



Given below the conditions and requirements are subject to Sections 35, 36, and 49 of the *IMMIGRATION ACT 2004*.

WORK PERMITS REQUIREMENTS:

For Employers and Expatriates

- If the job is a newly established post, that efforts had been made to recruit or find a local person to fill such vacancies and proof if required should be provided to that effect such as copies of advertisements;
- If the position is an existing one, proof must be provided that efforts were made to employ locals in the past, and our officers would check for evidence to that effect, such as wages records, payroll, and other related sources;
- The foreigner worker should have the required qualifications and proof of such qualifications should be provided;
- References or supporting documents/letters from the sponsor and previous employers should also be provided.

BUSINESS PROCESS:

With Temporary Residents, their APPLICATION FORM should be uplifted from the Immigration Services Office. This form should be filled by the Employer with attachment of the EMPLOYMENT SPONSORSHIP FORM for assessment of the Immigration Office.

Below is the usual procedure of processing Work Permits Applications:

- Immigration received application;
- Sends to the Ministry of Commerce Industry and Labour;
- The Ministry evaluates/assess application within 14 days; [Section 36 (5)]
- The Ministry (MCIL) makes recommendation or provides a written report on such application and such report shall approve or reject, then;
- Sends to Immigration Services Office;
- If the recommendation by MCIL is for approval of a Work Permit, the Minister in his DISCRETION, grant an Entry Permit; [Section 36 (6)]
- If the report recommends rejection of an application, the Minister has no obligation but refuse the application; [Section 36 (7)]
- Without limiting the discretion and powers of the Minister, the grant of a work permit may include a requirement for the person's employer to employ and train a citizen or a person holding a Permanent Resident Permit. [Section 36 (8)]

Duties Responsibilities of Work Permit Inspector:

- Receives applications from Immigration and makes sure they are fully completed;
- Verifies all information on forms;
- Initiates visits or inspections to work places if need to;
- Submits reports of investigation initiated and makes recommendations;
- Writes reports of inspections carried out;
- Liaise with other officers and sections on information on local workforce;
- Keeps and maintains a register of work permits granted and declined;
- Files all applications and information received.

EMPLOYMENT (WORK) PERMITS EXEMPTION:

- Personnel recognized by the Ministry of Foreign Affairs & Trade as accredited diplomats or officials representing foreign countries or employed in recognized international or regional organizations;
- Personnel participating in aid-sponsored programmes as volunteers or where less than full salaries are paid; and
- Personnel employed in aid funded projects where a Memorandum of Understanding (MOU) signed by the Government of Samoa

REQUIREMENTS:

FOREIGN INVESTOR

- Evidence of Investment Certificate issued by Industry and Investment Promotion Division of MCIL;
- Evidence of Business License issued by Ministry OF Revenue;
- Evidence of Business Registration from Companies and Intellectual Division of MCIL.