporting period.
Percentage of trader compliance in the obligations under the Competition and Consumer Act 2016	90%	Achieved	90% of traders compliance. Out of 822 traders, 740 traders complied. Non complied traders were given verbal warnings and monitored by follow up inspection.
Percentage of complaints received from traders on anti-competitive practices and/or resolved as per Competition and Consumer Act 2016	90%	Achieved	100% of all complaints received were resolved. A total of 24 complaints received and resolved
Number of awareness programs on Competition and Consumer Act 2016 and Metrology Act 2015	4	Achieved	7 awareness programs; four engagement programs and 3 advertisements published on television, radio and on social media.
Percentage of complaints and enquiries received and/or resolved by Upolu and Savaii offices per year.	90%	Achieved	A total of 176 both enquiries and complaints received in Upolu office for this financial year. 127 enquiries and 49 complaints received, all has been resolved. For Savaii, a total of 302 complaints and enquiries received related to fair trading (84), industrial relations, registry of companies, job seekers (218). All were resolved and referred to main office in Upolu on a daily basis.
Number of Consumer Information Guide (brochure or video) to be developed on specific products or services for protection on Consumer	3	Achieved	(i) 3 information guides have been developed; (ii) National Standard SNS4766: 2019 (iii) Polythene storage tanks for water and chemicals, (iv) Promotional video on consumer rights (construction of a house), (v) Revised Refund policy brochure.

Output 5 : Administration of Apprenticeship Scheme & Employment Services

Output Performance Measures, Standards or Targets

	2019-20		
Performance Measure/Indicator	Budget Standard or Target	Traffic Light Progress Indicator	Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken
Apprenticeship Training Scheme: (i) Number of new apprentices enter the program FY19/20 (ii) Number of existing Apprentices (iii) Number of Apprentices terminated	i. New apprentices -60 ii. Existing Apprentices - 90 ; iii. Apprentices Terminated - 4	Partially achieved	(i) 59 new apprentices entered the Program for 2019-2020 (ii) 62 Existing Apprentices; (iii) 14 Apprentices Terminated
Number of inspections for Apprentices to ensure full compliance of parties involved in the Apprenticeship Scheme: (Inspections/Follow Ups)	Inspections - 300 Follow Ups - 200	Achieved	Routine inspections 171. A reduction is noted due to staff movement and COVID-19 219 Follow-ups inclusive f/ups on candidates for trade tests exams
Number of training and awareness programs to increase the employability of local trades people	2 (1-Savaii, 1-Upolu)	Incomplete	No Awareness programs due to unavoidable circumstances. Ongoing dissemination of relevant notices and information using other forms of communication such as online systems, public notices and face to face interactions when serving enquiries, social media and the Ministry's website
Number of Apprenticeship Council Meetings	4	Incomplete	3 Meetings were held on 11 October 2019, 21 January 2020 and 13 February 2020
Number of Samoa National Employment Policy Taskforce meetings	4	Incomplete	No meetings held during the reporting period as resources were reprioritized in the Coding and analysis of the data for the Labour Market Survey 2019 to ensure all data are tabulated, analyzed and confirmed for the report.
Number of Trade Tests conducted for FY19/20	2	Achieved	2 Trade Tests conducted: (i) Carpentry and Joinery Grade 1 - 9 candidates passed (ii) Welding and Fabrication Grade 2 - 16 candidates passed

Percentage of graduates from the: (i) Apprenticeship Scheme (Year 4) and (ii) Trade Tests:	i. Apprenticeship Training Scheme - 80%-90%; ii. Trade Tests Scheme - 90%-100%	Achieved	(i) 91% graduated Apprenticeship Training Scheme; (ii) 100% graduated Trade Tests
Number of Meetings with Training Provider and Employers, mitigating challenges and suggest way forward for improvement of the Apprenticeship Scheme	4	Achieved	More than 4 meetings held with Training Provider, key stakeholders such as SQA and Industries
Employment Services Number of Jobseekers:			
(i) Registered on LMIS and in Person	Registered: 100	Achieved	129 Jobseekers registered
(ii) Percentage Refer to Employers for assessment	Referrals: 70%-80%	Achieved	80% referred to employers for their assessment
(iii) Successfully completed Jobseekers Training	Jobseekers trained: 100	Incomplete	No jobseekers training conducted as planned due to restrictions of the Measles and COVID-19 were eased.
Number of half yearly employment survey returns collected from employers	450-500	Achieved	Survey was conducted in parallel with the Labour Market Survey 2019
Number of Jobseekers Trainings conducted	2 Trainings by end of June 2020 (1-Upolu, 1-Savaii)	Incomplete	No Trainings took place as scheduled due to restrictions of the Measles and COVID-19

Output 6 : Enforcement of Labour Standards and Assessment of Work Permits

Output Performance Measures, Standards or Targets

	2019-20		
Performance Measure/Indicator	Budget Standard or Target	Traffic Light Progress Indicator	Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken
Relevant labour standards that protect the rights of workers and improve productivity of employers	<ol style="list-style-type: none"> 1. Complete Phase 2: drafting of the LERA by December 2019 2. Awareness and trainings of key stakeholders on revised LERA by December 2019 3. A 6 month lead-in period for the LERA to come into force upon approval of Parliament to ensure smooth transition to a new legal framework by June 2020 4. Develop Working Conditions Manual for provisions of the LERA and Regulations by June 2020 	Incomplete	<ol style="list-style-type: none"> 1. Await the Certificate of Approval from the Attorney General's office before submission to Parliament 2. Awareness and trainings await approval of Bill. 3. On hold until LERA is passed 4. The Working Conditions Manual first draft is to be reviewed to include new provisions of Bill.
Enhance understanding and an informed employers and employees on labour legislation and best practices through effective awareness-raising initiatives	<ol style="list-style-type: none"> 1. Conduct 2 Public Awareness on Working Terms and Conditions of the LERA and Regulations in Upolu and Savaii to cover the following areas: <ol style="list-style-type: none"> 1.1 promoting written employment agreements at the commencement of an employment relationship; 1.2 exploitation of workers (particular in domestic employment arrangement) 1.3 forced labour (particular in Child Labour and Forced Labour) 1.4 rights and obligations 	Achieved	<p>Conducted 4 awareness programs.</p> <ol style="list-style-type: none"> i. ONE-MCIL Awareness at Falelatai District on 26th August. ii. ONE-MCIL Awareness at Poutasi District on 28th August. iii. ONE-MCIL Awareness at Satupaitea & Palauli District on 2nd September. iv. Public Awareness on LERA and MW for Savaii on 21st February 2020. <p>Conducted 3 one-on-one sessions:</p> <ol style="list-style-type: none"> i. NUS on 16th August 2019 ii. SSFA on 19th September to clarify provisions of the LER Act. iii. Taumeasina Resort on 4th February 2020 <p>ISSUES AND ADVICE DATABASE</p> <ul style="list-style-type: none"> • 649 Issues received and advises given by the Ministry

			from Jul 2019- June 2020, 21% proceeded to a formal employment grievance lodgment.
Strengthen Samoa National Tripartite Forum social dialogue on national decent employment policy issues and/or interventions pertaining to labour and employment standards for sound decision making	<ol style="list-style-type: none"> Quarterly Reports submitted on labour and employment matters and progress of work carried out by key stakeholders Effectively implementation of C144 Consultation Tripartite Convention on International Labour Standards by June 2020 MCIL to contribute to 50% achievement of the DWCP by June 2020 Conduct at least 6 SNTF meetings by June 2020 	Incomplete	<ol style="list-style-type: none"> Quarterly reports were submitted on time (1st week of every 1st month of each quarter) Continuous dialogue in SNTF meetings for the implementation of C144 The review of the Decent Work Country Program is postponed until further notice 3 Meetings Conducted due to Measles and Corona Pandemic. No meetings could be held during final 6 months given SOE restrictions
Implement relevant ILO International Labour Standard that promote decent work in Samoa	<ol style="list-style-type: none"> Complete the ratification process for C81 Labour Inspectorate Convention by December 2019 Complete the ratification process for C189 Domestic Workers Conventions by June 2020 	Incomplete	<ol style="list-style-type: none"> Ratification of C81 to be postponed until LERA Bill came into effect. Ratification of C189 has been put on hold until the LERA comes into effect
Compliance of Samoa's labour legislation increase by 5%	<ol style="list-style-type: none"> Resolve and close 80% - 90% of employment grievances by June 2020 	Achieved	<ul style="list-style-type: none"> 138 grievance cases. 125 employment grievances settled 13 more cases in progress. 91% level of compliance.
Improve data collection within the formal economy	<ol style="list-style-type: none"> Accurate reporting of business profile in OneMCIL database Accurate analysis and reporting of the Labour Market Survey and Labour Force Survey for informed policy recommendations to Cabinet. 	Achieved	The Labour Market Survey and Labour Force Survey are completed
Number of foreign employment permits are assessed and issued in line with the labour workforce demand and supply and the requirements of the LERA Act 2013	500 FEEP applications assessed and issued in line with the FEEP Policy by June 2020	Incomplete	379 applications were received and assessed by the Ministry. The shortfall is directly attributed to the impact of COVID 19 and SOE measures which saw significant drop in foreign employee applications received since March.

Improve compliance level by 5% in the implementation of LERA and Regulations to ensure relevant terms and conditions within workplaces	<ol style="list-style-type: none"> 1. Conduct and complete 3 M&E to at least 150 businesses/organisation/companies by June 2020 2. 80% of employers inspected actively implement MCIL recommendations to ensure compliance with provisions of the LERA and Regulations by June 2020 	Achieved	<ol style="list-style-type: none"> 1. 4 Joint M&E Conducted during FY 19/20 (IR & IDIP) 2 M&E under JACE Taskforce during FY 19/20 (target was mainly on businesses situated in the Vaimauga and Faleata area) 2. 93.6% (161/172 businesses) are in full compliance
A better informed Labour Inspectorates on best practices and International Labour Standards	<ol style="list-style-type: none"> 1. Conduct two trainings to building the internal capacity of senior staff on legal interpretation of LERA and Regulations by December 2019 2. Conduct two trainings to build capacity of labour inspectorate on applying the LERA and Regulations to real life inspection settings in the Samoan context by June 2020 	Achieved	<ol style="list-style-type: none"> i. ILS Training conducted on 26th and 27th September by MCIL and ILO, ii. 1 Regional Training held on 21st - 25th October 2019, iii. 1 two-day ILS training hosted for the SNTF members and MCIL staff, iv. 1 Training on Education of the Mind, v. OSH Training PD on Violence against Women 2019 and the Ministry Knowledge Sharing.

Output 7 : Enforcement of Occupational Safety & Health Standards

Output Performance Measures, Standards or Targets

	2019-20		
Performance Measure/Indicator	Budget Standard or Target	Traffic Light Progress Indicator	Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken
Improve compliance level by 5% in promoting Occupational Safety and Health (OSH) within workplaces	<ol style="list-style-type: none"> 1. Conduct and complete 6 M&E to 150 businesses/organisation/companies by June 2020 2. 75% overall compliance level of OSH standards to employers inspected by June 2020 	Incomplete	<ol style="list-style-type: none"> 1. M&E <p>A total of 93 initial inspections to ministries, corporation and businesses. 6 monitoring & evaluation conducted for:</p> <ol style="list-style-type: none"> 1. Government Ministries 2. State Owned Enterprises 3. Waste Collectors (Upolu & Savaii)

	<p>3. 75% of employers inspected actively implement sections 20 & 22 of the OSH Act 2002 by June 2020</p>		<p>4. Service Stations (Upolu) 5. Service Stations (Savaii) 6. Construction Businesses (Savaii)</p> <p>2. Follow up inspections to verify implementation and compliance level as a result of findings has been postponed due to Measles epidemic and with the SOE as a result of COVID-19.</p> <p>3. 23% of employers inspected in the financial year 2019/2020 had comply with section 20&21 of the OSH Act.</p>
<p>Resolved reported fatal and severe workplace accidents, incidents and illnesses to be in-line with the OSH Act 2002 and OSH Regulation 2017</p>	<p>1. 80% of total reported accidents /illnesses all resolved and closed by June 2020</p> <p>2. 50% of recommendations are implemented by inspected employers by June 2020</p> <p>3. Inquire and resolve OSH complaints and enquiries lodged/reported by June 2020</p> <p>4. OSH Investigation Manual endorsed by National OSH Task Force by August 2019 and SNTF by November 2019</p>	<p>Achieved</p>	<p>1. 11 total Reported accidents, all resolved (100%) within the financial year</p> <p>2. Verification of implementation of recommendations has been postpone due to Measles and COVID-19 SOE</p> <p>3. 100% resolve of all OSH complaints and inquiries lodge through the ministry</p> <p>4. Investigation Manual with Legal team for comments Ongoing accident investigation and ensure all queries and complaints are resolved in line with OSH Legislations. Follow up inspection to verify implementation of recommendation has been postpone due to the Measles epidemic and SOE as a result of COVI-19. Investigation Manual to be finalized once TA is on board.</p>
<p>Enhance understanding and an informed employers and employees on OSH management in accordance with OSH legislation and best practice</p>	<p>1. At least 2 Public Awareness (Upolu & Savaii) for the OSH Act 2002, OSH Regulation and the National OSH Framework by June 2020</p> <p>2. 3rd Occupational Safety and Health Stewardship Awards on April 2020</p>	<p>Achieved</p>	<p>1. 27 total Public Awareness conducted for OSH Act 2002 , OSH Regulation and National OSH Framework 2018 by June:</p> <p>1. SSAB Waste Management Workshop</p> <p>2. World Bank Workshop</p> <p>3. Government Ministry Awareness Program</p> <p>4. 3 ONE MCIL at Falelatai, Falealili & Satupaitea</p> <p>5. Digicel Awareness Program</p> <p>6. MWCSA Awareness Program</p>

<p>Promote genuine partnerships through regular dialogue with key stakeholders in promoting Occupational Safety and Health in Samoa</p>		<p>Achieved</p>	<p>7. 4 MAF Awareness 8. 2 Small Business Cohort in Savaii & Upolu (SBEC) 9. 13 Pre Departure Orientation for Seasonal Employment</p> <p>2. 3rd OSH Stewardship Awards successfully completed online on the 28th April 2020. 1 OSH taskforce meeting convene in the review period, again mainly due to Measles and SOE requirements 2. OSH Framework 2018 action plan and activities have been on hold awaiting TA recruitment and selection process.</p>
<p>Strengthen Samoa National Tripartite Forum social dialogue on national OSH policy issues and/or interventions pertaining to OSH for sound decision making</p>	<p>1. Quarterly Reports submitted on OSH matters and progress of work carried out by the OSH Task Force / OSH division</p> <p>2. SNTF endorse the ratification of C187 Promotional Framework for OSH by December 2019</p> <p>3. OSH Codes of Practice and Guidelines endorsed by SNTF by June 2020</p>	<p>Incomplete</p>	<p>1. Progress Reports and endorsement of C187 postpone until SOE requirements are lifted. 2. OSH Framework 2018 action plan and activities have been on hold awaiting TA recruitment and selection process. 3. OSH guidelines will be finalized in October 2020</p>
<p>A better informed OSH Inspectorates on best practices and International Labour Standards</p>	<p>5 trainings by the end of June 2020</p>	<p>Achieved</p>	<p>5 trainings attended by Inspectors</p> <p>1. ILS 2. OSH - Policy Development to Implementation Measures 3. Monitoring & Evaluation Training 4. PD on Regional Training held on 21st -25th October 2019 Samoa on Pacific VNR Assessments; and 5. PD Mind Education Training conducted on 12th -14th November 2019. 6. PD Domestic Violence</p>

Output 8 : Management of Registries of Companies & Intellectual Properties

Output Performance Measures, Standards or Targets

	2019-20		
Performance Measure/Indicator	Budget Standard or Target	Traffic Light Progress Indicator	Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken
1. Number of applications received:			
<u>1.1 Companies</u>			
• Public, Private, Overseas	100	Achieved	105 companies applications received
• Incorporated Societies	10	Achieved	30 Incorporated Societies application received;
• Charitable trusts	5	Achieved	44 Charitable Trust applications received
• Cooperative societies	5	Achieved	86 Cooperative societies received
• Credit Unions	1	Incomplete	No applications for Credit Unions received
• Personal Property & Securities	50	Achieved	1050 Security Interest application received
<u>1.2 Intellectual Properties</u>			
• Designs	2	Achieved	19 new Designs filed
• Marks & Collective Marks	200	Achieved	600 new Trademark applications filed
• Geographical Indications	1	Incomplete	No GI application received
• Patents & Innovative Patents	1	Achieved	4 New Patent & innovation Patent applications filed
• Plant Breeder's Rights	1	Incomplete	No PBR application received
• Layout Designs of Integrated Circuits	d	Incomplete	No LDIC application received
2. Number of new Registrations			
<u>Companies:</u>			
• Public, Private, Overseas	100	Achieved	105 companies registered
• Incorporated Societies	10	Achieved	30 Incorporated Societies registered

• Cooperative Societies	5	Achieved	86 Cooperative Societies registered
• Charitable Trusts	5	Achieved	44 Charitable Trusts registered
• Credit Union	1	Incomplete	No credit unions registered
• Personal Property & Securities	50	Achieved	866 New registrations by Secured Parties
Intellectual Properties:			
• Designs	1	Achieved	19 new Designs registered
• Marks & Collective Marks	200	Achieved	366 new Trademarks registered
• Geographical Indications	1	Incomplete	No Geographical Indication registered
• Patents & Innovative Patents	1	Achieved	4 new Patents registered
• Plant Breeder's Rights	1	Incomplete	No Plant Breeders Rights registered yet
• Layout Designs of Integrated Circuits	1	Incomplete	No LDIC registered yet
3. Number of Re-registrations / Renewals / Annual Returns / Continuations / Restorations:			
Companies:			
• Public, private, Overseas	600	Achieved	1398 Annual Returns filed
• Incorporated Societies	120	Achieved	148 Incorporated Societies renewed
• Cooperative Societies	10	Achieved	11 Annual Returns filed for Cooperative Societies
• Credit Union	2	Achieved	2 Financial Statements filed for Credit Union
• Personal Property & Securities	1	Achieved	5 PPS Continuation
Intellectual Properties:			
• Designs		Achieved	
• Marks & Collective Marks	250	Incomplete	186 Trademark renewal process complete another 50+ are still pending
• Patents & Innovative		Achieved	16 Patents have been maintained
4. Number of Removals from the Registers (incl Abandoned Marks & Collective Marks)			
Companies			
• Public, Private, Overseas	1	Achieved	121 companies removed for non compliance;

• Incorporated Societies		Achieved	20 Incorporated Societies removed;
• Cooperative Societies		Achieved	5 Cooperative Societies removed
• Charitable Trusts		Achieved	No Charitable Trusts removed
• Credit Unions		Achieved	No Credit Unions removed;
• Personal Property & Securities	10	Achieved	75 PPS discharged
Intellectual Properties			
• Designs	None	Achieved	No Designs removed from the Register
• Marks & Collective Marks	None	Achieved	No Trademarks removed from the Register
• Patents & Innovative	None	Achieved	No Patents removed from the Register
5. Number of Awareness Programs(Trainings, workshops) conducted	Companies -4; Intellectual Properties - 4; World IP Day -3	Achieved	A combined total of over 25 awareness activities were conducted by the team. Despite the state of emergencies the team was still able to conduct a number of trainings online. World IP Day celebrated nevertheless but there was no Science Fair.
6. Number of media advertisements (Awareness and Registration Processes)	Companies - 5; Intellectual Properties - 10	Achieved	Companies - 5; Intellectual Properties - 523
7. Number of Registry Searches conducted	Companies - 100, Intellectual Properties - 50	Achieved	Companies -more than 319;. Intellectual Properties - 80
8. Number of Examinations conducted			
• Designs	5	Achieved	19 Designs examined
• Marks & Collective Marks	50	Achieved	613 Trademarks examined
• Patents & Innovative	1	Incomplete	No Patents was examined
9. Number of Complaints Received	Companies & Others - 50; Intellectual Properties - 50	Achieved	Less number of complaints received from IP/the main area of concerns are in the processes / awareness (what can be registered and cannot registered as an IP) 40 companies complaints received and 20 other Legal Entities. 80 Intellectual Property search request completed and 10 complaints handled
10. Number of Inspections/investigations Conducted			
Companies	Inspections		

• Public, Private, Overseas	100	Achieved	258 inspections conducted for Companies in Upolu and Savaii
• Incorporated Societies	50	Achieved	63 Inspections for Incorporated Societies in Upolu and Savaii
• Cooperative Societies	10	Achieved	36 Cooperative Societies inspected
• Charitable Trusts	10	Achieved	65 Charitable Trusts inspected
• Credit Unions	5	Incomplete	3 Credit Unions
	Investigations - 5	Achieved	The total number of inspection conducted is 50
<u>Intellectual Properties</u>	<u>Inspections</u>		
• Designs	40	Achieved	70 Inspections conducted by the team for Marks & Collective Marks /Copyright. 5 Video store (in operation) inspected by officers totaling to 10 inspections.
• Marks & Collective Marks	40	Achieved	
• Copyrights & related	40	Achieved	
	Investigations - 5	Achieved	5 combined investigations conducted with other Ministries such as Central Bank, Ministry of Customs and Revenue, the Attorney General's Office as well as Internal Divisions of MCIL i.e. FTCD and IDIP on company registrations as well fair trading and trademark issues.
11. Number of staff Capacity Building Activities			
<u>Local (incl In House) meetings, trainings</u>			
- Companies & Others	6	Achieved	8 Trainings attended by Companies Staff
- Intellectual Properties	6	Achieved	10 workshops attended by Intellectual Property Staff
<u>International/Regional Meetings, Trainings</u>			
- Companies & Other	2	Incomplete	No International meetings attended by Companies staff due to lock down
- Intellectual Properties	2	Achieved	7 international meetings and trainings attended by IP Staff. There were more scheduled in the second half of the financial year but were put on hold due to lockdown