



# **MINISTRY OF COMMERCE INDUSTRY AND LABOUR**

## **ANNUAL REPORT**

**2022 – 2023**

**[www.mcil.gov.ws](http://www.mcil.gov.ws)**





**OFFICE OF THE MINISTER**

**PUBLIC ENTERPRISES | COMMERCE, INDUSTRY AND LABOUR**

Trade Negotiations | Accident Compensation Corporation | Gambling Control Authority  
Samoa Housing Corporation | Samoa Land Corporation | Samoa Sports Facilities  
Samoa Business Hub | Samoa Airways

Postal: Private Bag, Apia ~ Tel: (685) 25858 | (685) 25210 ~ Email: [leatinuu.wayne@ministermpe.gov.ws](mailto:leatinuu.wayne@ministermpe.gov.ws)

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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 2022 to June 2023, for consideration and discussion in this current session of the House.

Leatinu'u Wayne So'oialo

**MINISTER FOR COMMERCE, INDUSTRY AND LABOUR**



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



Honourable Leatinu'u Wayne So'oialo  
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 2022 to June 2023.

Faafetai

Pulotu Lyndon Chu Ling  
**CHIEF EXECUTIVE OFFICER**

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## THE MINISTER'S STATEMENT

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It is my pleasure to present the Annual Report for the Ministry of Commerce Industry and Labour ('MCIL') for the period 1 July 2022 to 30 June 2023.

This has been another challenging year for the Ministry as we strive to recover from the post COVID19 Pandemic that significantly affected the global economy and Samoa's economy. Furthermore, global conflicts including the war in Ukraine with its flow on effects on rising energy prices (oil and gas), extreme weather conditions and other economic problems affecting more advanced economies throughout the world, also heavily impacted on our nation's economy.

Despite the challenges and unexpected events that hindered our journey, we thank God for His comfort, grace, guidance and protection that enabled us to sail with faith, through these turbulent times.

The reopening of our national borders on 1<sup>st</sup> August 2022, resulting in an influx of tourists and visiting families and friends, have helped to resuscitate our recovery efforts for economic growth. MCIL's pivotal role as a Ministry that develops, implements and enforces key policies and legislation that impacts on the Private Sector, the engine of Samoa's economy, places it at the forefront of driving important changes for enabling our economic recovery and one of our Government's strategic outcomes in the Pathway for the Development of Samoa, to develop a "diversified and sustainable economy".

I am therefore pleased to acknowledge and thank the MCIL Management and staff for their commitment, perseverance and hard work that resulted in some of the key policies and legislative reforms that the Ministry embarked upon during the financial year, including responding to many issues pertaining to the Ministry's mandate, as raised by Members of Parliament during Parliamentary meetings. These included:

- Launching in November 2022 the 2<sup>nd</sup> Samoa National Employment Policy, which plays a vital role in our coordinated efforts to develop and implement strategies for employment that takes into consideration the capacity to supply skillful workers, decent employment creation and utilizing emerging opportunities such as green jobs creation that complements climate change adaptation and mitigation initiatives for returning to pre-COVID19 levels of employment and economic activities.
- Passage by Parliament of the Amendments to the Labour & Employment Relations Act 2013 with provisions against violence and harassment in the workplace and conditions pertaining to the recruitment and selection of workers for overseas employment in the Seasonal Workers Schemes.
- Facilitating the extensive Review performed by the Cabinet Committee and the Ministry in developing Samoa's new Policy for Temporary Labour Migration under the Labour Mobility Schemes of Australia and New Zealand. Despite the successes achieved to date in the Labour Mobility Schemes that Samoa partakes in, numerous challenges remain, which prompted the need for us to ensure that a balanced approach is considered in line with our other national development priorities.
- Endorsement by Cabinet of the new Investment Promotion Policy and pushing forward the review of the Citizenship by Investments Act 2015 and its Regulations.
- Re-enactment of Price Controls as a means of trying to counter the increasing prices of goods.
- Catalyzing Women Entrepreneurship and promoting the importance of branding and intellectual properties in enabling the innovativeness of women entrepreneurs in collaboration with Samoa's Branding Bureau as supported by the World Intellectual Properties Organisation.

Last but most certainly not least, I extend my sincere appreciation and gratitude to all our stakeholders and development partners, for your enduring support and ongoing contributions to the work that the Ministry had aspired to achieve during this financial year.

Soifua ma ia Manuia



## WORD FROM THE CEO

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We continued to review our policy development work to ensure alignment with the Government's Key Strategic Outcomes in the National Strategy as well as to ensure our policies are aimed at providing a harmonious and an enabling environment for our business communities to grow and to provide a level playing field for our citizens and businesses to participate in.

We celebrated the achievement of important key milestones in 2022/23, such as the launching of key policy documents – SNEP-2, E-Commerce Roadmap and Strategy, the Guide to the Private Sector Development Assistance. In addition, the Cabinet has given its endorsement to the National Investment Promotion Policy and the Investment Policy. We have completed our public consultation for our Corporate Plan 2023/24 – 2026/27 in which we have taken an inclusive approach in strategically planning out our work for planning period. We remain steadfast in our purpose to facilitate an enabling environment for business development and growth and employment creation for an improved quality of life for all. We cannot successfully achieve the objectives and goals set by these policies without having the support of competent manpower. Enforcing the 'freeze to recruit' decision across Government ministries have impacted on our policy and operations implementations. However, we continued to serve our business communities and people to the best of our abilities.

I want to acknowledge our key development partners' contribution and continuous assistance to MCIL and to our staff and the commitment they have shown in often challenging COVID environment. We will continue to challenge ourselves to deliver the services that will foster social harmony, safety and freedom for the people of Samoa.

Soifua

# OUR ORGANISATION

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## 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 the Private Sector 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 *Fostering social harmony, safety, and freedom 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 Outcomes

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

## Our Legal Mandate

MCIL 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 Programs;
- Manage the registries of companies and other legal entities, Intellectual property registers, and the protection of rights of Intellectual Property holders and enforces statutory obligations.

## OUR STRATEGIC DIRECTION

MCIL serves the people of Samoa in alignment with its mandated functions, and the overarching intentions of the Government as stipulated in the PDS Key Strategic Outcome 2: Diversified and Sustainable Economy, Key Priority Area 9: *Business Innovation and Growth* and Key Priority Area 10: *Increased Labour Mobility*. In addition, our work is aligned with the Trade, Commerce & Manufacturing Sector Plan 2017/18 - 2020/21 and our Corporate Plan 2016/17 – 2019/20 as illustrated below.





## PRIVATE SECTOR DEVELOPMENT & INVESTMENT PROMOTION

A total of **\$6.44 million tala** was disbursed to 4,172 businesses at the end of the **COVID-19 Assistance Project**

**4** cases under the **Code 121 Scheme** were approved

**9** cases under the **Duty Concession Scheme** were approved

**105** new companies registered

**29** Incorporated Societies registered

**30** new Charitable Trust registered

**113** Cooperative Societies registered

**51** new Foreign Investment Enterprises approved for establishment

**385** Foreign Investment Certificates issued for 22/23

**60** women entrepreneurs completed ICT trainings on E-Commerce and Digital Marketing under the Catalyzing Women Entrepreneurs Project

**657** Personal Properties Securities lodged for registration

**542** Trademarks registered

**4** Industrial Designs registered

**71** Geographical Indications registered

## ENCOURAGE INDUSTRY PRODUCTIVITY, FAIR TRADE, AND A COMPETITIVE MARKET

An MOU to promote collaboration and partnership on consumer protection and competition-related matters signed between the Commerce Commissions of Fiji and Samoa

**91%** of traders in **Upolu** and **90%** in **Savaii** were fully compliant with the **Competition and Consumer Act 2016**

**100%** compliance of all registered companies that are selling scales and weighing equipment

**Upolu** achieved **90%** traders' compliance and **Savaii** at **96%** compliance in using **accurate weighing and measuring equipment**

**97%** compliance rate for **Petrol Stations in Upolu and Savaii**

**55%** of **complaints** received were related to **prices fluctuation**

Re-activation of the Price Control Order to regulate the fluctuation of the prices of goods post-covid

## LABOUR RELATIONS AND EMPLOYMENT

The Labour and Employment Relations Bill 2022 was passed in Parliament to become the Labour and Employment Relations Act 2023 (LERA)

**489** foreign employment permits issued in 22/23

**164** businesses with foreign employees inspected with **65%** fully compliant with the LERA

**163** OSH inspections to the private and public sectors with an initial compliance rate of **4%**

**2,576** seasonal workers mobilised for 22/23 season to **Australia PALM Scheme**

**4,160** seasonal workers mobilised for 22/23 season to the **NZ RSE Scheme**

**152** jobseekers registered for employment opportunities

**107** new entrants eligible for the **Apprenticeship Training Programme**

## POLICIES AND OPERATIONS

### Policy Documents:

Samoa E-Commerce Roadmap & Strategy

Samoa National Employment Policy 2021/22-25/26

Guide to Private Sector Development Programs in Samoa 2023

The Investment Promotion Policy endorsed by Cabinet

The Samoa Temporary Labour Migration for Labour Mobility and Implementation Plan await Cabinet endorsement

Recorded **32.1%** share of the Commerce and Manufacturing Sector to the National GDP in 22/23

**80.8%** of our Key Performance Indicators/Targets for 22/23 was achieved/completed

**74%** of Sector Activities completed/on track at the end of the Sector Post Implementation Review

## OUR MONITORING AND EVALUATION (M&E) WORK

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### In compliance with the Foreign Investment Act 2000 and the Customs (Development Projects) Regulations 2010

#### **Foreign Investment Enterprises (FIEs)**

The M & E activities are in accordance with section 19 of the Foreign Investment Act 2000. The M & E enabled MCIL to keep abreast of the operational and compliance status of these businesses, advise on the process for renewal and amendments of Foreign Investment Certificates (FICs) and remind them of their obligations under the relevant laws. It also provided the business community with an opportunity to relay any issues relating to business development to MCIL for potential (if any) intervention by the Government.

The M & E was conducted for the 15 FIEs that are operating in the Retailing (excl Food and Drink items), Tourism, Restaurant, Manufacturing, Agriculture, and Other (Washing and dry-cleaning of textile and fur products) industries.

Of the 15 FIEs inspected, 80% were found active and in operation, while the 13% had yet to commence operation and 7% is confirmed for deregistration. For compliance, 93% of FIEs were found compliant with the FIA2000 and its regulations. MCIL also conducted spot checks upon receipt of applications for the renewal of FICs where 98.7% of these FIEs were found compliant with the relevant legislation thus FIC applications were approved. The remaining 1.3% noncompliant FIEs included those who were found engaged in reserved activities and had failed to advise the Ministry on changes to business operations.

MCIL continued to issue public notices regarding the Engagement of Non - Citizens in Business Activities under the Reserved List, Cancellation of FIEs for identified Foreign Investment Enterprises and Renewal of FICs in local newspapers, on TV and on social media platforms, as part of its investment regulatory role to improve compliance of registered foreign enterprises in Samoa under the FIA 2000.

#### **Government Assistance (Duty Concession Scheme & Code 121)**

MCIL is required to carry out its M&E work as highlighted in the budget and key performance indicators every financial year. The purpose of these inspections and site visits is to obtain updated information on the current status of the approved projects and also to monitor if approved goods are used according to the purpose for which they were approved. In addition, it is also to follow up on the progress of each development project in terms of employment and sightings of goods imported under DCS.

**Site visits (as part of preliminary assessment upon receipt of an application).** Three (3) site visits conducted for the new applications received and assessed in the reporting period, two (2) for the Duty Concession Scheme and one (1) for Code 121.

#### **Inspections – Code 121 Scheme and Duty Concession Scheme (DCS) beneficiaries inspected**

A total of two (2) inspections (1 in Upolu in April 2023, and 1 in Savaii in March 2023) were conducted to eight (8) beneficiaries of the Duty Concession Scheme and twenty four (24) beneficiaries of the Code 121 scheme. All beneficiaries that were inspected complied with the regulations and guidelines for each scheme (i.e. 100% compliance).

## **In compliance with the Price Control Regulations, Consumer and Competition Act and Metrology Act**

MCIL is mandated to conduct M & E to ensure all commercial entities in Samoa are operating in compliance with the Consumer and Competition Act 2016 (CCA) and the Metrology Act 2015, to achieve a competitive and level playing field in the market consequently enhancing the socio-economic development of Samoa.

Inspections of all stores in Upolu, Savaii, and Manono-Tai were maintained on a quarterly basis as part of the Ministry's regulatory and monitoring responsibilities to ensure that business owners are abiding by their mandated obligations and creating a competitive and healthy marketplace while also safeguarding consumers from unethical business practices. The inspections were conducted to monitor compliance with the following conditions:

- Able to provide customers with receipts when requested;
- Prices should be marked on all goods or shelves;
- Scales to be in good condition and have been calibrated;
- Weighed in goods are measured in metric units (kg, litres, metres et al)
- Prices not to be overcharged (overpricing)

A total of 957 traders in total were inspected during the reporting period in which 91% of them were found compliant with the CCA. For traders who did not comply, warnings and follow-up inspections were implemented.

### **Verification & Inspection of Weighing Instruments and Calibration of Petrol Stations**

The inspectors are tasked with the regular verification, inspection and calibration of weighing equipment in order to verify, test and confirm that they are accurate and precisely tuned in accordance with the approved primary standards. The fees charged for this service are in accordance with the approved fees and class system schedule. The primary and working standards used for testing by the inspectors are ideally to be certified and approved every two (2) years in certified labs in New Zealand. However, due to a lack of funding in this working period, the standards verification have been postponed to the 2023/24 financial year.

In addition, we regulate the supply and selling of weighing equipment (scales) through the issuance of annual licenses to interested businesses who wish to operate this business activity. The CEO approves all applications that pass the required assessment before issuing a certificate of approval (COA) to authorize the manufacture, selling and repair of scales. In January 2023, MCIL issued a public notice advising all relevant businesses that are manufacturing, selling and repairing weighing equipment and other measures for trading purposes to register with the MCIL in accordance with section 21 of the Metrology Act 2015. All operating Service Stations in Upolu were calibrated, with a high compliance rate of 97% for the latest calibration in March 2023.

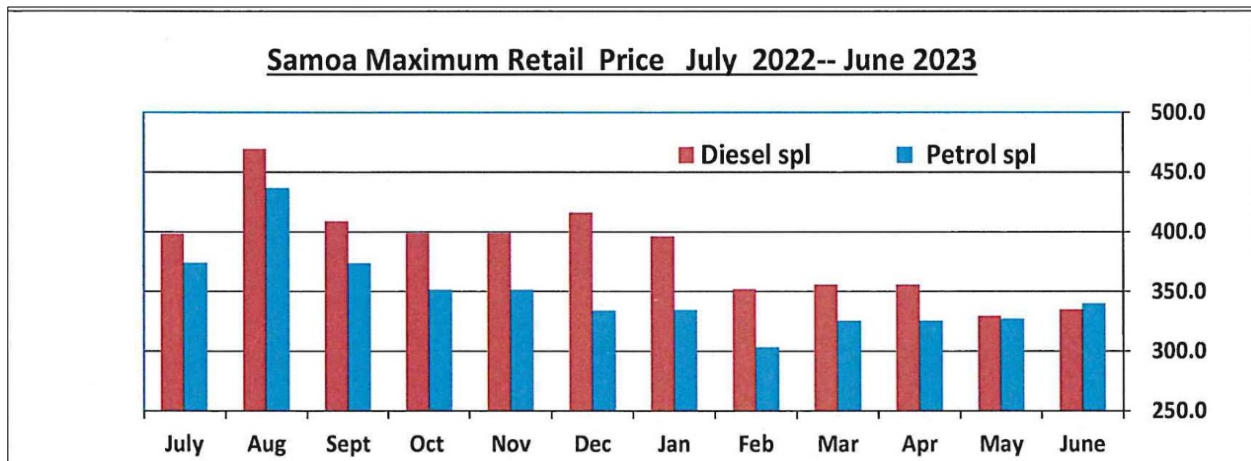
### **Petroleum Task Force Committee**

As a member of The Petroleum Task Force (PTF), MCIL worked closely with MOF and other Government ministries to address the challenges and issues related to petroleum supply and pricing in the country. The PTF is tasked with conducting research, gathering data, and making recommendations to the Government on how to improve the supply, distribution, and pricing of petroleum products locally.

It also oversees the health, safety, security and environmental standards for the importation, storage, distribution and resale of petroleum products. The Metrology unit of the MCIL specifically focuses on the calibration of fuel dispensers, and the thorough checking of the accuracy of the flow meters and the detection of any defective figures on the pumps.

## Adjustment to Fuel Costs

The MOF regulates the price of all fuel and advises the public regarding this change on a monthly basis. MCIL partnered with the MOF inspectors to ensure that all Service Stations comply with the stipulated prices in its monthly Price Adjustment inspections, performed on the first date of each month. All non-complying businesses are reported to the PTF for its relevant actions, which can include the suspension of the supply of fuel or business license. The table below shows the retail prices of fuel for the 2022/23 period.



*Source: Ministry of Finance*

## In compliance with the requirements of the Companies Act 2001, and other Legal Entities legislative requirements

To maintain the integrity of the Registries, MCIL conducted its M & E to a total of 202 Companies' Share registers, 69 Incorporated Societies, 187 Cooperative Societies, 92 Charitable Trusts and 3 Credit Unions in both Upolu and Savaii. MCIL performed 3 investigations and conducted 340 inspections in stalls at the markets and 127 inspections for videos/DVD shops. We are committed to enforce compliance with the statutory obligations of our business partners in Upolu and Savaii.

The Registries of Companies and Intellectual Properties Division continued to deregister or remove societies that do not comply with the relevant requirements of the legislation especially with filing of Audited Financial Statements.

Regular reminders for Renewal, Annual returns, Audited Financial Statements reports and notices have been sent to current or existing Companies, Incorporated Societies, Cooperatives, Credit Unions and Intellectual Property holders to renew, re-register, or maintain and update their annual returns.

## In Compliance with the Occupational Safety and Health Act 2002 and its Regulations

MCIL is mandated to administer the Samoa Occupational Safety and Health Act 2002 ('Act') and its Regulations 2017 to ensure safety and health is prioritized within all workplaces in the public and the private sectors. This is achieved through providing effective and efficient advice based on the legislation, conducting inspections to ensure compliance, investigating thoroughly reported workplace accidents and incidents, and providing sound resolutions to address safety and health matters and importantly, MCIL to provide guidance and awareness to ensure that employers and employees are well aware of their obligations.

**Workplace Investigation of Accidents** Four workplace incidents (SOE-1, Services -3) was reported to the OSH Unit in 2022/23 with minor degree of severity.

## Inspections

A total of 163 inspections conducted to the private and public sectors with an initial compliance rate of 4%. It should be noted that any issue requiring improvement will deem the business/workplace non-compliant. M&E were conducted for the Government Ministries, Bars & Restaurant, Tourism Sector and Hotel and Accommodation properties for the Accommodation Committee of the CHOGM. Other inspections conducted are deemed normal, request for joint inspections and inspections due to affiliations with committees i.e. petrol stations have also required the services of the Ministry. Although the compliance rate is very low, a significant number of workplaces have commenced implementing remedial and corrective actions to gain full compliance. Follow up inspections will be conducted in the 2023/24 financial year to determine the extent to which employers were able to implement OSH improvement notices.

*Table 1: Total Number of Inspections by Sector/Industry.*

Sector/Industry	Total number of Inspection
Government Ministries	10
Bars & Restaurants	49
Accommodation – Commonwealth Head of Governments Meeting	10
Gas Service Stations	36
Tourism & Hospitality	50
Other Joint Inspection	7
Normal Inspection	1
<b>Total</b>	<b>163</b>

## In compliance with the requirements of the Labour and Employment Relations Act 2013 and its Regulations

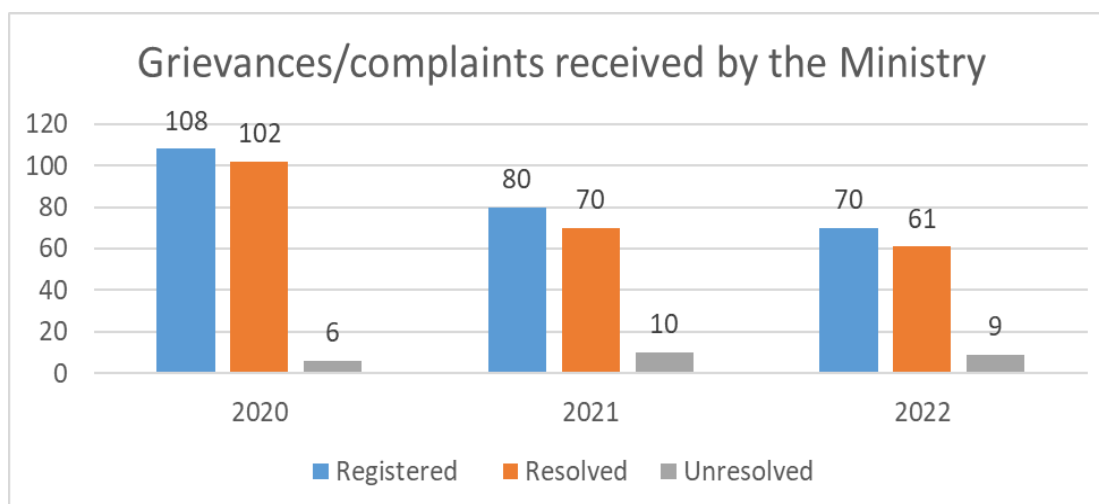
MCIL is mandated to administer and implement the Labour and Employment Relations Act 2013 to ensure minimum employment standards are adhered to by employers and employees in the Private Sector and the State Owned Enterprises. Three (3) Labour inspectors are currently tasked to carry out activities planned to achieve the KPIs for the 2022/23 financial year. These include planned and ad-hoc inspections of private businesses, companies, organisations and public bodies. In addition, MCIL through the Industrial Relations is mandated to receive, conciliate and resolve grievances to ensure workers have access to effective dispute resolution mechanisms and harmonious industrial relations is maintained throughout all private businesses and public bodies.

Monitoring and enforcement was carried out using a strategic approach based on high-risk industries and workers vulnerable to sub-standard working conditions as well as an ad-hoc approach to ensure they cover as many businesses as they could to expand the coverage to all areas in both Upolu and Savaii.

## Grievances and Complaints

The grievances and complaints registered with MCIL, noted a decline from the previous two financial years as shown in the graph below. Out of the 70 matters registered inspectors were able to achieve resolutions for 61 (87.14%) with 9 being unresolved to be carried forward into the next financial year.





A total of 155 businesses were inspected to ensure proper employment records are being kept and to advise regarding statutory requirements including minimum wage, leave entitlements, termination of employees etc. 116 (74.8%) businesses found to be fully compliant and the rest were given guidance on improving compliance and reminded of their obligations under the LERA. This activity will be carried forward to the new financial year to follow up corrective actions issued.

### Foreign Employee Employment Permits

The Labour and Employment Relations Act 2013 mandates MCIL to issue employment permits based on nationally relevant criteria including the availability of required skills in Samoa, number of non-citizens already employed, critical skills identified by industries etc.

Employment permits for non-citizens are currently processed under a joint system known as the **‘One-Stop Shop’** in collaboration with Immigration services as the single window.

When the SOE was lifted and Samoa’s borders finally re-opened, this had an effect on Samoa’s FEEP flow with an increase in the number of Employment Permits issued to foreigners by 33%. The majority of these permits were issued to foreigners in the Construction and Domestic Industries.

<i>FY</i>	<i>Total FEEP Issued</i>	<i>Top 3 Countries (Ranking top &gt; lowest)</i>			<i>Top Industries (Ranking top &gt; lowest)</i>		
18/19	387	China	Fiji	Philippines	Construction	Domestic	Tourism & Hospitality
19/20	359	Fiji	China	Philippines	Retail	Hospitality	Domestic
20/21	273	China	Fiji	Philippines	Construction	Domestic	Wholesale
21/22	334	China	Fiji	Philippines	Construction	Tourism & Hospitality	Wholesale
2022/23	496	China	Fiji	Philippines	Construction	Domestic	Tourism & Hospitality

Construction remains the number one industry for permits issued due to several government projects and ongoing developments within the private sector. There is also a notable preference by most of the employers/professionals who are working parents to have live in nannies from overseas countries particularly Fiji.

A total of 164 businesses were inspected within the period under review, 64.6% [106 businesses] were found to be fully compliant i.e. employment permits valid or no undocumented workers, with 13.4% [22 businesses] partially compliant. These partially compliant businesses are made up of those with Permanent Resident holders/non-citizens involved in reserved activities. Finally, 22% businesses [36 of total businesses inspected] were found to be noncompliant in employing non-citizens without a valid employment permit.

## OUR AWARENESS AND PROMOTIONS

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### **Investment Promotion**

The Samoa Investment Guide (SIG) and the National Investment Policy Statement (NIPS) have been reviewed and updated in May 2023. These promotional documents can be accessed online on our website ([www.mcil.gov.ws](http://www.mcil.gov.ws)). The Cabinet approved the Investment Promotion Policy in April 2023 which lays the foundation for investment promotion services MCIL could offer under the guidance of the Foreign Investment Advisory Committee (FIAC). MCIL continued to use its social media platforms to keep our stakeholders informed of developments in our role in Investment Promotion and Private sector development programs.

### **Consumer Protection and Competition**

MCIL continued in keeping consumers, the business community, and the general public informed of the importance of upholding their required roles and functions in order to strengthen fair play and healthy competition. Six (6) engagement programs covering the entire nation were conducted. The events were successful and served as excellent platforms for raising awareness of the roles played by MCIL as well as other invited partner organizations like the Office of the Regulator (OOTR), Ministry of Health (MOH) and the Ministry of Customs and Revenue (MCR).

As some of the participants do not have access to media like television and the internet, the participants expressed their willingness for these awareness programs to be implemented on a six-monthly basis so that they can be kept informed and continue to learn more about the functions of MCIL and partners.

Advertisements on the functions of receipts and general warnings on price issues is continually being promoted to further raise awareness of the significance of receipts and the effects that price increases have on consumers.

### **World Consumer Rights Day (WCRD)**

In honor of the WCRD 2023 which is celebrated on 15<sup>th</sup> March annually, MCIL set aside the chosen theme, 'Empowering Consumers Through Clean Energy Transitions,' but in collaboration with the OOTR, MOH, Samoa Business Hub (SBH) and the Gambling Control Authority (GCA) conducted awareness programs in Upolu and Savaii. In addition to the awareness programs, a talk show on TV1 was held to further convey the message broadly to the whole country.

The envisioned purposes of the awareness programs were to further enhance and boost the understanding of consumers and business operators of their obligatory roles, promote MCIL's regulated function in consumer protection services and its mandates i.e. Competition and Consumer Act (CCA) 2016 and Metrology Act 2015 and to increase consumer confidence in other government services regarding consumer protection, food safety, licensing of gambling activities and business support services.

## **Occupational Safety and Health (OSH)**

A significant focus was given towards awareness especially with the recently developed OSH Guidelines. A total of 15 sessions were delivered including a collaborative initiative with the Land Transport Authority West Coast Road project and similar sessions with private contractors such as Ott Construction, Ah Liki Construction (note: these are requirements under donor funded projects to ensure OSH compliance).

To commemorate the World OSH Day, MCIL and the National OSH Taskforce conducted safety briefings and awareness presentations to both the private and public sector workplaces. Furthermore, OSH briefings was provided to RSE workers that have been confirmed for overseas work in New Zealand and Australia.

MCIL continued to strengthen its ability to serve by collaborating with its stakeholders i.e. the National OSH Taskforce and review its current OSH Framework 2018 by laying the ground work for discussions. The utilizing of the newly implemented OSH e-registry system for reporting and notification of accidents and diseases will improve not only the work of MCIL through much needed data but also that of our stakeholders on the importance of reporting.

## **Celebrating World Intellectual Property Day**

In April 2023, we celebrate the “can do” attitude of women innovators, creators and entrepreneurs on the World Intellectual Property day with the theme ‘Women and IP: Accelerating, innovation and creativity’.

The Samoa Branding Bureau which is under the Registries of Companies and Intellectual Properties Division of MCIL hosted a series of workshops in both Upolu and Savaii to commemorate the World Intellectual Property Day. The sole focus of the series of workshops aimed to empower Samoan Women Entrepreneurs on the Intellectual Property (IP) tools available in Samoa, how to take advantage of these IP tools to protect and add value to their work, and how the Samoa Branding Bureau may assist them. The importance of the workshops was to build the capacity of women in protecting their intellectual property rights and to recognize women’s innovation and creative works, as well as their contribution to the economic growth not just in Samoa but throughout the world.

The Champions of the Branding Bureau had also presented during the IP day awareness campaign; Mrs. Shelley Burich of Vaoala Vanilla, Mrs. Tailani Chung of the Mailelani Body Care and Mrs. Anastasia Ah Ching of Kokoan@ Industry, they shared valuable information about the significance of IP protection and how it helped them promote their product and what their business means and symbolizes.

## **Apprenticeship and Employment Services**

A combined awareness program was carried out in Savaii at Tuasivi College targeting Year 12 and Year 13 students, church youth groups and selected employers around the area. The program was a good opportunity to promote the newly developed Jobseekers Services (JSS) where the unemployed population of Samoa especially the youths can register on line wherever they are residing. The promotion of the Apprenticeship New Structure and its pathways was another crucial part of the joint event. Overall, the program achieved its purposes as revealed during deliberations amongst MCIL and the attendees.

## MANAGING CHALLENGES AND WAY FORWARD

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### **Temporary freeze on the Recruitment and Selection process for the Public Service**

The temporary freeze on the recruitment and selection across the public service had a significant impact in our efforts in achieving our planned performance targets for 2022/23. 18 positions remained vacant at the end of 2022/23, that we were not able to fill which left existing staff to carry out additional work and many competing priorities which resulted in not achieving set targets for the financial year.

### **Non Compliance of Foreign Employees and Business with legislative requirements**

The major challenge which remains from previous years in our M & E, is the failure of employers to apply for employment permits of non-citizens under their employment and failure to comply with laws that govern businesses within Samoa. From our M & E, it was noted that there are foreign workers that are working without employment permits and in the country on Family Reunion and Visitors visa.

Inter-agency cooperation is both a challenge and an opportunity for strengthening intelligence for targeted action. This is being addressed through the Joint Action on Compliance and Enforcement (JACE) Taskforce (MCIL, MCR, Immigration Services (IMMI)) for sharing information and carrying out joint spot inspections. MCIL through collaborative work with key Government Ministries, will need to review the operation of the 'One-Stop Shop' to identify areas of improvement and good practices; incorporate into operational policy the amendments under the Labour and Employment Relations Amendment Act 2023 including notices to stakeholders of the extended duration of employment permits i.e. up to three (3) years.

Foreign Investment Enterprises (FIEs) continued to fail to inform MCIL regarding the change in their shareholding details and registered name as well as the difficulty to verify or make contact with focus contact personnel in their contracts. It is an ongoing issue trying to communicate with the owners of FIEs, specifically the Chinese due to little or no understanding of both the English and Samoan languages. This made it difficult for the inspectors to obtain accurate information needed for reporting purposes. MCIL will engage a translator during inspections. FIEs do not display their Business License in their premises claiming that they have not received their Business Licenses from the MCR or it has been kept by the owner. The absence of penalties imposed on non-renewal of FIC and noncompliance which is to be addressed in the Review of the FIA2000 for inclusion in the new Foreign Investment Act.

To address the noncompliance of FIEs with their legal obligations, MCIL will continue to inform all inspected FIEs in writing, outlining findings of the M & E visits and acknowledging their participation and cooperation; publishing in the newspaper the list of FIEs that are found noncompliant and to be considered for deregistration as per section 12(5) of the FIA 2000 at the end of every financial year; continuing with information sharing in the media platforms available to MCIL as reminders for FIEs on their obligations to renew their FICs, and obligation to provide status of operations reports as required by law. In addition, MCIL will strengthen its enforcement role through continuation of monitoring and evaluation to ensure compliance of foreign investors with the FIA 2000; and to conduct awareness programmes in the business community to clarify the FIA 2000 to expand understanding of conditions of the Reserved and Restricted Lists.

### **Limited Investment Ready Projects available**

There is a limited number of investment ready projects for potential investors as noted through partnerships with regional and international partners upon requests. Whilst local businesses are gradually recovering from the effects of COVID19, options have been made available and proposed to consider opening equity to foreign investors. However, there have been minimal to zero investment ready projects due to concerns with confidential information as well as limited capacity to provide solid proposals to pitch to investors. MCIL will continue working with development partners such as the Pacific Trade and Invest (PTI) Australia and PTI New Zealand through surveys to the local Private Sector on how investment ready they are for co-equity. We also continue to connect our local private sector with PTIA and PTINZ when they are looking for overseas suppliers and buyers and when they are ready to co-invest. In addition, there is a need to review our published Sector Profiles to be investment ready.

### **Technical Skills and Resources in OSH**

Technical trainings continue to be a gap in the training needs of inspectors e.g. handling hazardous chemicals, electrical safety, working at heights (scaffolding), plant and machinery safety and others. The enforcement tools available to inspectors is an issue where employers disregard follow-up improvement notices. Furthermore, some operational issues may need to be revised to ensure effective protection of workers from unsafe work for example, power of inspectors to issue improvement and prohibition notices directly. In addition, a limited budget for developing media campaigns for shifting safety culture is a barrier in creating a consistent message and presence through traditional and social media platforms.

In addressing these challenges, MCIL and its development partners will work collaboratively to identify assistance and support for the review of OSH legislation. We will continue to engage with key partners in securing training opportunities including technical areas in line with existing hazard based guidelines. Be creative in messaging to ensure a consistent safety message is being promoted i.e. Facebook, website and traditional media. MCIL will develop a proposal for restructure including the hiring of additional staff in specialized areas such as conciliation, investigations, data management and chemical safety.

### **Policy Implementation**

As is with any policy implementation, the main challenge for the MCIL is the limited or lack of financial and technical assistance available to support the Implementation plans. Whilst we acknowledged the continuous support of our key development partners in the early stages of policy development, securing funding for after care for promotion and implementation from the local budget is a challenge. In addition there are delays on the support from implementing agencies and private sector in the submission of required reports and documents needed to complete assessments and decisions in most processes. For example, the Private Sector Support COVID-19 Grant faced numerous challenges with the timeframe and meeting deadlines, awareness, staffing capacity and following-up on reporting requirements to be submitted by the grant beneficiaries. The finalization of the NIDP and MSME Policy implementation were delayed due to limited personnel capacity, funding constraints and other competing commitments/priorities throughout the year.

To address these challenges, we will continue to work collaboratively with other Government central agencies for better coordination of policies implementation. We will need to revisit the current assessment system for PSO assessments and re-design for ease of decision making purposes. Revise staffing and capacity building needs for better implementation of MSME Policy strategies/initiatives and improve on internal arrangements for better coordination of decision making mechanisms in place.



### **Accreditation of the Apprenticeship Training Program**

Although there is a Statement of Agreement signed between MCIL, SQA, NUS and the Industries to promote collaborative work and cooperation in the facilitation of the new Apprenticeship Training structure, but there is still room for improvement on the roles of all parties to ensure the training program is accredited and that the National Competency Standards (NCSs) for practical training in the workplaces met the prescribed standards. Strengthening this partnership is important and sharing of resources, and expertise will expedite the accreditation process to give the program quality assurance that it has been delivered to a high standard and assessments are conducted based on approved prescribed standards.

### **Seasonal Employment Programmes**

When the performance targets were set earlier in the fiscal year, the priority at the time was the fulfilment of Key Priority Area 10, under Key Strategic Outcome 2 in the Pathway for the Development of Samoa (PDS). However, we had not anticipated that there would be a few key institutional reforms which would directly impact mobilisation of workers. These reforms include (but not limited to): restrictions to one flight per month for both Australia and NZ, pause in mobilisations for January 2023 as well as the Recruitment Freeze for the Public Service. The latter impacted the Seasonal employment team's capacity to fully take on maximum mobilisations due to minimal number of permanent personnel, with only 4 out of 8 permanent staff carrying out normal duties by the end of June 2023.

Tropical Cyclone Gabriel which ravaged a lot of orchards and accommodation in NZ in February 2023 also meant lesser numbers of RSE workers than originally anticipated. Though the set targets were not met, mobilisations still registered an increase with total mobilisations of 6,736 for 2022/23, compared to 6,684 for 2021/22. Despite the challenges as noted above, Samoa was very fortunate to have approved employers whom it shares close ties with, still preferring to recruit. Not only that, new connections were made with a few new employers and sites. As the schemes grow in numbers and scope, there is also a need for additional specialised roles in areas such as welfare, monitoring and evaluation, stakeholder advocacy, training and capacity training for workers. In addition to personnel support needed, there is also the need for budget support to carry out normal operations not only for the local operations but also for our Labour Mobility Liaison officers stationed in New Zealand and Australia.

## SECTION 2 OUR YEAR IN REVIEW

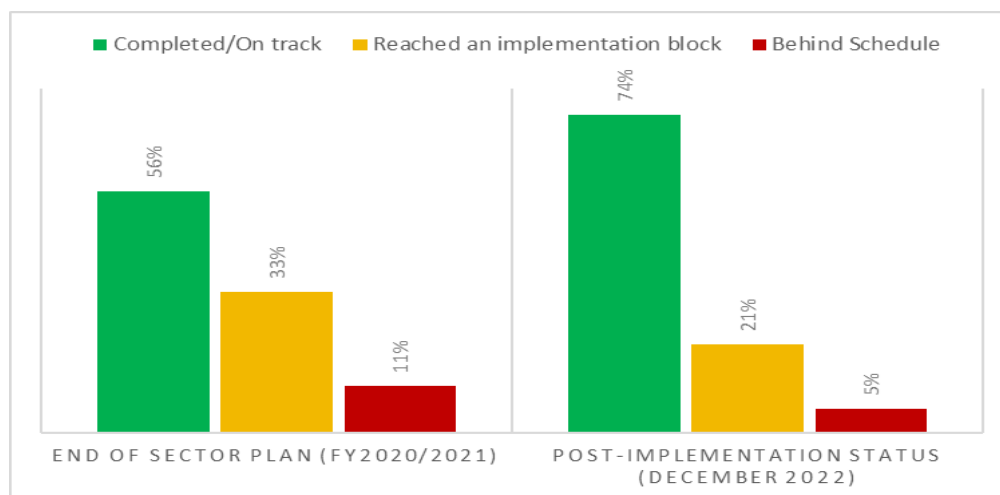
This section provides an overview of our work that was achieved and the challenges faced in the delivery of our services during the period under review. We have organized this section into Goals to show how we are progressing to deliver them for the development of the private sector and creating employment 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 Report.

### GOAL 1 PRIVATE SECTOR DEVELOPMENT AND INVESTMENT PROMOTION

We aim to achieve the above Goal by strengthening sector policy, legal, regulatory and strategic planning; facilitating an investment friendly environment; and to simplify processes for companies and intellectual properties and maintain the integrity of all Registries.

#### Sector Planning

A post-implementation workshop for the TCMSP for the period 2017/18–2020/21 was conducted in the period under review, where an update on the final implementation status of that expired TCMSP was presented to the TCM Steering Committee and stakeholders. The following figure presents the status of implementation of the TCMSP 2017/18–2020/21 at the end of its planning cycle, and the final post-implementation review in December 2022.



With reference to the figure above, the TCM Sector Steering Committee and its stakeholders noted the following implementation status for the TCMSP: 74% (54 of 73 activities) were completed or on track; 21% (15 of 73 activities) were slowly progressing or have reached an implementation block that would require additional support (technical, human resources, etc.) to complete; and 5% (4 of 73 activities) were behind schedule or have not been implemented.

The workshop also gauged views of stakeholders on selected priority areas essential to the drafting and refining of the new Sector Plan. These priority areas include: Improving Samoa's trade balance; Contribution of remittances to economic growth; Strengthening supply and value chains for value-added products to export; and Increasing employment opportunities and labour force participation of Samoa. The new TCMSP planned for the period starting 2023/24 - 2027/28 is being drafted and targeting to finalise and launch before the end of 2023.

## Policy Planning and Development

We continue to provide policy advice to our core functions and assist in developing policies that are geared towards achieving goals of the National Planning Framework. We work towards enhancing sector planning and coordination to ensure achievement of targets and objectives of the Trade, Commerce, and Manufacturing Sector Plan (TCMSP), and to streamline the implementation of development projects within MCIL and the TCM Sector to ensure development funds complement the work funded through the re-current budget.

During this reporting period, the Policy Planning and Project Management function of MCIL has provided advice, drafting support, feedback, written comments, and proposed changes to the following policies and documents:

- Policy for the establishment of the Samoa Export and Imports Authority
- Samoa National Employment Policy 2021/22 – 2025/26
- Review of the Labour Employment Exports Program Division.
- Samoa's Policy for Temporary Labour Migration under the Labour Mobility Schemes of Australia and New Zealand.
- Private Sector Development Framework and Implementation Plan for Samoa (with UNDP)
- Samoa Private Sector Scoping Study commissioned by the NZ-MFAT
- US-Pacific Islands Trade and Investment dialogue non-paper.
- Zero draft of the MCIL Corporate Plan 2023/24 – 2026/27.
- Private Sector Development Guide of Samoa
- National Industry Development Policy
- Export & Import Profiling (data analysis & reporting)

## Corporate Plan 2026/17-2019/20

A public consultation was held and attended by MCIL's key stakeholders and representatives from the Private sector and Government ministries and agencies in May 2023. The consultation has two objectives:

1. To inform stakeholders of MCIL on what has been achieved in the previous Corporate Planning period 2016/2020, the challenges; and
2. Translating lessons learnt from our previous Corporate Planning period into paving the way forward for the next Corporate Plan for the period 2023/24-2026/27.

The previous Corporate Plan has 12 goals and 65 activities. By the end of the corporate planning period, 67.7% of activities met the 80-100% implementation mark (are on track and/or completed), 21.5% met the 50-79% implementation mark, (are slowly progressing or have reached an implementation block that would require assistance to overcome) and 10.8% met the 0-49% implementation mark (are behind schedule and/or not implemented). The majority of issues raised by our stakeholders pertaining to the operations of the labour mobility programs, voicing concerns on the losing of workers that they have invested time and finance in special skills development such as nursing, teaching and trades to seasonal work. Furthermore, stakeholders raised questions on the role of the MCIL in combating the high cost of living and increased price of goods, and the need to improve OSH guidelines and policies to enforce in the workplace. It is anticipated the new Corporate Plan 2023/24-2026/27 will be finalized and launched before the end of 2023.

## Legislative Reforms

Implementation of the National Investment Policy approved by Cabinet in April 2022 which includes a reform action plan on continuing the Review of the FIA 2000, amendments to any relevant legislation, amendments to the Regulations as well as institutional changes and investment promotion. The Investment Promotion Policy was also approved by the Cabinet in April 2023, after consultation with the public and private sectors. Initial consultations on the Foreign Investment Act

Review took place in the first half of the reporting period to key stakeholders including the private and public sector. This was done during the World Bank Technical Mission from 31<sup>st</sup> October to 4<sup>th</sup> November 2022.

The Review of the Citizenship by Investment Program (CIP) is scheduled to commence in 2023/24 following the Cabinet's approval in June 2023 and confirmation of technical assistance from the PACER Plus Implementation Unit (PPIU). During the period under review, we received four (4) submissions from foreign companies and private consultants who were interested in reviewing the program mainly on the current fees, investment threshold as well as the process for assessing applications. Two applications were also received to become an agent and to promote the Citizenship Investment Program.

### **Implementation of Samoa's Micro, Small and Medium Enterprises (MSMEs) Policy and Strategy**

The MSME Policy was developed with a vision that, "Samoa will have a sustainable and globally competitive MSME sector that contributes to growth in GDP, employment and exports". The Policy formalizes needed Government interventions in Samoa's most progressive sectors to ensure their responsiveness to the diversification and ongoing transformation of Samoa's economy.

An implementation workshop was held on 17th January 2023, where fifty (50) representatives from government ministries, private sector and development partners attended. There were four key objectives for the workshop:

- i. Understand the MSME Development Policy and Strategy 2020;
- ii. Discuss the implementation status of the Policy to date;
- iii. Engage stakeholders, particularly Implementing Agencies, to get their buy-in and commitment to the implementation of the Policy;
- iv. Establish clear pathways to progress the implementation of the Policy.

From the workshop, the stakeholders were informed of the progress of implementation of the policy responses, in which of the total of 78 policy responses, 13% have been achieved, 41% are slowly progressing and 46% with no progress made. It is evident from the workshop that there needs to be commitment and more collaboration with better coordination and communication from and amongst the implementing agencies to better implement the MSME Policy. This will be through signing of MOUs with implementing agencies with the need for contact points for each agency must be established.

### **National Industry Development Policy (NIDP) for Samoa**

The Policy has now been completed and will be submitted for Cabinet endorsement in 2023/24. The development of the NIDP was based on several guiding principles that include the need for a tailor - made approach based on Samoa's unique circumstances; a diversified portfolio approach; a broad definition of industry; a focus on traded goods (exports or import replacements); and the conditions for sustainability - profitability, social and environmental.

### **Project Management**

There are two development projects directly facilitated by MCIL: (i) Private Sector Development Programme (PSDP) funded by New Zealand; and (ii) Samoa Trade Information Portal with the PACER Plus.

The overall goal of PSDP is inclusive economic growth and sustainable development of Samoa's private sector in alignment with national development objectives. Its specific objective is to facilitate

improved performance of Samoa's private sector to generate improvements in profitability and employment. The PSDP Component One (PSDP-C1) is implemented by the Policy Planning & Project Management Unit of MCIL, and it is a mechanism that provides technical assistance geared toward addressing business enabling environment issues and priorities. The PSDP-C1 provides numerous technical assistance conforming to a five-year budget estimated at NZD400,000. An operational budget is also provided by New Zealand amounting to NZD20,000 per annum.

In this reporting period which is also the final year of the PSDP-C1, the total value of technical assistance provided by New Zealand amounted to NZD310,000 (Est). The total operational expenditure for this financial year amounted to NZD34,117.45 (including final audit fees). These expenditures are linked to the implementation and completion of the following assignments:

- *Scoping study for the Samoa Innovation and Technology Park*: Led by the Samoa Ministry of Communication & Information Technology (MCIT). Completed activities include the development of an implementation plan and contract program, conducting of research and consultations, and submission of the final report for the proposed Samoa Innovation and Technology Park. Preliminary findings of the report were presented to key stakeholders during a workshop held on 15<sup>th</sup> June 2023.
- *SBH Beneficiaries Case Studies*: To document the impacts of SBH support services on small business development and growth as well as the challenges they have encountered. The case study project was done as part of SBH's ongoing monitoring, evaluation, research, and learning, with the intention to document and promote awareness of support services provided by SBH to micro, small, and medium enterprises (MSME).
- *Workshop to monitor and report the implementation of the MSME Policy and Strategy*: The Policy document was developed with assistance from PSDP, and it was launched in April 2021. The workshop held on 17<sup>th</sup> January 2023 brought together Implementing Agencies and Stakeholders to review, monitor, and report the implementation status of the Policy.
- *MCIL Corporate Plan FY2023/24–FY2026/27*: The PSDP funded the public consultation conducted on 24<sup>th</sup> May 2023 to gauge stakeholder views on the MCIL work for this next planning cycle.
- *Guide to Private Sector Developments Programmes in Samoa*: The PSDP Guide was developed and officially launched on 26<sup>th</sup> May 2023.

The second development project administered by the MCIL is the Samoa Trade Information Portal (STIP) (<https://samoa.tradeportal.org/>) funded under the PACER Plus Transparency Project, in collaboration with the United Nations Conference on Trade and Development (UNCTAD) and financial support from the Governments of Australia and New Zealand. The STIP is an online platform that collates and publicises trade procedures and legislation, together with customs duties calculations for trading products. During this reporting period, the STIP was revamped as part of the given tasks under Phase Two of UNCTAD's technical assistance for the PACER Plus Pacific Island Members which began in April 2022 and ended in March 2023. The main project activity include the publication of new procedures (e.g., product-specific export/import, registration of intellectual property rights, industry development schemes) onto the portal. Refresher training was also done on how to update and manage the portal, as well as specialised training for the Contact Points on how to send notifications through the STIP. The project activities were coordinated by MCIL and included representatives from the MFAT, MCR (Trade Facilitation), MAF (Quarantine), MOH, MNRE and other MCIL Divisions.



### Catalyzing Women Entrepreneurship (CWE) Project

The Letter of Agreement (LOA) between MCIL and the UN ESCAP that was expected to end in June 2023, was extended to December 2023 to include more activities to be implemented in support of the women entrepreneurs in Samoa not only in the formal but also the informal sector.

There were two (2) ICT capacity building programs on e-commerce and digital marketing conducted for 60 women entrepreneurs as part of Activity 2 of the LOA which focuses on the Implementation of identified Strategies under the MSME Development Policy and Strategy 2020 to increase the number of Women Entrepreneurs in Samoa contributing to Goals # 1, 2, 3 and 6.

Moreover, consultations were carried out with key Government agencies, private sector organizations and individual businesses from December 2022 to January 2023 to develop a Review Paper on the Business Registration process for women entrepreneurs in Samoa. A draft Report was circulated to stakeholders for feedback based on consultations and surveys which will be finalized in 2023/24.

The second installment was received during the period and it is noted that the funding as approved and disbursed to date had been utilized to 77%. The third installment will be disbursed in 2023/24 subject to the progress of activities being implemented.

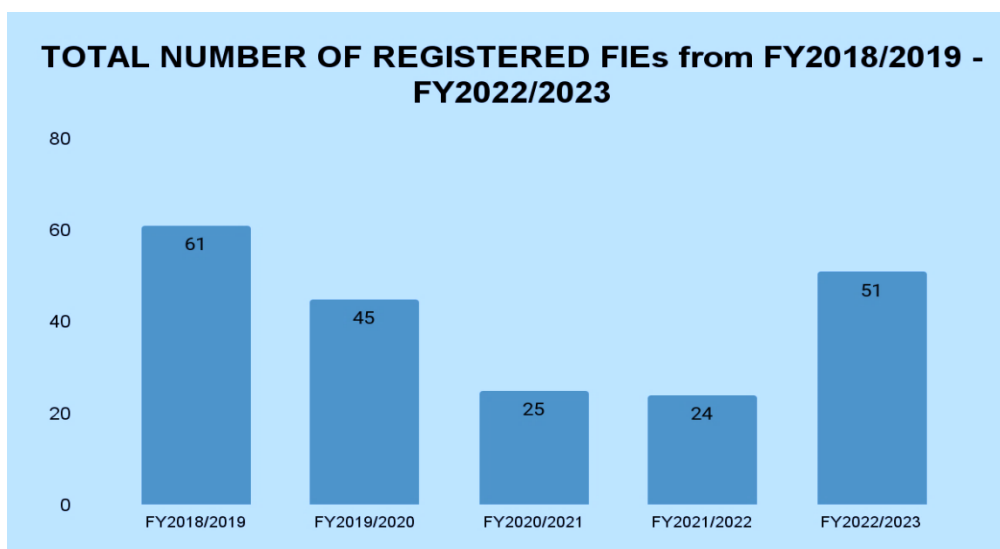
### The Work of the Branding Bureau

Tailani Salanoa-Chung of Mailelani Body Care, Shelley Burich of Vaoala Vanilla and Anastasia Ah Ching of Kokoan@ are the participants and Champions of the Samoa Branding Bureau, under the Ministry and in collaboration with the World Intellectual Property Organization (WIPO). These Champions have successfully registered their logos and Trademarked “Vaoala Vanilla”, “Mailelani” and “Kokoan@”. They learned that a story behind a brand is very important and that a successful brand has a story behind it. The Champions of the Samoa Branding Bureau encourages Women innovators, creators and Entrepreneurs of Samoa to be resilient in what they do and keep going and make sure they register their brands/logos.

## INVESTMENT FRIENDLY ENVIRONMENT

### New Foreign Investment Enterprises

This reporting period has recorded a higher number of registered Foreign Investment Enterprises (FIE) since 2018/19 with a total of fifty one (51) new applications that were received, assessed and approved. This is a substantial increase compared to the 24 recorded in the previous FY2021/22.



As illustrated above, the number of new registered FIEs in this financial year has increased significantly due to the reopening of international borders which has led to many foreigners being able to visit Samoa and set up their businesses.

Additionally, these new businesses also declared in their application forms, 492 estimated potential employment opportunities for locals as well as estimated initial capital of **SAT \$11,119,301.95** as their contribution to the Samoan economy. Out of the fifty one (51) newly registered businesses, seventeen (17) FIEs include twenty four (24) women shareholders and male owners continue to dominate the majority of shares and ownership.

#### Investment by Sector/Activities

Sectors	Total
Professional Services	12
Retailing of goods Excluding food and drink items	9
Other services such as locksmith, salon, tour operator, real estate and cargo handling	8
Accommodation and food services activities	8
Wholesale and Distribution	7
Construction	4
Manufacturing	1
ICT	1
Consultancy	1
Energy	1
Transport and Storage	1
<b>TOTAL</b>	<b>53</b>

As tabulated above, Professional Services was the most preferred sector that attracted most of the registered foreign investors followed by the Retailing of general merchandised goods excluding food and drink items. Although 51 newly registered FIEs were recorded, 53 activities were noted as some of these FIEs invest into more than one business activity.

#### Application for renewal and amendment for Foreign Investment Certificates

In addition to the new applications received, MCIL also assessed during the reporting period applications for renewal and amendments to the registered Foreign Investment Certificates (FICs). The table below shows the number of FICs applications and categories approved.

Number of FIC Renewals & Amendments Applications	Total
Renewals	225
Additional activities	31
Additional branches	10
Removal of activities	13
Relocation	23
Other Amendments (additional/removal of trading name, change in shareholding details,)	32
<b>Total</b>	<b>334</b>

## BUSINESS AND OTHER ENTITIES REGISTRATION

### Building Efficiency and the Integrity of the Registries:

A total of 105 Companies were registered in the period under review. In addition, 29 Incorporated Societies, 30 new Charitable Trusts, 113 Cooperative Societies registered and 657 Personal Properties Securities lodged online for registrations. There were 542 Trademarks registered, 4 Industrial Designs and 71 Geographical Indications registered. We have noted a huge increase in the number of filings and registrations in this financial year compared to the past years during the pandemic. The Registries of Companies and Intellectual Properties recognize the critical role of having to provide integrity and efficiency of records. The team has worked together with the ONEMCIL-IT team to rebuild registers that link data to other registers to avoid any duplication and to have a clearly categorized register(s) that is open, shared and private as it contains sensitive information which cannot be accessed directly by the public.

### Re-registrations / Renewals / Annual Returns / Audited Financial Statements / Maintenance

In addition to new registrations, MCIL also received applications for renewal, re-registration and filings of Annual Returns. The table below summarizes the number of applications received for renewals, annual returns and maintenance application:

Annual Returns / Audited Financial Statements / Renewals / Maintenance	Total
Annual Returns filed	1,258
Audited Financial Statements filed	90
Renewal for Incorporated Societies	149
Updated reports – Credit Unions	2
PPS Maintain and continue	600
Trademarks renewed	297
Patent Maintained	1
Total	2,397

### Business Registries Workshop

As a member of the Companies Registries Forum, MCIL was invited to attend a 3 days' workshop in Sydney, Australia. The workshop was organized by the Pacific Private Sector Development Initiative (PSDI) and the New Zealand Companies Office (NZCO) and was held at the Pacific Liaison and Coordination Office (PLCO) in Sydney.

The workshop explored registry operations and experiences across the Pacific, data-led approaches to improve business enabling environment policy and improve registry operations, including reporting compliance. We have been made aware of the latest developments in Anti-Money Laundering and Countering the Financing of Terrorism and future opportunities in the online registry space. Moreover, the workshop is a continuation of PSDI's longstanding work with ADB's 14 Pacific developing member countries to have effective reforms / key business law and implement modern, electronic registries which simplify business formalization, trade, and growth. By having new reforms and key business laws will help improve the ability of Pacific developing member governments to collect relevant statistical information, and implement supportive private sector policies.

## GOAL 2 ENCOURAGE INDUSTRY PRODUCTIVITY AND FAIR TRADE, AND ENSURE A HEALTHY COMPETITIVE MARKET

We aim to achieve this Goal by providing a high level of industry development; and enhancing and promoting effectiveness of Competition and Fair Trade in markets to benefit consumers, businesses and the community

### GOVERNMENT ASSISTANCE FOR PRIVATE SECTOR DEVELOPMENT

#### COVID – 19 Grant for the Private Sector

Private Sector development and the role of the private sector as the engine of economic growth has always been a top priority for the government. The COVID-19 pandemic that affected all sectors in Samoa prompted the government to provide support and assistance for business recovery. The \$10 million COVID-19 Assistance for the Private Sector (referred to as the “COVID-19 Grant”) was initiated and launched on 4<sup>th</sup> February 2022, but the grant was rolled-out for a period of eight (8) months ending in September 2022.

There was a total of 4417 applications received by MCIL, which included 154 ineligible applications such as non-applicable licenses and duplicates. Hence, the total number of actual applications received by the end of the reporting period was 4263. Of this total, 4244 were approved, while 19 were not approved or deemed ineligible.

MCIL managed to pay out 97.9% (4172/4263) of the overall applications. By the end of the grant, and after the last disbursement payout made on the 30<sup>th</sup> September 2022, the total grant that has been disbursed amounted to \$6,446,400. This is summarized in the table below:

Type Of Business Ownership	Total Number Of Applications	Total Number Of Applications Approved	Total Number Of Applications Paid	% Paid Of Total Number Of Applications Approved	Amount Paid (\$)
Sole traders	3576	3557	3495	97.7%	5,242,500
Partnerships	49	49	49	100%	73,500
Companies	638	638	628	98.4%	1,130,400
TOTAL	4263	4244	4172	97.9%	\$6,446,400

#### Private Sector Organization (PSO) Grant

The Government of Samoa continues to reaffirm its commitment on an annual basis to strengthening its Public-Private Partnership through supporting the ongoing development of the Private Sector. This commitment is presented in the form of a Grant to eligible PSOs to assist with their administrative operations. The Cabinet therefore approved the allocation of the annual PSO grant for 2022/23 to ten (10) PSOs for this purpose.

The eligible organizations are those with commercial affiliations and are registered with MCIL under the Incorporated Societies Ordinance 1952. There are set criteria and a number of factors to be considered in determining the amount of grant to be awarded to each organisation. These include the PSO's list of registered members; submission of strategic plan, annual reports and audited financial statements; active advocacy role; and progress of any development projects being undertaken by the PSO. The PSO grant was presented to the 10 eligible PSOs on 26<sup>th</sup> June 2023. The approved allocation for 2022/23 is as follows:

Private Sector Organization	Grant Allocations for FY 2022/23	Grant Allocations for FY 2021/22
1) Samoa Chamber of Commerce	\$50,000.00	\$50,000.00
2) Women In Business Development Inc.	\$45,000.00	\$45,000.00
3) Samoa Association of Manufacturers and Exporters.	\$40,000.00	\$40,000.00
4) Samoa Hotels & Hospitality Association Inc.	\$35,000.00	\$35,000.00
5) Business of Salafai Association	\$25,000.00	\$25,000.00
6) Samoa Federated Farmers Inc.	\$20,000.00	\$20,000.00
7) Samoa Information and Technology Association	\$20,000.00	\$15,000.00
8) Savaii Samoa Tourism Authority	Did not submit reports	\$10,000.00
9) Samoa Mamanu Designs & Manufacturers Association	\$5,000.00	\$5,000.00
10) Tautai Samoa Association Inc.	\$5,000.00	\$5,000.00
11) Asosi mo Atina'e Laau Toto Savai'i	\$5,000.00	
<b>TOTAL</b>	<b>\$250,000.00</b>	<b>\$250,000.00</b>

### **Duty Concession Scheme (DCS)**

The Duty Concession Scheme is one of the assistance support programs by the Government of Samoa. The Scheme is aimed to assist eligible businesses within the Manufacturing, Fisheries, Agriculture and Tourism Industries through the importation of materials on a duty free basis under the provisions of the Customs Amendment Act 2022 (Section 127A) and the Customs (Development Projects) Regulations 2010. The Investment Committee chaired by the MOF assessed all applications received by the Secretariat.

#### **Applications received, assessed and approved/declined/pending**

Only one (1) new application was received and assessed within 2022/23, noting a 80% decrease from the number of applications received and facilitated in the previous reporting period. The application is from the Manufacturing Sector however, the request was outside the scope of the Duty Concession Scheme. Therefore, it was referred to the MOF to assess and provide the Government position for submission to Cabinet for their decision.

#### **Request for extension of timeframe for Duty Concession incentives**

There were three (3) requests for extension of timeframe that were received and assessed during the financial year. Two (2) requests have been approved and one (1) was pending a decision of the Investment Committee as at the end of the reporting period.

#### **Request for Additional Goods**

There was one (1) request for additional goods received and this was approved by the Investment Committee in this financial year.

#### **Pending cases carried forward from the previous financial year**

A total of twelve (12) applications were received and reported in the previous financial years were carried forward to this 2022/23. Of these twelve, 6 applications (1 Tourism and 5 Manufacturing) were approved by the Investment Committee in the reporting period; 1 Tourism development request was declined; 1 Tourism development request was withdrawn by the applicant, as they were no longer in need of the assistance. Two (2) cases (Manufacturing) were on hold, pending documents/requirements submission, 1 case (Tourism) was pending awaiting the Investment Committee's decision; and 1 Tourism-related case remained pending.



## Code 121 Scheme

This assistance scheme is to further develop domestic businesses, including Commercial Poultry farmers, Commercial Manufacturers of Agricultural Products, Commercial Handicraft Manufacturers and Commercial Elei Garment Manufacturers, by exempting duty from 8% to 0% for imported raw materials imported by businesses approved under the Customs Tariff Amendment Act 2008. A total of four (4) new cases were received in 2022/23, all under the Category of Commercial Manufacturers of Agricultural Products. Three (3) were approved and 1 declined as it did not meet the criteria of the Scheme. One (1) carried forward application from 2021/22 was also approved within the reporting period. It is noted that the number of new applications received increased by 60% compared to 2021/22.

## COMPETITION AND CONSUMER PROTECTION

The Samoa Competition and Consumer Commission (SCCC) continued to assess intricate competition and consumer cases received by the Secretariat. This include the endorsement of the re-introduction of the Price Control Order (PCO) considering that during the three-year PCO period under SOE, prices continued to fluctuate, with most products increasing, but some products declining slightly.

In the post-pandemic period, there was an overall increase in commodity volumes due to global external factors such as supply chain disruptions. Samoa is a small island nation and any disruption to our global supply chains has a significant impact on healthy and effective domestic competition. It appears that inefficient competition may exist in the market and it is assumed that this may continue for at least the next two years, given the International Monetary Fund and the Central Bank of Samoa projections of recovery and normalization. There have been numerous calls from the public for further government action to address the high cost of living, which has also been emphasized in Parliament. In the interests of protecting consumers from unfair trade practices, it further emphasizes the importance of a PCO post pandemic recovery period. The most recent PCO enforced during the State of Emergency (SOE) Powers as stated in Article 106 of the Constitution, was Order 81 which expired on 26<sup>th</sup> July 2022. Clause 94 of the Competition and Consumers Act 2016 (CCA) explicitly declares that the Commission's findings serve as the foundation for enacting any proposed PCO.

The proposal for restructuring and independence of the SCCC was presented to the Public Service Commission and is pending a decision. SCCC members believe that it is crucial for the SCCC to be completely autonomous in its establishment and functioning and fulfil the legislative requirements, thus necessitating a rearrangement of the existing structure in which the Fair Trading role of MCIL act as the operations arm of the SCCC and enforcement of the Competition and Consumer Act 2016.

**Strengthening partnerships in promoting consumer protection and competition matters.** The partnership between the SCCC and the Fiji Competition and Consumer Commission was officiated by the signing of the MOU in New Zealand in December 2022 at the International Competition Network forum. This MOU symbolizes the significance of collective endeavors and partnerships between the two Commissions on consumer protection and competition related matters.

## E-Commerce

MCIL has endeavored to conceptualize Samoa's E-Commerce Strategy to conform to the PDS 2021/22 – 2025/26. The strategy was formulated within the framework of the project "**Accelerating the Adoption of E-commerce in the Pacific**" implemented by the Pacific Islands Forum Secretariat (PIFS) in collaboration with its consultancy team from TradeWorthy Ltd. The Australian Department of Foreign Affairs and Trade (DFAT) provided funding for this initiative under the E-Commerce Aid-for-Trade Strategy 2020-2025. After undergoing a series of designated procedures, the National

Ecommerce Strategy and Roadmap has ultimately reached its desired outcome. A launch event was conducted in Upolu and Savaii, with the purpose of officially introducing the Ecommerce Strategy to Samoa and its donor counterparts. Moreover, the development and subsequent execution of the Strategy and Roadmap serves as a clear indication to both the public and private sectors. The PACER Plus Implementation Unit's (PPIU) financial support partially helped make the launch event possible.

The current phase of implementation prioritizes the establishment of the National E-commerce Committee that is chaired by the CEO-MCIL, Deputy Chair, the CEO MFAT and 8 key Ministries who bear the responsibility for crucial policy areas as specified in the Strategy. Samoa exhibits a deficiency in cohesive endeavors towards the advancement of a digital economy, despite the establishment of committees and task forces exclusively dedicated to the enhancement of both economic and digital domains. The aforementioned Committee is responsible for supervising the amalgamation of these endeavors in a comprehensive and ambitious fashion, with the ultimate goal of facilitating the emergence of a digital economy.

## **CODEX AND TECHNICAL BARRIERS TO TRADE**

Samoa has been taking steady progressive steps towards strengthening of codex related issues at the national and international level in line with internationally prescribed principles and the Samoa National Codex Strategic Plan. As a focal contact point for all Codex related matters, the Samoa National Codex Committee (SNCC) continued to deliberate on all Codex related matters, and to provide progress updates on current and new Codex works for implementation by the Committee. Furthermore, the SNCC is tasked with discussing and recommending appropriate solutions to address national food safety and trade issues that has negative impacts on public health and safe food trade at the national and international level.

### **Codex Alimentarius Commission**

The SNCC and MCIL as the Samoa Codex Contact Point (CCP) are active members of the Codex Alimentarius Commission (CAC). The CAC (commonly referred to as Codex) is the body established to develop food standards under the Joint FAO/WHO Food Standard Program. The mandate of the Codex is to establish international food standards to protect the health of consumers and to ensure fair practices in the food trade, whilst prompting coordination of food standards work undertaken by international governmental and non-governmental organisations.

In November 2022, at the 45<sup>th</sup> Session of the CAC, the Samoa delegates led by the CCP and secretariat of the SNCC supported and voted for the advancement of the standard on the Maximum Residue Limit (MRLs) of **“Zilpaterol Hydrochloride”** found in meat, based on the results of the scientific research carried out by the Joint FAO/WHO Expert Committee on Food Additives (JECFA).

The SNCC and CCP continued to push Samoa's agenda at the Regional level on Codex matters through the Codex Coordinating Committee for North America and Southwest Pacific Region (CCNASWP). Samoa's participation in this meeting plays a crucial role in the approval of the Draft Regional Fermented Noni Juice Standards by the Regional Committee to be submitted to the upcoming CAC 46<sup>th</sup> session in November 2023 for endorsement at step 8. Additionally, Samoa also proposed the development of a Regional Standard for Breadfruit Flour which was positively supported by the Regional Committee.

### **FAO/WHO CODEX Trust Fund Project for Samoa**

The Codex Trust Fund project completed 2 workshops focusing on enhancing and further development of our national codex structures capacities, specifically our SNCC members and relevant stakeholders on the Codex procedures and standards development processes, as well as

the role of Codex standards in addressing food safety and trade issues. The workshops also provide useful insights for our SNCC members and stakeholders on the importance of their role in ensuring a well-developed national food safety system, and to effectively participate in Codex works and meetings at the national, regional, and international level.

Furthermore, the Codex Samoa was fortunate to have the Vice Chairperson of the Codex Alimentarius Commission (Mr. Raj Rajasekar) as a guest speaker in one of the workshops that was held in May 2023. Mr. Rajasekar also assisted in the implementation of the Gap analysis activity to identify the level of national awareness and understanding of Codex and its relevance to food safety and provide resolutions based on his expertise and experience as the Codex Senior Program Manager at the Ministry of Primary Industries (MPI) of New Zealand. Additionally, Codex Samoa in collaboration with Codex New Zealand (MPI) provided a 1-week twinning program in June 2023 for MCIL and MOH staff that were involved in Codex works at the national level, to learn and have a practical in-office experience on Codex works in New Zealand.

## **CODEX Standards Development Works**

### **Regional Standard for fermented Noni juice**

As one of the outcomes of the CCNASWP 16<sup>th</sup> session, the Regional Committee approved the draft regional standard for fermented noni juice to be submitted to the 45<sup>th</sup> session of the Codex Alimentarius Commission in November 2023, for their endorsement to advance the standard at step 8. However, outstanding works on “**Section 10- Methods of Analysis and Sampling**” of the standard must be completed, particularly on the validation of the “High-Performance Liquid Chromatography HPLC method”, that was proposed by our SROS team as the reliable method to test for the level of scopoletin and D-Acid found in fermented noni juice. Samoa’s CCP is working closely with our SROS team to finalize and complete this work in advance before the next CCNASWP meeting.

### **Regional Standard for Breadfruit Flour**

As per one of the CCNASWP16 agreed resolutions, the Regional Committee agreed on the proposal for new works by the Samoa delegates to develop a regional standard for breadfruit flour. Breadfruit is one of the common crops found in our region that can be utilized to develop value added products with market potential “such as breadfruit flour” which can also address food security issues in our region and offering a healthy substitute for the imported grain wheat flour. Samoa’s CCP is currently leading the work in drafting a discussion paper and project document for the development of this standard to be submitted to Codex secretary and Executive Committee for their review before it is submitted to CAC for their endorsement to start the works for development of the draft standard at the regional level. Our Samoa National Codex Committee secretary with the assistance of the CTF international consultant completed the first draft of the discussion paper and project document.

### **Pacific Quality Infrastructure Initiative (PQI) Project**

The PQI standardization committee or the Pacific Islands Standards Committee (PISC) held its first face-to-face annual meeting and Standardization week-capacity building workshop in Noumea, New Caledonia from 29<sup>th</sup> May to 2<sup>nd</sup> June 2023. The event was co-hosted with the Pacific Area Standards Congress (PASC) Annual Meeting. The 1-week program provided a better understanding on the importance of effective communication and coordination, and the harmonization of various national standards systems in our region to leverage regional integration and promotion of standardization.

### GOAL 3 CREATE EMPLOYMENT OPPORTUNITIES FOR THE LOCAL WORKFORCE AND A HEALTHY AND SAFE ENVIRONMENT FOR ALL

We aim to achieve this Goal by strengthening Labour and Employment Markets' supply and demand to improve employment opportunities; seek and strengthen partnerships with development partners and key stakeholders or other related service providers to expand into other trades for more employment opportunities overseas; facilitate employer-employee relations through effective social dialogues on industrial relations and employment relations, foreign employee employment permits, and on occupational safety and health matters.

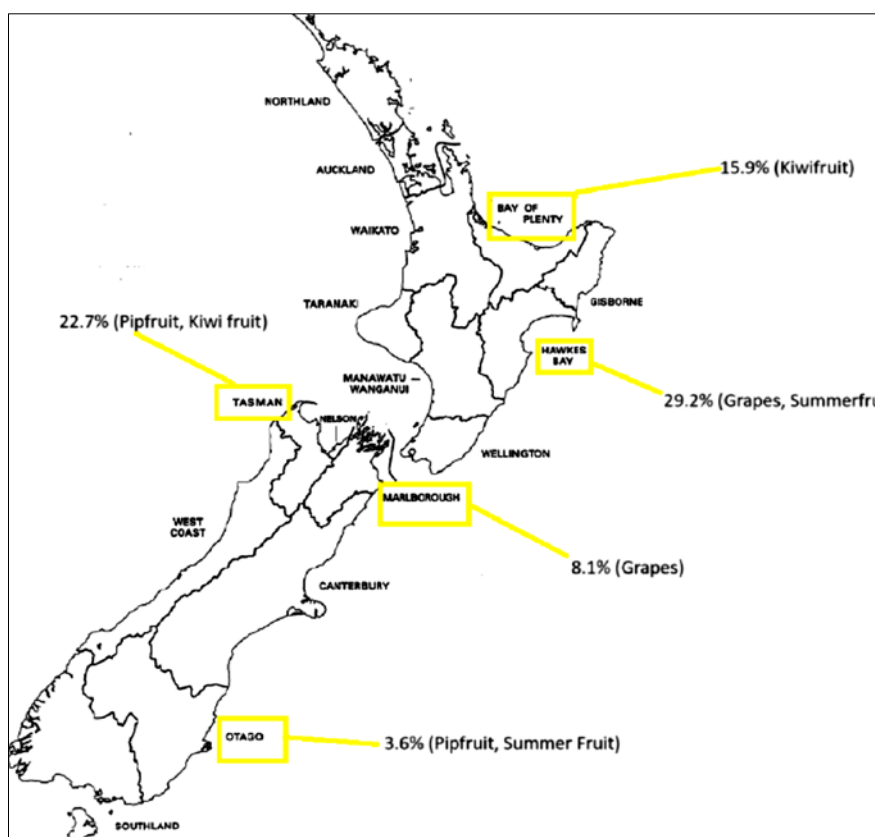
#### Seasonal Employment Programmes

##### NZ Recognized Seasonal Employers Scheme ('RSE')

Samoa is one of six (6) starting Pacific countries that signed the Inter-Agency Understanding to participate in the Scheme in April 2007. RSE is strictly for the horticulture and viticulture sectors and employment period for workers ranges from 3 months to a maximum of 7 months in any 11-month period. The premise of the scheme is that it is 'employer driven' and workers are spread across various regions of NZ where accredited employers have proven they cannot meet a shortage in locally-sourced labour to fill urgent gaps. RSE has an annual administrative cap across the participating Pacific countries. The cap was 5,000 when RSE first commenced in 2007. For the 2022/23 season, this has been set at 19,000 places. This is an increase of 3,000 on the previous 2021/22 season. For the 2023/24 season, this cap is set at 19,500 places.

For the 2022/23 season, Samoa was able to mobilize 4,160 seasonal workers to employment places across 67 approved employers and 7 approved employers with Approval to Recruit arrangements. This is an increase of 25% in numbers compared to the 2021/22 season of only 3,334 workers mobilized.

The map below shows the distribution of our seasonal workers across NZ.



### **Australia's Pacific Australia Labour Mobility ('PALM') Scheme**

The Australia PALM scheme is a combination of two previous streams – the Seasonal Workers Programme (SWP) and the Pacific Labour Scheme (PLS). The Scheme is the primary temporary migration program to address unskilled, low-skilled, and semi-skilled workforce shortages in rural and regional Australia. The majority (71%) of long term PALM workers (up to 4 years employment) from Samoa are employed in meat processing, with the remaining workers employed in agriculture (22%) and automotive services (4%). Of the short-term PALM (6 to 9 months employment), 98% of workers are in Agriculture. For PALM long-term, 20% are women and for short-term, 6% comprises of women. For the 2022/23 season, Samoa was able to mobilize 1,299 seasonal workers for the SWP and 1,277 for the PLS schemes.

The map below shows the workers distribution in Australia. There is a greater presence of our seasonal workers in the Queensland and New South Wales territories, with few in Tasmania, Western Australia and Northern Territory. There is great interest from approved employers in Western Australia to recruit from Samoa.



### **Samoa Policy for Temporary Labour Migration under the Labour Mobility Schemes in Australia and New Zealand**

The Cabinet appointed a special Cabinet Sub Committee to review the existing labour mobility facilitative arrangements in Samoa and to oversee the development of the Policy that will guide the temporary migration of Samoans under the Labour Mobility Schemes of Australia and New Zealand.

The key areas of focus of the Policy includes: the Government's expectation from the Governments of Australia and NZ to ensure workers are appropriately compensated for their services rendered, enforce their employers to provide enhanced safety measures for workers while they are being deployed overseas, ensure that all matters pertaining to labour mobility are channeled via the Ministry; signaling the Government of Samoa's intention to impose a facilitation fee, indicating the implementation of a licensing process to ensure oversight of private recruiters, mobilisation of additional Labour Mobility Liaison Officers near farm sites, understand that return workers are expected to return to Samoa without offering them residency opportunities and the involvement of the Constituency Committees in the vetting process for seasonal workers. In addition, there will be a cap of 6,000 each of the most vulnerable workers to be mobilised annually under the NZ and Australia Labour Mobility Programs. The LEEP team have made progress in preparing to implement the Policy in the 2023/24 financial year.



## Apprenticeship Training Program

### Apprenticeship Program New Entrants

A total of one hundred and seven (107) new entrants was recorded for the Apprenticeship Program since the implementation of the Apprenticeship new structure in June 2022. It is expected that Level 3 of the new Apprenticeship Platform will be completed in November 2023 and successful apprentices will continue on Level 4 in 2024 pursuing Samoa Apprenticeship Certificate 4 which is aligned with Certificate 4 of New Zealand and Australia.

MCIL continued its collaborative partnerships with key players of the Apprenticeship Training Program on the identification of appropriate National Competency Standards (NCS) for both Theoretical and the Practical Training assessment at the workplace and the assessment and monitoring of apprentices under the Workplace Assessment program (WPA).

The new Apprenticeship Structure incorporated the revised NCS for the seven (7) trades under the program. The Program has two components, the Theory or “Off the Job Training” is facilitated by the National University of Samoa and the Practical or “On the Job Training” by the Industries. Once the Year 1 or Level 3 training is completed, it will be followed by the practical training at workplaces. The WPA is an important component of completing the Apprenticeship Training Program. It is an evidence based assessment system that has been identified as a priority in the Education Sector Plan 2019-2024 and PSET Strategic Plan 2016-2020. In addition it is an important quality assurance tool to confirm the validity and reliability of assessment in workplace training. The key parties involved in the WPA are the NUSIOT (training provider), Industries (Workplace environment), SQA (accreditation and registration of qualified workplace assessors), the assessors and moderators and MCIL (observer).

### Employment Services and Labour Market Information

The Labour Market Survey 2022 field work began in July 2022. The LMS is conducted every 3 years, collecting employment information from a sample population of employers in the private and public sectors. The LMS is one of Samoa’s strategic tools envisaged to form evidence that support labour policies, and ensure their responsiveness to the diversification and transformation of Samoa. The LMS details Labour Statistics that form quantifiable baselines relating to the level of private sector contribution to Samoa’s development. The report is expected to be launched in the 23/24 financial year.

MCIL undertook the review and upgrading of the Labour Market Information System (LMIS) with the financial and technical assistance from the ILO. The main objective of this undertaking was to upgrade the existing LMIS to a more user friendly online platform and review existing mechanisms for the administration of employment services in terms of job registration, job referrals, and job placement. This ensures an effective and efficient reporting to stakeholders and the public of the key sector performances ensuring that all reliable and updated sector statistics are available for planning, monitoring and evaluation for decision making.



## Industrial Relations Work Permits and OSH

The Labour and Employment Relations Bill 2022 became law in 2022/23 when it was passed by Parliament in January 2023. This was a particularly significant milestone given the review had commenced in 2019. The Ministry has since received technical support from ILO to assist with finalizing of the Draft Regulations 2023. Awareness and Implementation of the Amendments Act and the Regulations will proceed within the next financial year following endorsement of the Regulations by the Cabinet before the Act becomes effective on 5<sup>th</sup> February 2024.

The amendments to the LERA 2013 will play a significant role in giving authority to Labour Inspectors to issue penalties to noncompliant employers who have breached the LERA and its regulations. The LERAA 2023 have incorporated the Convention 190 (C190) Harassment in the Workplace which gives the employers obligations to ensure their employees are protected from such work hazards at all times.

## Climate Action for Jobs – Employment Creation at the Centre of Climate Action

The Climate Action for Jobs Initiative was established at the Climate Action Summit in September 2019 and identified the International Labour Organization to spearhead its implementation. Samoa was nominated and confirmed as a representative and Co-Chair on the high level International Advisory Board (IAB) for the Asia Pacific Region in 2020.

On 9<sup>th</sup> March 2023, the IAB convened its fourth meeting, which the MCIL CEO attended on behalf of the Honorable Minister. Honourable Leatinu'u Wayne So'oialo in his capacity as Co-Chair of the International Advisory Board had lead previous meetings in the operation of this key strategic forum comprising Ministers of labour from all regions and tripartite constituents. As part of the objectives of this fourth meeting, Samoa's representative emphasized the need for this initiative to broaden programmatic interventions into the Pacific Island region as one of the foremost regions affected by the impact of climate change.

## Reporting Obligations to ILO

Samoa became a member of the ILO in 2005. As a member state, it is our obligation to ratify as many as possible relevant labour conventions and to report to ILO on the status of their implementation. As of to date, Samoa has ratified 10 Labour Conventions. Two reports to the ILO on International Labour Standards (ILS) which are due annually were transmitted in 2022/23 on the Freedom of Association and Protection of the Right to Organise (C87-Direct Request) and Right to Organize and Collective Bargaining (C98-Direct Request).

### Ratifications for Samoa (ILO)

#### Fundamental Conventions

- C029 – Force Labour Convention, 1930 (No. 29)
- C087 – Freedom of Association and Protection of the Rights to Organise Convention, 1984 (No.87)
- C098 – Right to Organise and Collective Bargaining Convention, 1949 (No.98)
- C100 – Equal Remuneration Convention, 1951 (No.100)
- C105 – Abolition of Forced Labour Convention, 1957 (No.105)

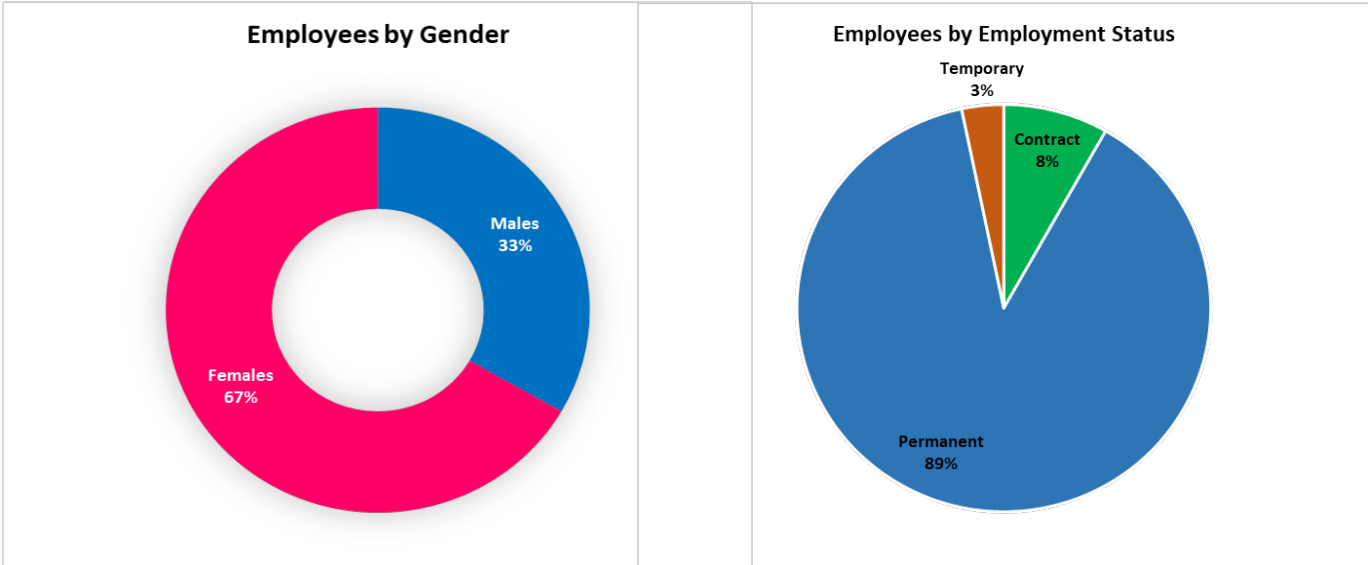
#### Governance Convention

- C144 – Tripartite Consultation (ILS) Convention, 1976 (No.144)

#### Technical Convention

- MLC, 2006 – Maritime Labour Convention, 2006 (MLC, 2006)

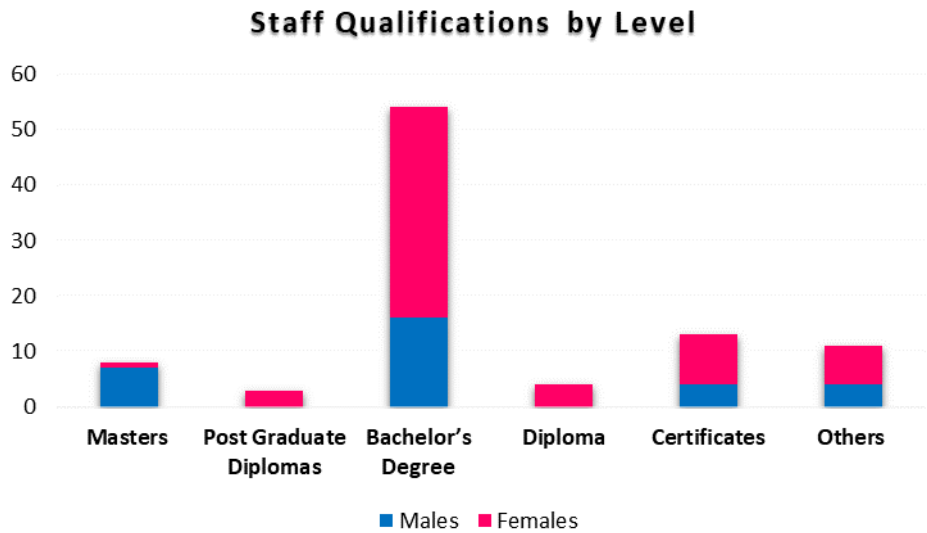
Source: ILO



**Our Staff**

A total of 93 active staff members was recorded at the end of the financial year. Twelve (12) were contract employees including our 2 Labour Mobility Liaison Officers in New Zealand and Australia, 78 permanent officers and 3 term employees. Of this amount, 31 (33%) were males and 62 (67%) were females. Contract employees consist of 12 members, 5 are females and 7 are males. Of the 78 permanent employees, 24 are males and 54 are females, and for temporary employees, 2 females and 1 male.

**Staff Qualifications**



**Staff Level of Education Profiles**

- 9% of staff have Masters degrees, 3% are Postgraduate Diploma holders, 1% have Postgraduate Certificates, the majority of staff (54%) have first degree qualifications, 5% have Diplomas, 17% Certificates, and 11% have School Certificates (Others)
- 52% of our male staff and 61% of female have first degree qualifications.
- 34% of Qualifications are Commerce related, 11% are Arts related, 9% are Development Studies, 8% are Economics

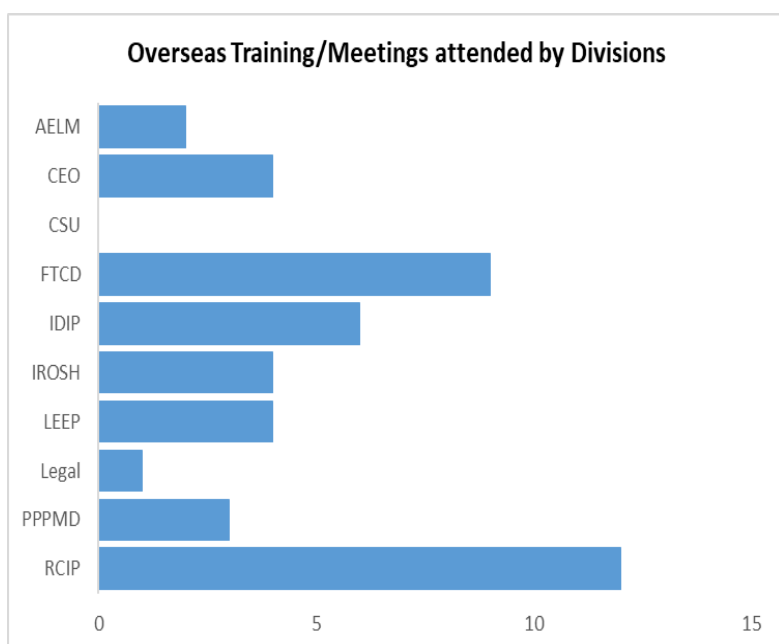
## Fostering a culture of continuous service improvement

In November 2022, Cabinet approved the Complaints Management Policy for the Public Sector. The Government recognizes and acknowledges that effective management and handling of complaints is fundamental to foster a culture of continuous service improvement. This is important to us as a Government Ministry who aims to improve and enhance our service delivery. MCIL in support of this initiative developed a Complaints Management tool with clear criteria and guidelines to allow our clients and key stakeholders the opportunity to assess and provide feedback on our service delivery.

## Staff Training and Development

MCIL continued to support and encourage its employees to pursue further studies for professional and personal development at their own cost and time. 31 staff members have had the opportunity to attend meetings, seminars, trainings and workshops overseas and were able to deliver presentations during our weekly knowledge sharing sessions. The graph below shows overseas trainings and meetings attended by each division of MCIL.

## Annual Employee Awards Ceremony



### KEY:

AELM – Apprenticeship, Employment & Labour Market

CSU – Corporate Services

FTCD – Fair Trading & Codex

IDIP – Industry Development & Investment Promotion

IRWPOSH – Industrial Relations, Work Permits & OSH

LEEP – Labour & Employment Export Program

PPPMD – Policy Planning & Project Management

RCIP – Registries of Companies and Intellectual Properties

This initiative started in 2014 by the CSU and has become an Annual Event during MCIL's End of Year Function. The Awards Ceremony is to recognize the efforts and contribution of our employees during the year in achieving MCIL's goals and objectives planned for the period under review.

A total of 57 staff members were awarded and acknowledged with the Spirit of Service Award for their services during the 2021 General Elections, and the Mass Vaccination Campaigns for the COVID-19; 13 awards for Divisional staff with the best all-year-round performance; 9 Managers awards; 1 long service and retirement award; and 2 Occupational Safety and Health Awards for an employee and the division that have consistently complied with OSH requirements.

### REVENUE

The non-tax revenue (NTR) or costs recoveries are fees and charges paid by third parties administered by law and regulations under the investment promotion, enforcement of fair trading standards, registrations for the apprenticeship training program and trade test and registry of companies, other legal entities and intellectual properties.

Our NTR target for 2022/23 was increased by 19% from the 2021/22 target. The actual NTR collected for the period under review exceeded the target revenue and noted a percentage increase in collection of 53% compared to the previous 2021/22 financial year in which a percentage increase in revenue collection of 62%. The table below listed the YTD Actual NTR receipted at end of 2022/23.

Non Tax Revenue Source	Actual 2023	NTR Target Collection 2023	Actual 2022
Management of Investment Promotion & Industry Development	23,340	12,000	15,100
Enforcement of Fair Trading	21,178	23,475	13,567
Administration of the Apprenticeship Scheme	5,290	5,000	5,950
Management of Registries of Companies and Intellectual Properties	1,083,907	700,000	967,565
Other	- 296	-	200
<b>TOTAL NON TAX REVENUE</b>	<b>\$1,133,419</b>	<b>\$740,745</b>	<b>1,002,422</b>

The Registries of companies and intellectual properties remain the main contributor to the actual NTR collected for the financial year from receipts under the Intellectual Properties registries that Samoa is a party to such as the Madrid Protocol, the Hague Agreement and the Lisbon. The calibration fees under the Fair Trading revenue source was under achieved as retailer businesses remained closed from COVID19 and therefore MCIL could not carry out verifications of scales as planned. MCIL will review its other services in which could generate additional revenue in the future such as the Labour Mobility Programmes.

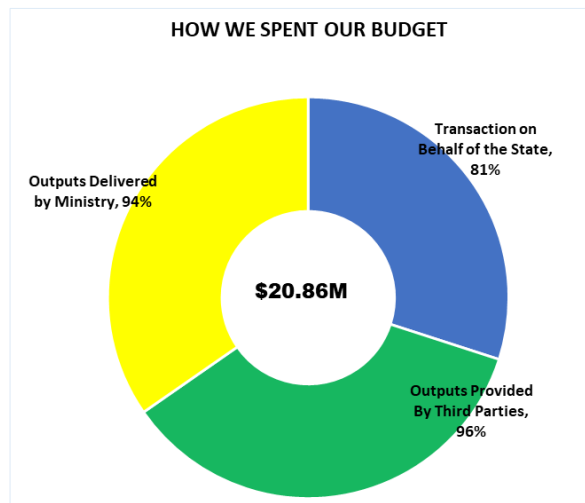
### EXPENDITURE

We were responsible for the Budget Appropriation of \$20.86 million tala for 2022/23 for our operations to Outputs Delivered by the Ministry, Grants and Subsidies to Third Parties and Transactions on behalf of the Government of Samoa. Of this amount, 63% was allocated for Outputs provided by Third Parties, 28% was for Services or Outputs delivered by the Ministry and 9% for Transactions on Behalf of the State.

\$4.6 million tala was allocated to Personnel Expenditure in which \$3.1 million was for employees' salaries. Only 82% was utilized at end of 2022/23 due to staff resignations as well as the freeze in the recruitment and selection process of our vacant positions. Thus, the savings incurred during this financial year from Personnel budget was reallocated for payout of staff benefits (long service leave, resignation, higher duties allowances), the refurbishing of the Operating Budget for utility costs and travel related costs for staff under relevant outputs, and reallocation to Capital Budget for the procurement of new assets to support the implementation of our official mandates, roles and functions.

MCIL was able to secure additional funds of \$103,545 in the First Supplementary budget to accommodate the additional newly established positions of Samoa Labour Mobility Liaison Officer in New Zealand and the Labour Market Information Officer.

At the end of 2022/23, **we were able to utilize 94% of the \$20.86 million** tala annual budget appropriation. By budget category allocation, **94%** of the \$5.81 million tala was spent for **Outputs operations and administration support**, **96%** of the \$13.01 million tala was spent on **Third Party Outputs** and **81%** of \$20.45 million tala appropriation was spent for **Transactions on behalf of the State** includes membership, rent and leases and counterparts cost. Our Statement of Receipts and Expenditure for the period ending 30 June 2023 is on page 40 of this document.



## ASSETS

ASSET CATEGORY	AMOUNT SAT\$
Furniture & Fittings	\$23,355.00
Office Equipment	\$73,253.20
Computer Equipment	\$18,016.12
TOTAL	\$114,624.32

At the end of reporting period, we managed to procure additional assets funded from savings as well as donors through various project sectors. The total value of all assets procured accumulated to \$114,624.32. This amount excluded motor vehicle parts as shown in the table above. New assets procured to replace written-off assets due to wear and tear conditions and assets that have reached its maximum useful life and furniture and office equipment for use by new employees.

# STATEMENT OF CERTIFICATION

## MINISTRY OF FINANCE



## STATEMENT OF CERTIFICATION

*The Statement of Receipts and Payments, Schedule 2 and accompanying notes/information from other schedule of the Public Accounts on Fixed Assets (Schedule 9) for financial year ended 30<sup>th</sup> June 2023 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 Statements for Ministry of Commerce, Industry and Labour are based on the unaudited results for the year ended 30<sup>th</sup> June 2023, as reflected in the accounting records of the Ministry of Finance for the Treasury Fund.*

*On behalf of the Government of Samoa.*

Saoleititi Maeva Betham Vaai  
Chief Executive Officer

Date: 25 / 10 / 23



# STATEMENT OF RECEIPTS AND EXENDITURE FOR FINANCIAL YEAR ENDED 30 JUNE 2023

SCHEDULE 2.5

## STATEMENT OF MINISTRY RECEIPTS BY REPORTING CATEGORY

### AND EXPENDITURE BY OUTPUT

#### APPROPRIATION ACCOUNT

*for the financial year ended 30 June 2023*

	Notes	2023 \$	Original Estimate \$	Final Estimate \$	(Over)/Under \$	2022 \$
<b>COMMERCE, INDUSTRY &amp; LABOUR</b>						
<b>RECEIPTS</b>						
<b>Ordinary Receipts</b>						
Other Revenues						
Fees & Other Charges		1,133,419	740,475	740,475	(392,944)	1,002,422
<b>TOTAL RECEIPTS</b>		<b>1,133,419</b>	<b>740,475</b>	<b>740,475</b>	<b>(392,944)</b>	<b>1,002,422</b>
<b>PAYMENTS</b>						
<b>Outputs</b>						
1.0 Policy Advice to the Responsible Minister		846,007	842,557	860,557	14,550	819,742
2.0 Seasonal Employment Administration		932,458	1,009,352	1,069,891	137,433	806,552
3.0 Management of Investment Promotion & Industry Development		604,367	634,293	634,293	29,926	613,587
4.0 Enforcement of Fair Trading and Codex Development		835,046	911,923	911,923	76,877	749,536
5.0 Administration of Apprenticeship Scheme & Employment Services		591,849	604,487	629,493	37,644	552,146
6.0 Enforcement of Labour Standards & Assessment of Work Permits		555,850	574,586	574,586	18,736	542,566
7.0 Enforcement of Occupational Safety & Health Standards		365,246	395,681	395,681	30,435	374,176
8.0 Management of the Registries of Companies & Intellectual Properties		719,495	733,627	733,627	14,132	674,628
<b>Total Outputs</b>		<b>5,450,318</b>	<b>5,706,507</b>	<b>5,810,052</b>	<b>359,735</b>	<b>5,132,933</b>
<b>Third Party Outputs</b>						
Samoa Tourism Authority (STA)	1.1	9,253,111	9,562,411	9,562,411	309,300	18,917,740
Samoa Business Hub		450,000	450,000	450,000	0	450,000
Private Sector Support Facility (PSSF)		3,000,000	3,000,000	3,000,000	0	0
<b>Total Third Party Outputs</b>		<b>12,703,111</b>	<b>13,012,411</b>	<b>13,012,411</b>	<b>309,300</b>	<b>19,367,740</b>
<b>Transactions on Behalf of State</b>						
<b>Membership Fees</b>						
International Labour Organisation		10,074	11,642	11,642	1,569	10,251
International Organisation for Consumer Union		1,515	6,200	6,200	4,685	1,336
World Intellectual Property Organisation(WIPO)		8,724	12,000	12,000	3,276	0
World Association of Investment Promotion Agency		14,196	15,500	15,500	1,304	13,905
United Nations Industry Development		2,028	11,560	11,560	9,532	1,788
Corporate Registry Forum		1,081	1,565	1,565	484	592
Competition Commission		0	0	0	0	4,707
ISO Membership (Standards)		0	28,000	28,000	28,000	0
		37,618	86,467	86,467	48,849	32,579
<b>Government Policies / Initiatives</b>						
Apprenticeship Training Provider (NUS)	1.3	0	178,000	178,000	178,000	0

Contribution to Private Sector Organisation	1.2	250,000	250,000	250,000	(0)	0
E-Registry Database - Foster Moore (NZ)		148,927	165,421	165,421	16,494	124,021
World Intellectual Property Day (26 April)		9,790	10,000	10,000	209	7,707
Exporter of the Year Awards - SAME		0	10,000	10,000	10,000	0
OSH Day		9,423	10,000	10,000	576	0
Grants to Workers' Associations		25,000	30,000	30,000	5,000	20,000
		443,141	653,421	653,421	210,280	151,729
<b>Rents and Leases</b>						
ACB Building Rent/Lease		851,539	853,957	853,957	2,418	706,046
Rent - Fair Trading Division Office in Savaii		3,256	5,616	5,616	2,360	4,884
Rents & Leases for Home and Office of the Samoa Liaison Officers in NZ and Australia		157,468	167,677	167,677	10,209	157,451
		1,012,263	1,027,250	1,027,250	14,988	868,381
VAGST Output Tax		166,501	278,245	278,245	111,744	155,838
<b>Total Transactions on Behalf of State</b>		<b>1,659,523</b>	<b>2,045,384</b>	<b>2,045,384</b>	<b>385,861</b>	<b>1,208,527</b>
<b>TOTAL PAYMENTS - COMMERCE, INDUSTRY &amp; LABOUR</b>		<b>19,812,952</b>	<b>20,764,302</b>	<b>20,867,847</b>	<b>1,054,895</b>	<b>25,709,200</b>
<b>RECEIPTS OVER PAYMENTS</b>		<b>(18,679,533)</b>	<b>(20,023,827)</b>	<b>(20,127,372)</b>	<b>(1,447,840)</b>	<b>(24,706,777)</b>
<b>GOVERNMENT DEVELOPMENT PROJECTS</b>						
	<i>Notes</i>	<b>2023</b>	<b>Original Estimate</b>	<b>Receipts</b>	<b>Payments</b>	<b>Opening Balance</b>
		<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Grants - GDP</b>						
Samoa Private Sector Development Programme (NZ)		21,837	35,088	1,830	41,818	61,824
Assistance to Support the Labour Mobility Unit of Samoa (AusAid)	1	1,922	22,078	89,992	87,633	(206)
Catalyzing Women's Entrepreneurship- Creating a Gender Response Entrepreneurship Eco System (ESCAP)		21,500	82,186	58,859	46,378	9,019
UJNICEF Support Child Labour Rapid Assessment Survey in Samoa (UNICEF)		200	62,604	200	62,604	62,604
New Zealand Labour Mobility (RSE) Personnel Support to Samoa Labour Sending Unit (Other)	1	14,771	0	57,996	43,223	0
Pre- Departure Orientation and Debriefing Sessions for RSE & SNP (ILO)	a+e	2,806	7,805	0	0	2,806
Enhanced Integrated Framework Trade (UNDP)	a	(221,038)	0	0	0	(221,038)
Technical Assistance for the Review of Samoa National Emergency Employment Policy (ILO)	a	410	0	0	0	410
Occupational Safety and Health (OSH) Day (ILO)	a	(233)	0	0	0	(233)
ILO & SWC Recovery Programme Works for Laid-Off Workers from Covid-19 (ILO)	a	2,697	0	0	0	2,697
<b>TOTAL GOVERNMENT DEVELOPMENT PROJECTS</b>		<b>(155,128)</b>	<b>209,761</b>	<b>208,878</b>	<b>281,656</b>	<b>(82,118)</b>

Notes

<sup>1</sup> Non-cash transactions are not reported in this Statement but under Schedule 11.

<sup>a</sup> No movements in current financial year 2022/23.

<sup>e</sup> Estimates declared in Approved First Supplementary Estimates FY2022/23 but no transactions during the financial year.

**Source: Ministry of Finance**  
**NOTE: Statement of Appropriation is subject to Audit**

## APPENDIX 1: PERFORMANCE MEASURES ACHIEVEMENTS FINANCIAL YEAR 2022-2023



### OUTPUT 1 : POLICY ADVISE TO THE MINISTER

SCOPE OF APPROPRIATION - Provide appropriate policy advice to the Minister on all areas of the Ministry's mandate by leading the effective management and oversight of the Ministry's outputs through the effective use of resources

ACHIEVED 7 OUT OF 9 OUTPUT PERFORMANCE TARGETS

Performance Measure/Indicator	2021-2022 Estimated Actual	2022-2023 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. Dates by which Annual Report 20/21 is submitted to Cabinet and Parliament	i. Cabinet by October 2021 ii. Parliament by December 2021	i. Cabinet by October 2022 ii. Parliament by December 2022	Completed/ Achieved	Annual report 21/22 was tabled and scrutinized by the Parliamentary Committee
2. Date by which the Quarterly Reports to PSC and MOF are submitted"	1st Report (Apr-Jun'21) - July 2021 2nd Report (Jul-Sept'21) - Oct 2021 3rd Report (Oct-Dec'21) - Jan 2022 4th Report (Jan-Mar'22) - Apr 2022	1QTR - July 2022 2QTR - Oct 2022 3QTR - Jan 2023 4QTR - April 2023	Completed/ Achieved	All reports were submitted as planned
3. Number of Written Policy Advice provided to the CEO, divisions and Stakeholders	New Measure	5	Completed/ Achieved	Total of 9 written policy advice completed (refer additional comments below)
<ul style="list-style-type: none"> <li>• MCIL written comments on the Policy for the Establishment of the Samoa Exports and Imports Authority (2022-08-05)</li> <li>• Review of the Labour Employment Exports Division mandated under the MCIL (2022-08-30)</li> <li>• Finalization of the Samoa National Employment Policy 2021/22–2025/26 (2022-10-12)</li> <li>• Private Sector Development Framework and Implementation Plan for Samoa (with UNDP) (2022-10-28)</li> <li>• Written comments on the Samoa Private Sector Scoping Study commissioned by NZ-MFAT (2022-12-05)</li> <li>• Written comments on the US-Pacific Islands Trade and Investment dialogue non-paper (2023-01-20)</li> <li>• Samoa's Policy for Temporary Labour Migration under the Labour Mobility Schemes of Australia and New Zealand (2023-01-24)</li> <li>• Zero draft of the MCIL Corporate Plan 2023/24 – 2026/27 (2023-02-08)</li> <li>• Finalised the Guide to Private Sector Development Programs in Samoa 2023 in May.</li> </ul>				

4. Number of Capacity building activities completed for the Ministry and External Stakeholders on national Policies under the Ministry's mandate	New Measure	4 - internal, 2 - external	Completed/ Achieved	4 internal & 2 external  (refer additional comments below)
<p><b>4 internal</b></p> <ul style="list-style-type: none"> <li>Gender-responsive budgeting within Organisations (online for PPPMD and CSU staff)</li> <li>IMPACT-UNCTAD Empowerment Program for National Trade Facilitation Committees (for PPPMD, IDIPD, and FTCD staff)</li> <li>Internal Review the MCIL Corporate Plan - final evaluation of previous CP and the new CP 2023/24-2026/27 (MCIL Management team)</li> <li>Building capacity of internal LEEP Policy Committee (CEO, ACEO-LEEP, ACEO-IROSHWP, Legal Division) on the draft LEEP Policy</li> </ul> <p><b>3 external</b></p> <ul style="list-style-type: none"> <li>Post-implementation workshop for the TCM Sector Plan 2017/18–2020/21</li> <li>Support for the MSME Development Policy &amp; Strategy Workshop</li> <li>* External Consultation of the new MCIL CP 2023/24 - 2026/27</li> </ul>				
5. Share of Commerce and Manufacturing Sector to the National Gross Domestic Product	40% of GDP	40% of GDP	Incomplete	Estimated 32.1% of GDP (real)
6. Date by which the new Trade Commerce & Manufacturing Sector Plan will be developed and completed	New Measure	By May 2023	Incomplete	Delayed in implementation due to other competing priorities. Targeting to finish drafting, consultations, and publish in September 2023.
7. Number of assignments under Component 1 of the Private Sector Development Program with funding support from NZMFAT	New Measure	2	Completed/ Achieved	Completed 3 final approved assignments under PSDP: <ul style="list-style-type: none"> <li>SBH–Documenting of Case Studies</li> <li>MCIL–Private Sector Development Programs Guide</li> <li>MCIT–Innovation Park Scoping Study</li> </ul>
8. Number of updates and public awareness activities on the Samoa Trade Portal	New Measure	i. Bi annual collection of information to update the portal; ii. Bi-annual refresher sessions on the portal	Completed/ Achieved	Refer to additional comments below
<p>STIP updates are done monthly by the team. There has been one refresher thus far done at the Post-Implementation workshop for the TCM Sector Plan 2017/18 – 2020/21. We completed 6 STIP refresher/Awareness: (i) Refresher for RCIP team during the loading of the trademarks procedure; (ii) Refresher for IDIPD during loading of the incentives procedures; (iii) Refresher for Customs during the updating of their procedures; (iv) Refresher for Quarantine during the updating of their procedures; (v) Awareness for FESA during initial meeting for data collection on new procedures.; (vi) Awareness for MOP during initial meeting for data collection on new procedures; (vii) Awareness for MOH during initial meeting for data collection on new procedures</p>				
9. 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) issued on all issues, contracts and legislation by end of June 2022	100 advice/opinions (verbal and written) issued by end of June 2023	Completed/ Achieved	The Legal Unit was able to meet the KPI. This included advice and opinion provided by written form, verbal advice to respective division, advice provided during meetings, advice to the public, advice to the Minister, Advice to the CEO. (evidence are recorded in respective computers however verbal advice and opinions are of a greater number)



## OUTPUT 2: ADMINISTRATION OF THE SEASONAL EMPLOYMENT

SCOPE OF APPROPRIATION: Provision for facilitating all matters relating to the Seasonal Employment Schemes.

ACHIEVED 7 OUT OF 10 OUTPUT PERFORMANCE TARGETS

Performance Measure/Indicator	2021-2022 Actual	2022-2023 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
<b>1. Number of workers screened and deployed for NZ and Australia;</b>  i. Number of workers screened; ii. Number of workers Deployed; (a) New Zealand - Recognized Seasonal Employment (RSE); - Approved in Principle (AIP); - Pacific Trade Partnership (PTP); (b) Australia: - Seasonal Workers Programme (SWP); - Pacific Labour Scheme (PLS);	(i) Number of Workers screened:1500; (ii) Number of Workers Deployed: a. New Zealand - RSE - 2500; - AIP - 350; - TP - 30;	(i) Number of Workers screened: 1500; (ii) Number of Workers Deployed - to be Disaggregated by sex: (a) New Zealand - RSE – 2500 - AIP - 350; (b) Australia - SWP – 3000 - PLS - 3000	Incomplete	Number of workers deployed for the 2022/23 season: (i) NZ – 4,160; (ii) Australia – SWP-1,299; PLS-1,277
<b>2. Number of Employers visiting and recruiting from Samoa:</b> - New Zealand - Australia	New Zealand: Visiting - 15; Recruiting - 40. Australia: Visiting - 10; Recruiting - 15	New Zealand: - RSE – 15, AIP - 1 Australia: – SWP – 10, PLS - 10	Completed/ Achieved	Despite the challenges as noted above, Samoa was very fortunate to have approved employers whom it shares close ties with still preferring to recruit. Not only that, new connections were made with a few new employers and sites.
<b>3. Number of Capacity building trainings for Workers;</b> 1. Reintegration Training 2. English Course Training	i. Reintegration Training - 3; ii. English Course Training - 6	i. Reintegration Training - 8; ii. Fitness Training – 12	Completed/ Achieved	

4. Number of capacity building opportunities for LEEP Staff; 1. Internal Trainings; 2. Secondment for Staff	i. Internal Trainings - 2; ii. Secondment for Staff - 2	i. Internal Trainings – 2 ii. Other Staff Refresher training - 3	Completed/ Achieved	The high staff turnover, freeze in mobilisations and a focus on LM Policy formulation did not allow for more opportunities for capacity building initiatives to be spread across the full LEEP team. Despite that, both the IRD and Training Coordinator were able to attend trainings in Fiji and Australia and 3 internal IRD trainings were made possible. MCIL-LEEP is committed to improving this for next FY - there are already plans underway for sponsored courses/short term trainings for staff in -country.
5. Number of pre-departure orientations and debriefings conducted for workers	NZ & Australia combine - 2; PLS & SWP - 30	New Zealand: RSE – 12, AIP – 1 Australia: PLS – 12, SWP - 12	Completed/ Achieved	Acknowledging the importance of these sessions for preparation of workers prior to departure, changes have been made to improve not only the delivery of content but also processes and planning. Ex. Pre-Departure briefings are now systematically scheduled each month, together with De-briefings for returning workers .LEEP is also in the process of recruiting another dedicated staff member for delivery of trainings. This role (funded by PLF Australia) will support the LEEP Training Coordinator.
6. Number of awareness programs for seasonal employment	6 awareness programs	4 awareness programs (1 per quarter including Radio/TV and social media platforms)	Incomplete	
7. Date by which quarterly reports are submitted to CEO and unit	4 x quarterly reports each	1st Quarterly Report - Jul 22; 2nd Quarterly Report - Oct 22; 3rd Quarterly Report - Jan 23; 4th Quarterly Report - Apr 23	Completed/ Achieved	
8. Conflict Resolution: Percentage of grievances received by the Division efficiently managed and resolved in accordance with policies and processes in place	90% resolved	90% resolved	Completed/ Achieved	On the ground: Allocation of a specific staff member to handle all cases, as well as utilisation of support from MCIL-Legal team. <b>Off-shore:</b> Support provided by in-country liaison officers with worker welfare and family grievances.
9. 2 policies to be developed and approved by the LEEP Committee	2 policies developed and approved by 30 June 2022	1. Operations Manual; 2. Seasonal Employment Scheme Review by end of June 2023	Completed/ Achieved	LM Policy 2023 -Final Draft and Implementation Plan now awaiting Cabinet approval. Ongoing work with review of Operations Manual - which will also have to align with LM Policy 2023



10. Satisfaction rate of employers and workers with performance delivery as measured by findings from end of season survey.	80% satisfaction rate for employers; 80% satisfaction rate for workers	80% satisfaction rate for employers; 80% satisfaction rate for workers	Incomplete	Acknowledgment of the impact of uncertainty for employers following the flight restrictions and also pause in mobilizations. To address this from possibly re-occurring in the future, MCIL-LEEP are looking at creation of its own Communications Plan.
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### OUTPUT 3: MANAGEMENT OF INDUSTRY DEVELOPMENT AND INVESTMENT PROMOTION

SCOPE OF APPROPRIATION - Provide a high level of industry development and facilitating an investment friendly environment

ACHIEVED 5 OUT OF 8 OUTPUT PERFORMANCE TARGETS

Performance Measure/Indicator	2021/2022 Actual	2022/2023 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. Private Sector Development/Assistance Schemes:	(i) DCS - 15; (ii) Code 121 - 4; (iii) PSO Grant - 12	(i) DCS - 15; (ii) Code 121 - 4; (iii) PSO - 12	Completed/ Achieved	(i) DCS - 17 (ii) Code 121 - 5 (iii) PSO - 13, but only 10 PSO were eligible for the grant
i. Number of new applications received, approved & declined under the Duty Concession Scheme (Tourism, Manufacturing & Aviation Transport Developments);				
ii. Number of new applications received, approved and declined under the Code 121 Scheme (Commercial Manufacturers - Agricultural, Handicraft, Elei and garments; Commercial Poultry Farmers);				
iii. Number of new applications received and approved for a Grant under the Private Sector Organisation (PSO) Grant Scheme.				
2. Foreign Investment and Citizenship Investment Registrations:	(i) 120 new, renewals and amendments;	i) 150 new, renewals and amendments	Completed/ Achieved	385 FIC applications were approved including 51 new; 224 renewals; 109 amendments (31 additional activities; 13 removals; 10 additional branches; 23 relocations; 32 other changes
i. Total number of new, renewals and amendment applications received & approved for Foreign Investment registrations				

<p>3. Policy &amp; Legislative Review Projects: Date by which:</p> <p>(i) Progress on the Implementation of the National Industry Development Strategy (NDIS);</p> <p>(ii) Progress on the Implementation of the Micro, Small and Medium Enterprises (MSME) Development Policy;</p> <p>(iii) Progress on the implementation of the Samoa Investment Policy</p> <p>(iv) Review of current Processes, Guidelines and relevant Criteria pertaining to the Citizenship Investment Act 2015;</p>	<p>(i) For Review projects - By 30 June 2022</p> <p>(ii) For projects to be implemented, the MSME Development Policy has 6 Goals, 22 Strategies and 78 Policy Responses/Initiatives. At least 3 Goals will be Implemented in FY2021/2022 and they are the goals with Strategies that have been ranked High Priority</p>	<p>(i) Implemented at least 25% of Strategies - By 30 June 2023</p> <p>(ii) For projects to be implemented by 30 June 2023 – at least 25% of strategies being implemented</p> <p>(iii) Cabinet approval of the Amendments to the Foreign Investment Act 2000 and the Review of the Restricted and Reserved Lists by June 2023</p> <p>(iv) Cabinet approval of the Amendments to the Citizenship Act 2015 by June 2023</p>	Incomplete	<p>(i) NIDP has been completed and seeking Cabinet approval in the FY2023/2024.</p> <p>(ii) MSME Policy – (i) 13% achieved; 41% in progress.</p> <p>(iii) Approved by Cabinet in April 2023</p> <p>(iv) Approved by Cabinet as per FK(23) 23</p>
<p>4. Enforcement:</p> <p>(i) Percentage of foreign investors complying with the requirements of the Foreign Investment Act (FIA) 2000 &amp; Citizenship Investments Act 2015 (based on monthly monitoring/enforcement site visits).</p> <p>(ii) Percentage of DCS and Code 121 recipients complying with the requirements of the Customs (Manufacturing &amp; Tourism Developments) Regulations 2010 and the Customs Tariff Amendment Act 2008 (based on quarterly monitoring/enforcement site visits)</p>	<p>(i) Compliance with FIA &amp; Citizenship Act - at least 90%</p> <p>(ii) Compliance with DCS and Code 121 - at least 90%</p>	<p>(i) Compliance with FIA Act – at least 90%</p> <p>(i) Compliance with DCS and Code 121 Scheme – at least 90%</p>	Completed/Achieved	<p>(i) 93% of FIEs visited were found compliant with the FIA2000</p> <p>(ii) 100% of beneficiaries are compliant with the regulations and guidelines for each scheme</p>
<p>5. Trade, Commerce and Industry Board (TCID): Total number of TCID Board meetings on private sector issues</p>	4	4	Incomplete	No meetings held due to various unforeseen reasons and unavailability of key actors.
<p>6. Public Awareness Programmes:</p> <p>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>	10	<p>(i) Media awareness: 4 (newspaper - 1 every quarter)</p> <p>(ii) Social Media: 6 (bi-monthly posts on FB)</p> <p>(iii) Private Sector Associations: 3 associations with at least 60 attendees</p>	Completed/Achieved	<p>(i) Media Awareness - 7 public notices on FIC renewals, reminders on the reserved lists, and FIC cancellations were published in the local newspapers and on TV.</p> <p>(ii) 8 social media posts on FIC renewals, cancellations, reserved activities and trainings</p> <p>(iii) 1 workshop on MSME Implementation policy; 1 Launch of the Guide to Private Sector Development Programs in Samoa; 2 trainings on E-Commerce and digital marketing</p>

<p>7. Annual Reporting: Date by which the:</p> <p>(i) Annual Foreign Investment Report is completed;</p> <p>(ii) Duty Concession Scheme Report completed and submitted to the Minister of Commerce Industry &amp; Labour.</p>	<p>(i) Annual Foreign Investment Report by 24th December 2021</p> <p>(ii) Duty Concession Scheme Report by 30th June 2022,</p>	<p>(i) Annual Foreign Investment Report by 24th December 2022;</p> <p>(ii) Duty Concession Scheme Report by 24th December 2022</p>	<p>Incomplete</p>	<p>(i) Submitted Annual Foreign Investment Report to the Minister before due date.</p> <p>(ii) DCS report completed for FY19/20 - 2022/23, and will be submitted to the Minister beginning of FY2023/2024.</p>
<p>8. Review of Investment Promotional Tools: Date by which</p> <p>(i) Annual review of the National Investment Policy Statement (NIPS), Samoa Investment Guide (SIG), Samoa Investment Promotion Video is completed</p> <p>(ii) Development of an Investment Promotion Strategy is completed</p>	<p>(i) SIG &amp; NIPS - by 30 June 2022</p> <p>(ii) Investment Promotion Strategy - by 30 June 2022</p>	<p>(i) SIG &amp; NIPS - by 30 June 2023</p> <p>(ii) Complete the Development of an Investment Promotion Strategy by end June 2023</p>	<p>Completed/ Achieved</p>	<p>(i) Completed the review and update of SIG and NIPS by June 2023</p> <p>(ii) Cabinet approved the Investment Promotion Policy in April 2023 as per FK (23) 13.</p>



#### OUTPUT 4: ENFORCEMENT OF FAIR TRADING & CODEX DEVELOPMENT

SCOPE OF APPROPRIATION - Enhance effective market mechanisms and growth of domestic activities and create a level playing field for all in the domestic market

ACHIEVED 7 OUT OF 8 OUTPUT PERFORMANCE TARGETS

Performance Measure/Indicator	2021/2022 Actual	2022-2023 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
<b>1. Policy Development &amp; Legislative Review:</b> i. Date by which a food safety standards will be developed and approved by the National Codex Committee ii. Date by which a procedural manual and guidelines for the development of food safety standards will be developed and completed; iii. Date by which a Data Collection framework will be developed and implemented to capture the number of stakeholders complying with standards and technical regulations for Ava and Cocoa. iv. Date by which a National E-commerce Strategy will be developed and completed for implementation and awareness	New Measure	30-Jun-23	Incomplete	i. Regional Standard for Fermented Noni Juice- Awaiting endorsement by the Codex Alimentarius Commission at step 8 in its 46th session in November 2023. ii. First draft of procedural manual now in place iii. Desk research to identify the best approach and data collection model to be used iv. The National E-commerce Strategy is in place. The implementation is in progress.
2. Partnership with stakeholders promoted and enhanced through regular stakeholder engagement programs to improve understanding and knowledge on codex and tbt matters. i.e: food safety and market access for our local products,	New Measure	2 engagement programs	Completed/ Achieved	Completed 2 stakeholder engagement programs under the Codex Trust Fund Project
3. Number of Samoa National Codex Committee meetings conducted on Codex Food Safety Measures	3	3	Completed/ Achieved	Completed 2 SNCC meetings and 1 regional meeting for the Codex Coordinating Committee for North America and South West Pacific (CCNASWP)

4. Number of Samoa Competition and Consumer Commission Meetings conducted to discuss competition and consumer issues	6	4	Completed/ Achieved	8 meetings were conducted (face to face and virtual)
<b>5. Public Awareness and Capacity Building:</b>  i. Number of workshop programs to enhance capacity of staff and stakeholders on National Standards Body and the role of standardization in facilitating trade and protect consumer health. ii. Number of awareness programs on Competition and Consumer Act 2016 and Metrology Act 2015 iii. Number of training programs to enhance and build capacity of Codex Contact point and members of SNCC committee on codex standards and other related matters to food safety and food trade.	New Measure	4 trainings and/or awareness each conducted (Non food standards, Consumer Protection, Metrology and Food Safety and Standards)	Completed/ Achieved	(1). Under the PQI initiative project, three staff capacity-building workshops on National Standards Board and the function of standardization in promoting trade and safeguarding consumer health were held.  (2) 9 engagement programs were conducted for both Upolu and Savaii on Competition & Consumer Act, Metrology Act and Food Safety Standard.  (3) Completed 2 capacity building workshops on food safety and trade . Completed 1 training program for Codex staff under the CTF twinning program
6. Number of Consumer Information Guides (brochure or video) to be developed on specific products or services for protection of Consumers	2	2	Completed/ Achieved	The complaint form and enquiry form have been simplified and included all legislative aspects to ensure alignment with the CCA 2016. Revision was made to Brochure on Refund emphasizing some of the pressing issues raised in awareness programs and for ease of consumer's understanding.

<p>7. Enforcement &amp; Compliance:</p> <ul style="list-style-type: none"> <li>i. 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;</li> <li>ii. Percentage of Service Stations in compliance with the approved standards prescribed under the Metrology Act 2015. (callibration to be conducted bi-annually);</li> <li>iii. Percentage of compliance by registered companies and businesses selling and/or repairing weighing equipment (scales) for trading purposes;</li> <li>iv. Percentage of trader compliance with the obligations under the Competition and Consumer Act 2016;</li> <li>v. Percentage of complaints from traders on anti-competitive practices resolved as per Competition and Consumer Act 2016;</li> <li>vi. Percentage of complaints and enquiries received and/or resolved by both Upolu and Savaii</li> </ul>	90%	90% - 95%	Completed/ Achieved	<ul style="list-style-type: none"> <li>i. For Upolu: 90% trader's compliance in using accurate weighing &amp; measuring equipment. For Savaii: 96% compliance rate of scales inspected complied with the metric units. A total of 303 traders were inspected and verified scales.</li> <li>ii. Semi-annual calibrations of service stations were conducted in October 2021 and April 2023 both in Upolu and Savaii with a compliance rate of 97%</li> <li>iii. 100% compliance of all registered companies that are selling weighing equipment</li> <li>iv. For Upolu: A total of 620 of traders were inspected with a 91% compliance rate. For Savaii: A total of 303 out of 337 traders were inspected with a compliance rate of 90%.</li> <li>v. 98% of complaints received were resolved. With the exception of one complaint that its investigation is still ongoing, 56 complaints were altogether settled.</li> <li>vi. 98% of complaints and enquiries received and resolved. For Upolu, 57 complaints relate to CCA 2016 and Metrology Act and 64 enquiries were recorded. For Savaii, 710 enquiries received and 31 complaints were recorded. 19 complaints relating to Competition and Consumer Protection, 2 on Food Standards and 10 on employment relation matter. All complaints were resolved and referred to responsible division.</li> </ul>
8. Date by which the Samoa Competition and Commerce Commission (SCCC) is to submit its Annual Report of Operations to Cabinet for endorsement	28-Feb-22	28-Feb-23	Completed/ Achieved	Annual Report was submitted to Cabinet





## OUTPUT 5 : ADMINISTRATION OF APPRENTICESHIP SCHEME & EMPLOYMENT SERVICES

SCOPE OF APPROPRIATION - Encourage highly skilled local workforce and their full employment

**ACHIEVED 10 OUT OF 12 OUTPUT PERFORMANCE TARGETS**

Performance Measure/Indicator	2021-2022 Actual	2022-2023 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. Apprenticeship Training Scheme: (i) Number of new apprentices that enter the program FY2022/23 (ii) Number of existing Apprentices (iii) Number of Apprentices terminated	(i) New entrants - 60-70; (ii) Existing Apprentices - 90, (iii) Terminated - 3-4	(i) 70 - 80 new entrants under the new Apprenticeship Structure (70% male, 30% female) (ii) No existing apprentices under the old structure as the new AP structure will commence April this year 2022 (iii) 0-5 terminated	Completed/ Achieved	107 new apprentices entered the Apprenticeship Program under the Apprenitcehsip New Structure.
2. Number of inspections for Apprentices to ensure full compliance of parties involved in the Apprenticeship Scheme (Inspections/Follow Ups)	Inspections - 50; Follow Ups - 200	80 - inspections; 100-Follow Ups	Completed/ Achieved	85 Routine Inspections & 107 follow up inspections to employers
3. Number of training and awareness programs to increase the employability of local trades people	2 (1-Upolu, 1-Savaii)	2 (1-Upolu, 1-Savaii) Disaggregate by gender: 50% male, 50% female	Completed/ Achieved	1 in Savaii on 5/5/23 and 1 in Upolu on 31/5/23
4. Number of Apprenticeship Council Meetings	4	4	Incomplete	2 meetings held

5. Implementation of the Samoa National Employment Policy 2021/25 to address and strengthen, job creation and improvements in employment quality, and transitions to new employment opportunities across sectors	4 - SNEP Taskforce meetings; 4 - SNEP 2021/25 Consultations and Review meetings to be conducted. 3 reports to be submitted to the Samoa National Tripartite Forum for decision making	- 3 SNEP Task Force Meetings - 2 SNEP public Consultations for SNEP 2021-2025 - 3 Review Meetings with stakeholders to monitor and follow up the implementation of SNEP -3 Reports to be submitted to SNTF for information and advice	Incomplete	1 Review Meeting with the Focus Group on 31/3/23 & 1 Taskforce meeting on 27/4/23. The delay in achieving the KPI partly due to parallel projects in progress such as the Analysis of the Labour Market Survey 2022 findings and Labour Force Survey 2022 as well as the upgrading of the Jobseeker Services system
6. Labour Market Survey 2022 conducted and completed	1 every 3 years	(i) Field work: August - October 2022 (ii) LMS completed and report submitted by June 2023	Completed/ Achieved	(1) LMS 2022 Field work completed. (2) Survey Coding and Data entry completed (3) Tabulation and analysis completed (4) Final Report is progressing
7. Number of Trade Tests conducted for FY2022/23	3	2 Trade tests	Completed/ Achieved	2 trade tests conducted for the Welding trade for Grade 2 on 22 October 2022 & Grade 1 on the 10th Dec 2022
8. Percentage of graduates from the: (i) Apprenticeship Scheme (Year 4) and (ii) Trade Tests	1. Apprenticeship Training - 90%-100% 2. Trade Tests Scheme - 90%-100%	90% of apprentices and tradesmen & women successfully completed and graduate	Completed/ Achieved	100% pass rate of tradesmen who sat Trade Test Exams for both Grade 2 & Grade 1 under the Welding Trade.
9. Number of Meetings with Training Providers and Employers, mitigating challenges and suggest way forward for improvement of the Apprenticeship Scheme	4 - meetings with stakeholders on the Apprenticeship new structure; 3 - meetings with Industries on the new Apprenticeship Structure	2 meetings with MCIL, NUS and stakeholders re. the Apprenticeship New Structure -2 meetings with MCIL and industries on the New Apprenticeship Structure	Completed/ Achieved	3 meetings coordinated and conducted by MCIL with NUS and stakeholders & 2 meetings with Industries
10. Employment Services Number of Jobseekers: Registered, referred and placed to be disaggregated by sex (50% male, 50% female)	i. Registered – 150 ii. Refer – 80%-90% iii. Jobseekers Trained - 120	100 (50% male, 50% female) successfully facilitated referrals and placements	Completed/ Achieved	152 registered and 85 was referred to employers where opportunities are offered.
11. Number of half yearly employment survey returns collected from employers	400	400	Completed/ Achieved	This activity was coincided with the LMS 2022. About 1032 employers covered & EPI were collected from the same employers which far exceeded the target number of 400

12. Number of Jobseekers Trainings conducted	2 trainings (1 Upolu, 1 Savaii)	2 ( 1- Upolu, 1-Savaii)	Completed/ Achieved	One conducted in conjunction with AELM combined activity in Savaii on the 5th May 2023 and one in Upolu on the 31st May 2023.
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## OUTPUT 6 : ENFORCEMENT OF LABOUR STANDARDS AND ASSESSMENT OF WORK PERMITS

SCOPE OF APPROPRIATION - Enforcement of Labour and Employment relations standard to provide a fair and equitable level playing field for both workers and employers to promote compliance with its legislation and policies at the workplace.

ACHIEVED 6 OUT OF 8 OUTPUT PERFORMANCE TARGETS

Performance Measure/Indicator	2021-2022 Actual	2022-2023 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. Relevant labour standards that protect the rights of workers and improve productivity of employers	<p>1. Awareness and trainings of key stakeholders on revised LERA by June 2022 during transition period</p> <p>2. Dissemination of advisory notes regarding major changes to LERA through multiple platforms i.e. facebook, website and secretariat</p> <p>3. Develop Working Conditions Manual for provisions of the LERA and Regulations by June 2022</p> <p>4. Commence drafting of regulations and deliver at least 2 consultations by June 2022</p>	<p>1. Awareness and trainings of key stakeholders on revised LERA by June 2023 during transition period</p> <p>2. Dissemination of advisory notes regarding major changes to LERA through multiple platforms i.e. facebook, website and secretariat</p> <p>3. Working Conditions Manual for provisions of the LERA and Regulations developed by June 2023</p> <p>4. Commencement of drafting of regulations and delivery of at least 2 consultations by June 2023</p>	Incomplete	Labour and Employment Relations Amendment Act 2023 passed by the Parliament on 27th January 2023 and will be effective on 5th February 2024. Draft Labour and Employment Relations Regulations 2023 is under review by the technical support provided by the ILO, then will refer to the Attorney General in the next Financial Year for endorsement. Awareness and Implementation of the LERAA 2023 will commence once the LERA Regulations are endorsed by the Cabinet.

2. Enhanced understanding and information of employers and employees on labour legislation and best practises through effective awareness-raising initiatives	<p>1. Conduct 2 Public Awareness on Working Terms and Conditions of the LERA and Regulations in Upolu and Savaii to cover the following areas:</p> <p>1.1 promoting written employment agreements at the commencement of an employment relationship;</p> <p>1.2 exploitation of workers (particular in domestic employment arrangement)</p> <p>1.3 forced labour (particular in Child Labour and Forced Labour)</p> <p>1.4 rights and obligations</p>	<p>2 Public Awareness conducted on Working Terms and Conditions of the LERA and Regulations in Upolu and Savaii to cover the following areas:</p> <p>1.1 promoting written employment agreements at the commencement of an employment relationship;</p> <p>1.2 exploitation of workers (particular in domestic employment arrangement)</p> <p>1.3 forced labour (particular in Child Labour and Forced Labour)</p> <p>1.4 rights and obligations</p>	Completed/ Achieved	12 awareness programs conducted within the FY which exceeds target: 1. Commemoration of International Youth Day, 2. Breastfeeding week, 3. JICA Career Day, 4. Ah Liki Construction, 5. Le Lava Hotel management, 6. Mapu I Fagalele Management, 7. APTC Employability Workshop, 8. Management of Samoa Ports Authority, 9. Management and Staff of Don Bosco Institute of Technology, 10. Management of Pacific Forum Line, 11. Management of China Harbour Engineering, 12. Management and Staff of Amanaki Hotel
3. Strengthening of 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	<p>1. Quarterly Reports submitted on labour and employment matters and progress of work carried out by key stakeholders</p> <p>2. MCIL to review internally achievement and contribution to the DWCP by December 2021</p> <p>3. Conduct at least 6 SNTF meetings by June 2020</p>	<p>1. Quarterly Reports submitted on labour and employment matters and progress of work carried out by key stakeholders</p> <p>2. MCIL review of internal achievement and contribution to the DWCP completed by December 2022</p> <p>3. At least 6 SNTF meetings conducted by June 2023</p>	Completed/ Achieved	<p>1. Quarterly Reports submitted on time,</p> <p>2. Decent Country Work Program was put on hold by the ILO due to the impact of Covid_19,</p> <p>3. A total of 6 SNTF and Child Labour Taskforce Meetings conducted within the reported period.</p>
4. Implementation of relevant ILO International Labour Standards that promote decent work in Samoa	<p>1. Complete the ratification process for C81 Labour Inspectorate Convention by December 2021</p> <p>2. Complete the ratification process for C189 Domestic Workers Conventions by June 2022</p>	<p>1. Complete ratification process for C190 and development implementation plan</p> <p>2. Review of ILO conventions for ratification</p>	Incomplete	1. Office of the Attorney General endorsed Ratification of C190, 2. C190 and C187 is in progress
5. Compliance with Samoa's labour legislation increased by 5%	1. Resolve and close 80% - 90% of employment grievances by June 2022	1. Resolve and close 80% - 90% of employment grievances by June 2023	Completed/ Achieved	87.14% (61/70) of total grievances received have been resolved within the financial year, 9 to be resolved within the next financial year.

<b>6. Improved data collection within the formal economy</b> - Foreign employment permits assessed and issued in line with the labour workforce demand and supply and the requirements of the LERA Act 2013	1. Accurate collection, analysis and reporting of FEEP data for informed policy recommendations to Cabinet through the Minister. 2. To issue notices on the operations of FEEP and on common issues encountered. 3. 400 permits issued in line FEEP policy and requirements (noting that COVID has slowed down the submission of permits)	(1). Accurate collection, analysis and reporting of FEEP data for informed policy recommendations to Cabinet through the Minister. (2). To issue notices on the operations of FEEP and on common issues encountered. (3). Applications assessed in line with HRD priorities and FEEP operations policy 2023	Completed/ Achieved	496 FEEP application received for assessment, 489 FEEP issued to foreigners, 2 FEEP applications on-hold and carried forward to the next FY, 3 FEEP applications declined and 2 withdrawal application.
<b>7. Improved compliance level by 5% in the implementation of LERA and Regulations to ensure relevant terms and conditions within workplaces</b>	1. Conduct and complete 3 M&E to at least 150 businesses/organisation/companies by June 2022  2. 80% of employers inspected actively implement MCIL recommendations to ensure compliance with provisions of the LERA and Regulations by June 2022	1. 3 M&E conducted & completed to at least 150 businesses/organisation/companies by June 2023  2. 80% of employers inspected actively implement MCIL recommendations to ensure compliance with provisions of the LERA and Regulations by June 2023	Completed/ Achieved	1. 155 businesses inspected within the FY, 2. 116/155(74.83%) businesses inspected found to be fully compliant with the LERA 2013 and Regulations 2016  2. 164 businesses were inspected by FEEP, 106/164 (64.6%) Businesses Fully Compliant, 22/164 (13.4%) Partial Compliant businesses and 36/164 (22%) Non-Compliant.
<b>8. A better informed Labour Inspectorates on best practices and International Labour Standards through regular trainings</b>	1. Conduct two trainings to building the internal capacity of senior staff on legal interpretation of LERA and Regulations by December 2021  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 2022	1. Two trainings conducted to build the internal capacity of senior staff on legal interpretation of LERA and Regulations by December 2022  2. Two trainings conducted to build capacity of labour inspectorate on applying the LERA and Regulations to real life inspection settings in the Samoan context by June 2023	Completed/ Achieved	5 Trainings conducted for the labour inspectors within the financial year, 1. Labour Dispute Resolution in Samoa, 2. Labour Conditions on Board Fishing Vessel, 3. ILS Preparation of Reports due in 2023, 4. Conciliation on Labour Dispute, 5. SIDS Talks



## OUTPUT 7 : ENFORCEMENT OF OCCUPATIONAL SAFETY & HEALTH STANDARDS

SCOPE OF APPROPRIATION - Strengthen national occupational safety and health (OSH) systems, extend OSH protection to SMEs and rural and informal economy workplaces, improve safety and health inspection and compliance with OSH Law, promote OSH activities by employers and workers organisations

ACHIEVED 6 OUT OF 6 OUTPUT PERFORMANCE TARGETS

Performance Measure/Indicator	2021 – 2022 Actual	2022-2023 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. Improvement in compliance level by 5% in promoting Occupational Safety and Health (OSH) within workplaces	1. Conduct and complete 6 M & E to 150 businesses /organisation /companies by June 2021  2. 75% overall compliance level of OSH Standards to employers inspected by June 2021  3. 75% of employers inspected actively implement section 20 & 22 of the OSH Act 2002 by June 2021  4. 2 Joint awareness inspections conducted with MWTI, FESA, MOH in line with Cabinet directive (Upolu and Savaii)	1. 6 M & E conducted & completed to 150 businesses/organisation/companies by June 2023  2. 75% overall compliance level of OSH Standards to employers inspected by June 2023  3. 75% of employers inspected actively implement section 20 & 22 of the OSH Act 2002 by June 2023  4. 2 Joint awareness inspections conducted with MWTI, FESA, MOH in line with Cabinet directive (Upolu and Savaii)	Completed/ Achieved	1. Four M&E's to stated sectors (1) Tourism Sector, (2) Food & Beverage, (3) MAF (Upolu). (4) PTF Inspections, there were issues for improvement for nearly all operators. However, on average employers were 65% compliant with requirements under OSH regulations  2. 4% compliance of Food & Beverage i.e. no issues, and 45% Partial compliance business in Food & Beverage (Bars & Restaurant) Upolu.  3. 49% implemented these sections of the Act.  4. A total of fifteen (15) OSH presentations conducted as listed below:



- 1) RSE workers under the PDO,
- (2) Presentation to Samoa Business Hub,
- (3) Ministry of Agriculture (MAF) and
- (4) 2 OSH presentations presented at Petroleum Task Force consultations Upolu/Savaii)
- (5) OSH team and selected OSH task force members conducted briefing consultations for 4 days in April 2023,
- (6) 1x OTT Constructions
- (7) 1x AH Liki Constructions,
- (8) 1x Saletoga/SFESA;
- (9) 1x BATS, and the two 2 Joint awareness inspections conducted with MOP, SFESA, MWTI,
- (10) Three (3) OSH inspections in regards to complaint received from employee and employer (11) Five (5) PTF joint inspections already conducted in Upolu, and 3 inspections for Savaii.

<b>2. Percentage of reported fatal and severe workplace accidents/incidents and illness resolved and closed by June 2023</b>	1. 80% of total reported accidents /illnesses all resolved and closed by June 2022  2. 50% of recommendations are implemented by inspected employers by June 2022  3. Inquire and resolve OSH compliants and enquiries lodged/reported by June 2022  4. OSH Investigation Manual endorsed by National OSH Task Force by August 2021 and SNTF by November 2021	1. 80% of total reported accidents /illnesses all resolved and closed by June 2023  2. 50% of recommendations are implemented by inspected employers by June 2023  3. Inquire and resolve OSH compliants and enquiries lodged/reported by June 2023  4. OSH Investigation Manual endorsed by National OSH Task Force by August 2022 and SNTF by November 2022	Completed/ Achieved	1. 3 cases were inspected and resolved, one(1) is still ongoing consultation discussions. (1) EPC, (2) Farmer Joe - LVaitale, and Princessa Supermarket Lotopa these 3 cases are settled and closed and 1 ongoing is Meterology Office (Sogi). A total of 4 cases were inspected.  2. Recommendations for both cases have been implemented.  3. Complaints and enquireies lodged have been resolved (1) Papa store (2) Apaula Height (3) Frankie Company (Fugalei).  4. Manual is in operation and being implemented by the OSH division
<b>3. Enhanced understanding and information of employers and employees on OSH management in accordance with OSH legislation and best practise</b>	1. At least 3 Public Awareness (Upolu & Savaii) for the OSH Act 2002, OSH Regulation and the National OSH Framework by June 2022.  2. OSH Day April 2022	1. At least 3 Public Awareness (Upolu & Savaii) for the OSH Act 2002, OSH Regulation and the National OSH Framework by June 2023.  2. OSH Day April 2023	Completed/ Achieved	1. Seven (7) have been completed.  2. OSH Day 2023 celebrated in April 2023.  3. Two OSH Awareness programs for Samoa workes and Samoa Hotels Association.

	3. 2 Joint Awareness workshops/seminars conducted in Upolu and Savaii	3. 2 Joint Awareness workshops/seminars conducted in Upolu and Savaii		
4. Promotion of genuine partnerships through regular dialogue with key stakeholders in promoting Occupational Safety and Health in Samoa	<p>1. 3 OSH Task Force meeting held to discuss implementation of the National OSH Framework by June 2022</p> <p>2. 75%-100% of Framework Action Plan achieved by June 2022</p>	<p>1. 3 OSH Task Force meetings held to discuss implementation of the National OSH Framework by June 2023</p> <p>2. 75%-100% of Framework Action Plan achieved by June 2023</p>	Completed/ Achieved	<p>1. Two OSH Taskforce meeting (October &amp; March 2023)</p> <p>2. 90% complete. OSH Framework Review and the Draft #1 was sent to OSH Taskforce for comments</p>
5. Strengthening of Samoa National Tripartite Forum social dialogue on national OSH policy issues and/or interventions pertaining to OSH for sound decision making	<p>1. At least 3 Quarterly Reports submitted on OSH matters and progress of work carried out by the OSH Task Force / OSH division</p> <p>2. Ratification of C187 Promotional Framework for OSH by June 2022</p> <p>3. OSH hazard guidelines distributed and implemented through M&amp;E- review of guidelines conducted by June 2022</p>	<p>1. At least 3 Quarterly Reports submitted on OSH matters and progress of work carried out by the OSH Task Force / OSH division</p> <p>2. Ratification of C187 Promotional Framework for OSH by June 2023</p> <p>3. OSH hazard guidelines distributed and implemented through M&amp;E- review of guidelines conducted by June 2023</p>	Completed/ Achieved	<p>1. Three (3) Quarterly reports submitted for the period. 2. Ratification of C187 is on schedule. 3. OSH Guidelines complete and distributed during OSH awareness and inspections.</p>
6. A better informed OSH Inspectorates on best practices and International Labour Standards	5 trainings by the end of June 2022	5 trainings by end of June 2023	Completed/ Achieved	Five (5) Trainings completed: (1) Labour Dispute Resolution Training, (2) Online Work Health and Safety Course, (3) Online ILO (ITC/LO) training on Development and Management of Inspection Systems of Labour Conditions on board fishing vessels (4) Online ILO training on Employment injuries schemes & preventions of occupational accident/incident. (5) First Aid Training were conducted in April 2023 for OSH commemoration activities week



## OUTPUT 8 : MANAGEMENT OF REGISTRIES OF COMPANIES & INTELLECTUAL PROPERTIES

SCOPE OF APPROPRIATION - Enhance systems and procedures for registration and maintenance of different registries, ensuring full protection of rights of intellectual property creators and proprietors.

ACHIEVED 49 OUT OF 59 OUTPUT PERFORMANCE TARGETS

Performance Measure/Indicator	2021-2022 Actual	2022-2023 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
<b>1. Number of applications received:</b>				
<b><u>1.1 Companies</u></b>				
Public, Private, Overseas	100	100	Completed/ Achieved	105 companies applications received
Incorporated societies	10	10	Completed/ Achieved	29 Incorporated Societies applications received
Charitable trusts	5	5	Completed/ Achieved	30 Charitable Trust applications received
Cooperative societies	5	5	Completed/ Achieved	113 Cooperative Societies applications received
Credit Unions	1	1	Incomplete	No applications received for Credit Unions
Personal Property & Securities	50	50	Completed/ Achieved	657 PPS applications received
<b><u>1.2 Intellectual Properties</u></b>				
- Designs	2	2	Completed/ Achieved	34 Applications received (4 from National route filing/30 from International Registration of Hague Express
- Marks & Collective Marks	200	200	Completed/ Achieved	460 Applications received ( 88 from National Route/372 from the International Registration of Madrid)
- Geographical Indications	1	1	Completed/ Achieved	71 Applications received from the International Registration of Lisbon Express
- Patents & Innovative Patents	1	1	Incomplete	no applications received for Patents and Innovative Patents
- Plant Breeder's Rights	1	1	Incomplete	no applications received
- Layout Designs of Integrated Circuits	1	1	Incomplete	no applications received
<b>2. Number of new registrations ::</b>				
<b><u>Companies</u></b>				

Public, Private Overseas	100	100	Completed/ Achieved	105 companies registered
Incorporated Societies	10	10	Completed/ Achieved	29 Incorporated Societies registered
Cooperative Societies	5	5	Completed/ Achieved	113 Cooperative Societies registered
- Charitable Trusts	5	5	Completed/ Achieved	30 Charitable Trusts registered
- Credit Union	1	1	Incomplete	No Credit Unions registered
- Personal Property & Securities	50	50	Completed/ Achieved	657 PPS registered
<b><u>Intellectual Properties:</u></b>				
- Designs	1	1	Completed/ Achieved	4 Registered designs
- Marks & Collective Marks	200	200	Completed/ Achieved	542 Trademarks Registered (78 from National Route/464 from the International Registration of Madrid)
- Geographical Indications	1	1	Completed/ Achieved	71 GI Registered (71 GI applications from the International Registration of Lisbon Express)
- Patents & Innovative Patents	1	1	Incomplete	
- Plant Breeder's Rights	1	1	Incomplete	
- Layout Designs of Integrated Circuits	1	1	Incomplete	
<b>3. Number of Re-registrations / Renewals / Annual Returns / Continuations / Restorations: Companies:</b>				
Public, private, Overseas	600	600	Completed/ Achieved	1258 Annual Returns filed
- Incorporated Societies	120	120	Completed/ Achieved	90 Audited Financial Statements filed, 149 Incorporated Societies renewed
- Cooperative Societies	10	10	Completed/ Achieved	17 Cooperative Societies updated and filed
- Credit Union	2	2	Completed/ Achieved	2 Credit Unions updated reports
- Personal Property & Securities	1	1		600 PPS continued
<b><u>Intellectual Properties:</u></b>				
Designs	None	None	Completed/ Achieved	
Marks & Collective Mark	250	250	Completed/ Achieved	297 Trademarks renewed
Patents & Innovative	None	None	Completed/ Achieved	1 Patent maintained for the next 5 years

<b>4. Number of Removals from the Registers (incl Abandoned Marks &amp; Collective Marks)</b>				
<b><u>Companies</u></b>				
- Public, Private, Overseas	1	1	Completed/ Achieved	84 companies removed for non compliance
- Incorporated Societies	None	none	Completed/ Achieved	
- Cooperative Societies	None	none	Completed/ Achieved	
- Charitable Trusts	None	none	Completed/ Achieved	
- Credit Unions	None	none	Completed/ Achieved	
- Personal Property & Securities	10	10	Completed/ Achieved	113 PPS terminated and discharged
<b><u>Intellectual Properties</u></b>				
- Designs	None	none	Completed/ Achieved	
- Marks & Collective Marks	None	none	Completed/ Achieved	15 Trademarks removed
- Patents & Innovative	None	none	Completed/ Achieved	
<b>5. Number of Awareness Programs (Trainings, workshops) conducted</b>	Companies - 4; Intellectual Properties - 4; World IP Day - 3	4 - Companies; 4 - Intellectual Properties; 3 - World IP Day	Completed/ Achieved	16 Patent Trainings on Patent Cooperation Treaty procedure/examination, 2 Trainings for IP and Border Enforcement by OCO & 2 World IP Day Awareness Programs
<b>6. Number of media advertisements (Awareness and Registration Processes)</b>	Companies - 5; Intellectual Properties - 10	5 - Companies; 10 - Intellectual Properties	Completed/ Achieved	3 advertisements for companies and 1 for Incorporated Societies; 431 Trademark application advertised
<b>7. Number of Registry Searches conducted</b>	Companies - 100; Intellectual Properties - 50	100 - Companies; 50 - Intellectual Properties	Completed/ Achieved	117,494 searches for companies and 3547 searches for PPS; 550 IP search requests through (phones/walk-ins/emails)
<b>8. Number of Examinations conducted</b>				
- Designs	5	5	Completed/ Achieved	4 Designs applications examined
- Marks & Collective Marks	50	50	Completed/ Achieved	495 Trademarks examined
- Patents & Innovative	1	1	Incomplete	
<b>9. Number of Complaints Received</b>	Companies & Others - 0; Intellectual Properties - 0	Companies & Others - 0; Intellectual Properties - 0	Completed/ Achieved	7 Complaints received (6 from IP Local Agents and 1 from Private Sector)
<b>13. Number of Inspections/investigations Conducted</b>				

<b><u>Companies</u></b>				
- Public, Private, Overseas	100	100	Completed/ Achieved	202 companies inspected both Upolu and Savaii
- Incorporated Societies	50	50	Completed/ Achieved	69 incorporated societies inspected in Upolu and Savaii
- Cooperative Societies	10	10	Completed/ Achieved	187 cooperative societies inspected Upolu and Savaii
- Charitable Trusts	5	5	Completed/ Achieved	92 Charitable Trusts inspected Upolu and Savaii
- Credit Unions	3	3	Completed/ Achieved	3 Credit Unions inspected
<b><u>Intellectual Properties</u></b>				
- Designs	40	40	Completed/ Achieved	127 stalls/flea markets inspected
- Marks & Collective Marks	40	40	Completed/ Achieved	340 stalls/flea markets inspected
- Copyrights & related	40	40	Incomplete	
<b>14. Number of staff Capacity Building Activities</b>				
<b><u>Local (incl In House) meetings, trainings</u></b>				
- Companies & Others	6	6	Completed/ Achieved	7 meetings attended by Companies staff
- Intellectual Properties	6	6	Completed/ Achieved	31 (21 in house trainings conducted and 10 meetings/ or workshops attended by the IP team)
<b><u>International/Regional Meetings, Trainings</u></b>				
- Companies & Other	2	2	Completed/ Achieved	1 meeting attended by 2 officers and ACEO overseas
- Intellectual Properties	2	2	Completed/ Achieved	25 (9 International Meetings/workshops attended by IP team and 16 Virtual Workshops/ or trainings attended by IP team)