



## e-newsletter

Issue 18, September 2016

### MCIL WELCOMES PULOTU

#### CHIEF EXECUTIVE OFFICER

Pulotu Lyndon Chu Ling



The Cabinet has appointed Mr Pulotu Lyndon Chu Ling as the new Chief Executive Officer for the Ministry of Commerce, Industry and Labour. Pulotu takes over from the former CEO, the late Peseta Galumalemana Lavea Margaret Malua who passed away in June 2016. Mr Chu Ling is one of the longest serving member of the public service starting from the former Department of Trade, Commerce and Industry from 1992-2001 working in the Trade and Investment Promotion Unit and the Fair Trading Unit. He then took on a new career as a Sales Executive for Colonial Life Insurance from 2001-2005. He returned to MCIL in 2005 as a Principal Industry Development & Investment Promotion Officer and was appointed as the Assistant CEO for Industry Development and Investment Promotion of the MCIL in 2006 in which he was responsible for the development of investment promotion programs for Samoa as an investment destination for both local and foreign investors until he was appointed to the CEO post in October 2016. His other duties outside of government, he is the President of the Church of Jesus Christ of Latter DaySaints (LDS) Malie Stake, in which he provides leadership and counseling to around 2,000 Latter Day saints in the Malie area. He was educated at Samoa College, National University of Samoa, University of the South Pacific, the University of Adelaide and the University of Victoria. He is a father of six boys and resides at Nu'u.

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# National Validation Workshop – Diagnostic Trade Integration Study Update (DTISU)

## 20 – 21 July 2016 @ TATTE Conventional Centre

The update of the Samoa Diagnostic Trade Integration Study (DTIS) was undertaken in close collaboration between the Ministry of Foreign Affairs and Trade (MFAT) and the Ministry of Commerce, Industry and Labour (MCIL) and through the Trade, Commerce and Manufacturing (TCM) Sector on the theme “sustainable trade for enhanced growth and development”. KVA Consult was contracted to take the leading role in the preparation of the DTISU. This is in line with the work plan of the Tier 1 project approved by the Enhanced Integrated Framework (EIF), to provide further analytical assessment of the progress up to date of Samoa’s Trade capacity.

The keynote address of the workshop was delivered by the Honourable Prime Minister and also the Minister of Foreign Affairs and Trade, Tuilaepa Lufesolai Sailele Malielegaoi and the Statement by the representative of the EIF Secretariat was delivered by Mr Jonathan Werner - EIF Country Coordinator for Samoa.

The two days’ workshop was attended by members of both the private and public sector where KVA Consult presented the DTISU main report for information and also comments from the stakeholders. The DTISU will become a key component and foundation that will feed into the preparations of the next update and review of the Trade, Commerce and Manufacturing (TCM) Sector Plan. It will form the basis for the re-establishment of all the key sector priorities and focus on mainstreaming these priorities into the overarching national strategy for the Development of Samoa (SDS).



### **BROCHURES**

To further promote the apprenticeship scheme, the Apprenticeship Division with the help of our volunteer from Australia during 2015, Ms Iona Salter. We have now finalized and printed brochures for each of the trades currently under the apprenticeship scheme. Featured in each brochure is a description of the trade, the time in which theoretical classes (offered by NUS – training provider) starts and a success story for each of the tradesmen that have attended and graduated from this scheme. Brochures are available at the MCIL office for more information.





## PRICES BOARD MEETING AND INSPECTIONS FOR BOTH UPOLU AND SAVAII

The Prices Board at its meeting for the third quarter was conducted at Savaii on the 22nd July 2016 at MCIL's office. The board members after its meeting carried out random inspections of retailers around Savaii and continued on the next day. Ten random shops in Upolu were inspected on the 19th August 2016.



The majority of shops were aware of the selling prices of goods, having receipts books and scale conditions; however the major problems were the incorrect of prices marked with the selling price and not displaying GPOs. It was also found, there were brands of tinned fish sold by shops but not listed in General Price Order. They were all given strong verbal warnings and reminders regarding all these dilemmas especially pricing.



## SAMOA NATIONAL CODEX STRATEGIC PLAN WORKSHOP

The Ministry on behalf of the Samoa National Codex Committee organized a workshop in developing a National Codex Strategic Plan in both Upolu and Savaii on the 11th August 2016 and the 30th September 2016. This was one of the committee's initiatives to develop a Strategic Plan 2016-2020 to promote its activities and plan priority targets for the next five years as the committee agreed to forgo a technical assistance. The workshop was successful and fruitful as we managed to get comments from our own local farmers and those participated in assisting the committee with its strategic plan.

## ACP GENEVA TBT PROJECT MISSION AND ADB MISSION

The Fair Trading, Codex Alimentarius, Consumer Protection and Metrology Division were fortunate to have two of their consultants. Mr Hannes Schloemann a Trade Advisor from ACP Geneva TBT Project Mission and Mr Andrew Simpson a Competition Expert from ADB Mission. The main purpose of ACP Geneva TBT project is to look at what TBT system is in Samoa and to explore and foster TBT related linkages in the Pacific and the region. A one to one session with relevant stakeholders and Ministries was conducted to gather their views and opinions on the status of TBT in Samoa. Mr Andrew Simpson visited Attorney's General office and the Office of the Regulator in seeking their views through the implementation of Competition in Samoa.



# ONE MCIL, ONE SAMOA MARCHING TOWARDS IMPROVED SERVICE DELIVERY.

As the county buzzes with a series of activities and consultations, the decisions that will result from these initiatives are likely to have economic impact in the long-run. MCIL held a consultative meeting in Savaii as part of MCIL awareness programme that promotes ONE MCIL theme. This was followed by another awareness consultative meeting in Upolu. The consultations focused on seeking views from the stakeholders in Samoa on what more they would wish to see the Ministry do towards improvement of service delivery plus a series of presentations on initiatives undertaken.



All division heads of the 8 divisions that comprise MCIL got out of their offices and went out to reach out to stakeholders and update them on services offered, plans in the pipeline, challenges encountered and way forward in resolving those challenges. They also quietly listened to the views and concerns of the Private sector taking notes and clarifying where necessary. When a government entity seeks views of those it serves including through dialogue, it is an admirable thing. At MCIL, it would seem, quality service to their stakeholders specifically the Private-sector is a considered very seriously considering it is the private sector that produces products that stimulate economic activity including employment creation.

Presentations from the other presenters who included those from some private sector representative organizations, Ministry for Prime-Minister&Cabinet (Immigration) together with the feedback from participants were very informative. Some of the key messages seemed to focus on a need for similar treatment of foreign and local investors to ensure fair competition in the economy. The message from the local businesses was when it comes to business facilitation, if foreign investors are to be granted V.I.P treatment through incentives then similar treatment should be given to the local investors who are contributing greatly to economic growth, genuine employment creation for locals among other issues. These are real and genuine concerns, though the only challenge is when Foreign Investors seek similar treatment as local investors then the discussion will get even more interesting. *(Continued pg5)*





## ONE MCIL, ONE SAMOA MARCHING TOWARDS IMPROVED SERVICE DELIVERY. (continued)



None the less, SBEC succinctly highlighted some critical challenges inhibiting development of Small and Medium enterprises who they represent and by observation comprise the majority of business entities in Samoa. In presenting such challenges, the representatives revealed the on-going challenges to include; " Access to finance and business support services; Costs of doing business still relatively high– establishing; operating & sustaining);Vulnerabilities (economic & environment);Market access & related costs; Business & work ethics – lack of commitment and sacrifices; Cultural influence (church, family & community).

They further emphasized as a way forward in tackling the challenges to include: Encourage effective & sustainable partnerships (a coordinated effort in addressing issues);Constant capacity building and trainings; Inclusive development of financial products & services – designed to match demand; Increased focus on business development and support – nurturing; Improve our role as facilitator to access support & assistance from government, donor agencies and other PSOs;Improve awareness of SBEC's Profile by promotional activities & increasing the range of services provided.

Through the consultations the Division Heads listened attentively and reminded the stakeholders of where to find them should they seek further assistance and clarification in areas the Ministry is mandated to provide services and in the event they have more suggestions on improvement of service delivery. The ministry also has a suggestion box at their reception area in which suggestions can be dropped.



The consultative sessions were opened by MCIL'S Minister Hon. Lautafi Selafi Purcell in the presence of other diplomatic representatives who included Sue Langford the Australian High Commissioner in Samoa keenly listening to the message from the Government and her stakeholders.



Such consultations followed by implementation of recommendations are critical for Trade and Investment development and an internationally appreciated approach that ensures ownership of interventions in mitigating challenges within countries and regions.

Stephen Musubire.  
Trade Adviser,  
Commsec Hubs and Spokes II Programme.



# AWARENESS PROGRAMMES

To ensure employers and employees are aware of their obligations under the Labour and Employment Relations Act 2013 ('LERA') and its Regulations 2015; and Occupational Safety and Health Act 2002 and Regulations 2014, the division conducted one-on-one sessions with the following organizations:

## **NATIONAL HEALTH SERVICES NHS**

The Ministry was invited by the NHS to present on the LERA focusing on the Terms and Working Conditions of employment at their induction training on 26th July 2016 for NHS new recruits.

It was a very fruitful session as employees had the opportunity to seek clarifications on the issues such as shift work, leave entitlements, working hours, and others that are industrial relations related.

The Ministry acknowledges the invitation by the NHS as not only it was an avenue to further promote the LERA but also the issues raised and discussed will greatly contribute to further work development of the Ministry.

## **NATIONAL UNIVERSITY OF SAMOA**

As part of its Awareness programme, the Ministry was invited by the NUS to present on the LERA and OSH legislation as well as the Competition and Consumer Protection Act 2016.

The session provided the staff and students with an insight into how the Ministry implements some of the legislations they currently administer. It was seen as a very useful initiative for the students to learn of the practicality of the theoretical work they are currently studying in.

The Ministry acknowledges the institution's initiative to involve Government Ministries in their programmes as it provides the students with the reality of how they are studying will be applied in the real world of that will contribute to the development of the economy. Further the Ministry was fortunate to receive great feedback from the staff and students on other areas that can be looked at for further developments.



One-on-one session with staff and students of the National University of Samoa, 18th August 2016

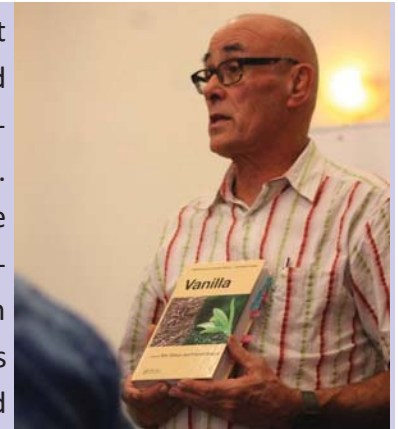
## Effective Leadership Training hosted by PSC

Senior Inspector of Apprentices, Marperatina McCarthy-Aimaasu was nominated on behalf of MCIL to attend a leadership training which was hosted by PSC from the 5<sup>th</sup> September – 9<sup>th</sup> September, 2016 at the their conference room. The aim of the course was to teach and enhance the senior public servants leadership skills within their respective workplaces to ensure better public services for Samoa. The training was carried out for five (5) half days, with the participant's certificate presentation held during the last day of the training at the Central Bank of Samoa's Conference room. The certificate presented, is recognized under the SQA framework for non-formal education.



## Vanilla In Samoa

Early in May this year, a team of representatives from Samoa were able to visit Equagold Vanilla Company's main office in Auckland New Zealand and discussed with Mr. Appleton (Equagold Vanilla owner) the chances of opening their company doors for Samoa to supply vanilla beans in the future. In concluding, Mr. Appleton and his wife were extended an invitation to visit Samoa and to share some of their knowledge and expertise on Vanilla farming with our local farmers to assist in the development of a sustainable pathway that will provide a win-win equation for farmers and overseas stakeholders. Prior to the Appleton's arrival, a special committee which consists of STEC(chairman), MCIL, MPMC and MAF was formed to facilitate the couple's tour to the STEC farm in Upolu and two other large farms in Savaii on the 9<sup>th</sup> – 13<sup>th</sup> July 2016. It was an overwhelming mission which determined that there is a huge potential for our country in the market for Vanilla. There are still a lot of grey areas at this point but given the right framework and government support through the steering committee members, we are optimistic that any challenges and unforeseen obstacles faced in the future can be resolved.





# COMPETITION LAW AND POLICY- JAPAN

Ms. Niumata Karen, Principal Fair Trading, Codex Alimentarius, Consumer Protection and Metrology Officer attended the Competition Law and Policy – Laying the Foundation for Investment Promotion held in JICA Centres – Kobe, Osaka and Tokyo, Japan.

The overall aim of this training program is to give officials entrusted with functions related to competition law and policy of their countries the opportunity to broaden their professional experience by equipping themselves with up-to-date knowledge of Japan and other countries competition laws and policies. Furthermore, to acquire new ideas how to promote effective enforcement of competition law and policy, review of existing competition law and policy and drafting a new competition law or amendments of the existing competition law.

The three weeks course was very informative and intensive. As a participant from a country having a new Competition Law, this course was valuable and beneficial. Views shared by other participants based on their own countries, presentations by JFTC & University trainers, group discussions, practical exercises and demonstrations were functional in many ways to improve and effectively enforce our Competition Law. Actually all lectures were relevant and important to clarify issues on Competition but there were specific topics that were more relevant and considered to be of more value to the current situation of our country's Competition Law. Listed below were some of the lessons learnt from these topics:

- Significance of Competition Law in a country
- Close cooperation of Regional Competition Authorities
- Effective investigation technique and processes
- Increased number of awareness programs
- Modernized and advanced system for collection of evidence
- Good organization structure
- Effective Training System
- Independency of Competition Commission
- Close cooperation of Regional Competition Authorities



These lessons assisted very much in determining some of the future action plans for the successful enforcement of the Competition law, such as the significance of carrying out more public awareness, strengthening the cooperation between the Competition Law countries, establishment of an electronic system and reinforce cooperation with International Regional Competition Authorities to obtain assistance in various ways i.e. financial, capacity building etc.

During the course, it has been stressed out the significance of competition law in the modern trade; therefore it is a contentment to know some of the new and broad ideas as they would contribute very much in the wellbeing of our Competition Law enforcement.



# JOB SEARCH SKILLS TRAINING FOR PEOPLE WITH DISABILITIES

Employment team was invited by the Nuanua ole Alofa Society to conduct a Job Search Skills Training for people with disabilities on the 19th September 2016. The team accompanied the request by undertaking a whole day training to showcase and convey the participants all the possible requirements, preparations and different mechanisms and modules for them to gain knowledge and skills in finding employment opportunities which are currently available in the labour market. Part of the training includes various subjects such as writing an application letter and CV, preparations for an interview and so forth.



## NEW INSPECTOR FOR FAIR TRADING DIVISION IN SAVAII

The Fair Trading Division is proud to introduce its new team member who just joined and promised to work as a public servant in leading and excelling its quality service to foster economic growth for Samoa. Ms Ropati will be working with two of her colleagues in the big island of Savaii as a Fair Trading Inspector, hails from the village of Sasa'ai. Welcome on board and congratulations on the achievements and the appointment.



# Japan Trade and Investment Mission

Samoa had the privilege of hosting the Japan Trade and Investment Mission from the 28th – 29th July 2016.

The objective of the mission was to exchange information and promote trade and investment opportunities in both Samoa and Japan.

The mission focused on business matching, developing key contacts and business networking between the two countries private sector businesses and government ministries.

The delegation of Japan was led by Masakazu Hamachi, Parliamentary Vice-Minister for Foreign Affairs and included twenty-four representatives from the private sector and government officials.

The private company representatives from Japan were in the areas of hotels, tourism, restaurant, services, car export, indoor agriculture, research, beauty and cosmetics.

Samoa's private sector businesses, manufacturers and exporters were also allowed the opportunity to meet with the visiting delegation in the hope of expanding and broadening commercial opportunities.

The mission included a business matching session and visits to local companies.



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## REMINDER: EMPLOYMENT RECORDS OF EMPLOYEES

The Ministry has noted in the last FY2015/2016 the non-compliance of employers with regards to the absence of employment records of their employees.

Under Part 4 of the Labour and Employment Relations Regulations 2015, an employer must keep at the place of employment the following records of employees:

- A. The number of employees employed;
- B. Gender of employees;
- C. Type of industry in which the employer is involved;
- D. Type of work undertaken by employees;
- E. Wages being paid for each employee including method and the period of payment of wages;
- F. Average weekly hours worked by and the average hourly earnings for each employee;
- G. Any entitlements, allowances or benefits, including things such as lodging or food provided by the employer;
- H. Overtime worked by each employee, including the overtime rates for each employee; and
- I. Any attendance books, timecards, timesheets or any other record of attendance held by the employer relating to its employees for a period of no less than the preceding 12 month period.



The above records will be requested of the employer by the Ministry to submit for assessment of any industrial relations grievance lodged by an employee against an employer.

Any employer found to be non-compliant will be penalized accordingly under the Labour and Employment Relations Act 2013 and its Regulations 2015.

## LDS YSA YOUTH CONVENTION 23RD SEPTEMBER 2016

MCIL through the Apprenticeship, Employment and Labour Market Division was asked by the LDS Youth Convention to do a presentation regarding what we do and what we offer. Therefore the team accepts the request by undertaking a presentation on the duties and responsibilities we do, and the services we offer. The aim was to bring awareness to the LDS Youth group on the daily services MCIL offers in Employment areas.

# GENDER STATISTIC WORKSHOP

Rainer Brown of the Employment and Labour Market Unit was nominated to attend this workshop on behalf of MCIL. It was a whole week workshop which was mainly focuses on using Microsoft Excel to analyze Gender statistics from Samoa Bureau of Statistics, MCIL, and MWCSO, to practically create graphs using Excel advance features. The main rationale behind this workshop hosted by MWCSO was to advocate gender equality in Samoa by using all the statistics information obtained from different sources to create reports that will better identify gender statistics within specific policy frameworks for better decision making. Kim Robertson the Gender Advisor of SPC facilitated the workshop with assistance of SBS and MWCSO and concluded with the presentation of certificates.



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