Ministry of Commerce, Industry and Labour

ANNUAL REPORT

2013-14

Ministry of Commerce, Industry and Labour

Matagaluega o Pisinisi, Alamanuia ma Leipa

"to support Government's vision to lead and excel in the provision of quality service to foster economic growth for all"

FA'AVAE! LE ATUA SAMOA

GOVERNMENT OF SAMOA
OFFICE OF THE DEPUTY PRIME MINISTER

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

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 2013 to June 2014 for consideration and discussion in this current session of the House.

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

Ministry of Commerce, Industry and Labour
Matagaluega o Pisinisi, Alamanuia ma Leipa
"to support Government's vision to lead and excel in the provision of quality service to foster economic growth for all"

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

Pursuant to section 15 of the Public Service Act 2004, I hereby submit herewith the Annual Report of the Ministry of Commerce, Industry and Labour (MCIL) for the period July 2013 – June 2014.

Faafetai

Auelua T. Samuelu Enari
CHIEF EXECUTIVE OFFICER

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Acronyms:

ACC	Accident Compensation Corporation
ACP	Asia, Caribbean and Pacific
AG	Attorney General's Office
CCP	Codex Contact point
DPM	Deputy Prime Minister
EPA	Economic Partnership Agreement
EIF	Enhanced Integrated Framework for Trade Related Assistance to Least Developed countries
EU	European Union
FIC	Foreign Investment Certificate
FY	Financial year
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GPO	General Price Order
HIRAC	Hazard Identification and Risk Assessments
ILO	International Labour Organisation
IP	Intellectual Properties
LDC	Least Developed Country
LER	Labour and Employment Relations
MfR	Ministry for Revenue
MOA/MOU	Memorandum of agreement/memorandum of understanding
MoF	Ministry of Finance
MOH	Ministry of Health
MPMC	Ministry for Prime Minister and Cabinet
NES	National Export Strategy
NUS- IOT	National University of Samoa – Institute of Technology
OSH	Occupational Safety and Health
PACER Plus	Pacific Agreement on Closer Economic Relations
PICTA	Pacific Island Countries Trade Agreement
PIFS	Pacific Islands Forum Secretariat
PSC	Public Service Commission
PSIF	Public Sector Improvement Facility
PSSF	Private Sector Support Facility
SBEC	Small Business Enterprise Center
SDS	Strategy for the Development of Samoa
SLC	Samoa Land Corporation
SNCC	Samoa National Codex Committee
SNTF	Samoa National Tripartite Forum
TTRP	Tourism Tsunami Rebuilding Programme
UN	United Nations
UNIDO	United Nations Industrial Development Organisation
WAIPA	World Association of Investment Promotion Agencies
WiBDi	Women in Business Development Incorporated
WIPO	World Intellectual Property Organisation
WTO	World Trade Organisation

Introduction:

The following were key highlights and achievements for the year:

- Enhanced Integrated Framework Board (E.I.F) approved US$ 2.94 million under the Tier 2 E.I.F trust fund to further enable the implementation of sector planned activities;
- Developing Competition Law and Policy – which aims at creating a modern competition framework to benefit the economy;
- Amendment to the Apprenticeship Legislation to lift the standard of competency in the programme;
- Employment permits under the Labour and Employment Relations Act (LERA 2013) was implemented under MCIL;
- Occupational Safety and Health 2014 Regulation- which aims at strengthening the monitoring and enforcement arm of the Ministry was approved;,
- Implementation of the E-Registry of companies as part of the reform of the Companies Legislations – recognised as a best international practice;
- Personal Property and Securities Act- which aims at improving access to finance & credit to improve cash flow for businesses finance for exports and agriculture was passed in April 2014.

1.1 OUR VISION

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

1.2 OUR MISSION

To provide an enabling legal environment for the development of the private sector to stimulate investment, industry development to boost productivity, fair trade competition, create full employment of local workforce and highly qualified trades people, generate more work opportunities encompassing temporary movement of natural persons, improve safe work environment, increase innovation and registry integrity in Samoa.

1.3 OUR MANDATE :

The Ministry derives its mandates from the forty plus (40+) legislations and regulations in which its key responsibilities in support of the Governments national development agenda as highlighted in the SDS 2012-2016 are defined. **Appendix 2** provides the list of these legislations and regulations. There are on-going reviews for the corporate planning period to bring up to date the various legislations governing Samoa's business environment in . Specifically the Ministry is mandated to administer regulatory frameworks that:

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

The mandates of the Ministry are also affected by the following **international treaties and obligations:**

1) 1967 Convention Establishing World Intellectual Property Organisation (WIPO)
2) International Labour Organisation (ILO) including additional conventions:
    i) CO29 – Forced labour convention 1930
    ii) CO87 – Freedom of association and protection of right to organise convention 1948
    iii) CO98 – right to organise and collective bargaining convention 1949
    iv) C100 – equal remuneration convention 1951
    v) C105 – abolition of Forced labour convention 1957
    vi) C111 – discrimination (employment and occupation)convention 1958
    vii) C138 – minimum age convention 1973
    viii) C182 – worst forms of child labour convention 1999
    ix) MLC – maritime labour convention 2006
    x) Privileges and immunities convention 1948
3) Codex Alimentarius Commission
4) 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict

5) 1961 Hague Convention Abolishing the Requirement of Legislation for Foreign Public Documents
6) 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Proper
7) WAIPA – World Agencies for Investment Promotion Agencies
8) Consumers International
9) UNIDO – United national industrial development organisation
10) BERNE convention (literacy and artistic works)
11) Paris Convention.

The mandate is also affected by being a **party to trade agreements** such as:

A) WTO :

1) Antidumping and countervailing measures,
2) SPS – sanitary and phytosanitary measures,
3) TBT – technical barriers to trade,
4) Trade related aspects of Intellectual properties (TRIPS),
5) TRIMS – trade related investment measures,
6) GATS

B) PACER PLUS and PICTA:

1) General agreement on Trade in Goods
2) General agreement on Trade in Services
3) Investment Chapter
4) Temporary movement of natural persons (TNMP)

C) ACP-EU

1. Economic partnership agreement

At the **national level**, the Ministry's mandates are also impacted by the following:

1) Strategy for the Development of Samoa 2012-2016 – **Priority Area1**: **Key Outcome 3 – Revitaised exports and Key Outcome 5: Enabling Environment for Business Development**
2) Trade Commerce and Manufacturing Sector Plan 2012-2016,
3) Immigration Act 2004, amendments and regulations,
4) Ministerial and Departmental Arrangements Act 2003,
5) Public Finance Management Act 2000, amendments, regulations, manuals and instructions,
6) Public Bodies (Performance and Accountability) Act 2001 and,
7) Public Service Act 2004, amendments, regulations and instructions

The Ministry leads the following **legislated boards and committees**:

1) Apprenticeship Council
2) Industry and Development Board
3) National Codex Committee
4) Prices Control Board,
5) Private Sector Support Facility Coordinating committee
6) Samoa National Tripartite Forum
7) Trade, Commerce and Manufacturing Sector Steering Committee & Taskforce (MCIL)

The Ministry has affiliated work and sits in as **committee member on the following Committees and boards:**

1) Accident Compensation Corporation (ACC) Board
2) Agriculture Sector Plan – Steering Committee (MAF)
3) Convention on elimination of Discrimination against women (CEDAW-MWCSD),
4) Climate Change committee (MNRE),
5) Commercial Fisheries Management Advisory Committee (CF- MAC - MAF)
6) Fire Emergency Service Committee (FESA),
7) Forestry Board (MAF)
8) Investment Committee (MOF)
9) Livestock – Management Advisory Committee (L-MAC – MAF)
10) National Disaster Management Committee (MNRE)
11) National Energy Committee (MOF)
12) National heritage committee – (MESC)
13) National Revenue Board (MOF)
14) National Tobacco Control Committee (MOH)
15) National University of Samoa
16) National Working Committee on Trade Agreements (MFAT)
17) Ozone committee (MNRE)
18) Pesticides and Pollutant Committee (MNRE)
19) Petroleum Taskforce Committee (MOF)
20) Post Secondary Education training (PSET) Committee,
21) SACEP – Agriculture (MAF)
22) Samoa Bureau of Statistics (SBS) Steering Committee
23) Samoa National Youth forum (MWCSD)
24) Samoa Qualification Authority (SQA)Board
25) Small Business Enterprises Centre
26) Tourism Cyclone Recovery Programme (STA)
27) Trade Advisory panel (SQA),
28) Traditional Knowledge committee (SQA),
29) TVET Implementation Committee (MESC)

1.4 OUR VALUES :

Our values are embedded with those of the Public Service which are crucial to the successful delivery of our services. We aspire to keep and respect their importance in the achievement of our Vision and Mission:

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

1.5 OUR KEY RESULT AREAS:

The Ministry's key result areas (KRA) to support the implementation and achievement of its vision and mission are as follows:

KRA 1: Our services
KRA 2: Our clients/partners
KRA 3: Our Business Capability
KRA 4: Our People

These KRA contains a number of objectives for our Ministry to focus on over the 2012-2016 period. Strategies or activities have been articulated that will help the Ministry in delivering upon those objectives.

KRA 1: Our Services:

1. Provide appropriate policy advice to the Minister of Commerce, Industry and Labour on all areas of the Ministry's mandate,
2. Provision of an efficient and effective secretariat and administrative support to the Minister,
3. Providing a high level of industry development and facilitating an Investment friendly environment,
4. Enhance effectiveness of market mechanisms and growth of domestic activities and create a level playing field for all in the domestic market,
5. encouraging highly skilled local workforce and their full employment,
6. enforcing labour and employment relations, foreign workers and safe work at the workplace,
7. Enhance systems and procedures for registration and maintenance of different registries, ensuring full protection of rights of intellectual property creators and proprietors.

KRA 2: Our Clients/Partners: enhance clients/partners confidence by ensuring our dealings are professional, timely and accountable:

Objective 2.1: enhance effective dialogue/engagement with clients/partners to achieve expected outcomes,

Objective 2.2: Enhance mutual understanding and maintain partnership with the private and public sector,

Objective 2.3: develop evidence based policies aimed at improving service delivery and

KRA 3: Our Ministry Capability: Continuously improve our overall performance through service delivery by monitoring and evaluating results/achievements and creating opportunities that lead to innovative solutions:

Objective 3.1: continuous improvement for an efficient and effective performance/service delivery

Objective 3.2: apply risk Management framework to all key activities

Objective 3.3: Sound financial performance and Management

KRA 4: Our People: to have staff with appropriate skills, which can be managed, valued and committed to the Ministry's purpose:

Objective 4.1: strategically focussed and effective leadership and management,

Objective 4.2: Staff who is qualified, skilled and experienced for their role and future services challenges,

Objective 4.3: Develop a culture of safety, quality, innovation and high performance.

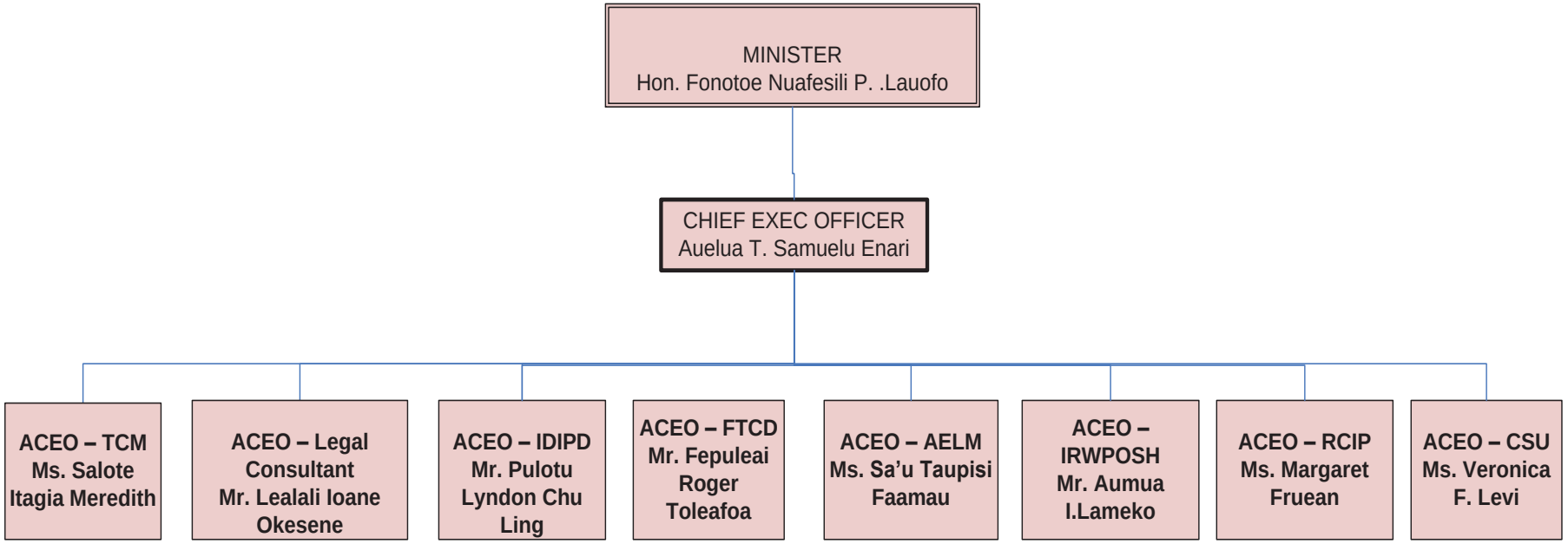
1.6 OUR ORGANISATION STRUCTURE 2013-2014:

The recent reviews of legislations has clearly had an impact in changing the structure of the Ministry. There have been several attempts at reviewing the MCIL organisation structure with the assistance of PSC under its Government wide functional review exercise to take inventory and capture all the mandate functions of the Ministry to determine better a suitable structure to provide optimum performance. Being an important ingredient in any organisation, the MCIL management places high value on its staff through formulating the right job description, recruitment and selection as well as ongoing training and capacity development. To deliver on the four Key Result Areas (KRA) noted under 1.5 above, the Ministry functions under 40+ Legislation and regulation under eight (8) divisions.

By the end of the financial year, no new positions were established as the Ministry tried to proceed with the recruitment and selection process of the eight (8) new positions of the 2012/2013 financial year. The number of staff therefore remained at eighty-six (86) from the end of the last financial year. Table 1.7 below highlights the management structure with corresponding divisions for which the Ministry operates. It is envisaged that additional staff will be sought depending on requirements of revised legislations mainly inspectors to monitor compliance with legislations. The following are the eight divisions of the Ministry:

1. Division for Industry Development and Investment Promotion (IDIP) with eleven (11) staff,
2. Division for Fair Trading and Codes Alimentarius (FTCD) with eleven (11) staff including three (3) for the Savaii office,
3. Division for Apprentices, Employment and Labour Market (AELM) with eight (8) staff,
4. Division for Industrial Relations, Work Permits and Occupational Safety and Health (IRWPOSH) with eleven (11) staff,
5. Division for Registry of Companies and Intellectual Properties (RCIP) with thirteen (13) staff,
6. Legal Unit (LU), with a Legal consultant and Australian Volunteer for International Development,
7. Trade, Commerce and Manufacturing Sector Unit (TCMSU), with five (5) staff,
8. Division for Corporate Services Division (CSD) - (human resources, finance – procurement and asset management, ICT, Records and administration) with nineteen (19) staff and
9. Ministerial support staff of five (5).

1.7 OUR ORGANISATIONAL STRUCTURE 2013 – 2014



MCIL Staff photo for the Public Service Day Sept 2013

1.8: TRADE, COMMERCE AND MANUFACTURING (TCM) SECTOR PLAN:

OBJECTIVE: *To coordinate and manage the implementation of the TCM Sector Plan.*

The groundwork for the TCM Unit was laid out in 2013. The TCM unit was fully established with five staff members in early 2014. At its inception the Unit was tasked to set up both the Monitoring and Evaluation (M&E) Framework and the Medium Term Expenditure Framework (MTEF) within 6 months. However, both the M&E and MTEF required more time a result of the slow pace of the hiring process, amongst other things.

The M&E Framework was developed with Samoa Bureau of Statistics to ensure performance indicators are available, measurable and reliable. It will ensure the activities undertaken are aligned with or directly linked to the outputs.

The main challenge was the availability of baseline data for some of the performance indicators in particular the business aspect of the data. It was therefore highly recommended that a Census on Business Activity be undertaken for Samoa. The Census is scheduled to commence early in 2015 and the results ready by mid-2015. The M&E framework will be finalised by June 2015.

The Medium Term Expenditure Framework, on the other hand, will link the TCM sector plan to the government budget process. This will ensure that public resources are allocated effectively and efficiently to support the implementation of the agreed sector priorities. However, a few concerns emerged out of the MTEF which needs to be addressed and considered if the implementation of the TCM Plan is to be successful.

1. That the TCM sector plan implementation framework adopt the Value Chain Approach.
2. MTEF to be updated and reviewed annually to reflect any change in policies.
3. Expenditure currently reflects that government Ministries and sectors to a large extent are still operating in silos.
4. That the government budget process should be made to reflect the sector-wide approach.

Enhanced Integrated Framework - Tier 2 Projects

The *Enhanced Integrated Framework* (EIF) is an Aid for Trade mechanism that Least Developed Countries (LDCs) can use to develop and build their capacities to trade. The objective of the assistance is to help LDCs:

i) Tackle obstacles to trade and;
ii) Promote economic growth, sustain development and reduce poverty.

There are two windows of funding available under EIF:

i) Tier 1 – mainly for capacity building
ii) Tier 2 – mainly to fund particular projects or activities specified in the sector plan

Samoa is now a beneficiary of both Tier 1 and Tier 2 funding since it became a member of the EIF programme in 2006. The Tier 1 funding was approved in October 2012.

In May 2014, the ***EIF Board approved USD2.94 million*** under Tier 2 to implement activities that would contribute to achieving the sector objectives: enhance private sector development, increase foreign trade, improve manufacturing and further strengthen sector policy and planning. The implementation of these activities spans a 3 year period. This is in addition to the USD1.1m provided under Tier 1.

National Export Authority:

The set up of a National Export Authority (NEA) was one of the main goals identified in the *National Export Strategy (NES) 2008-2012*. The NES and all its activities were absorbed into the TCM sector plan 2012-2016.

Background Information:

The NEA would be the "*Focal point for the coordination, facilitation, sustainable development and promotion of all export related activities for Samoa*."

The private sector identified the gaps that hindered export growth as:

However, further consultation yielded different results. It found there was no immediate need for an NEA because:

i) The main obstacle to trade was the supply side constraint. If supply side constraint cannot be resolved then there is very little to trade and hence the need for an NEA.

ii) The cost of setting up the NEA is too high.

As a way forward it was recommended that:

1. There was no immediate need for an NEA.

1. No coordinated approach to export development and promotion efforts
2. Insufficient capacity for export
3. Inadequate market information
4. Absence of market intelligence
5. Lack of awareness of relevant technology advances
6. Low productivity level

2. Utilise the current set-up and governance structure of TCM Steering committee, Task Force and TCM secretariat, to coordinate and facilitate export related activities through the implementation of the TCM sector plan.
3. Government to continue to engage and collaborate with the private sector to perform its functions on Product development and Market access and promotions.
4. Eventually, NEA to operate as a partnership between government and private sector where there is a gradual sharing of costs as well as management. That is, the operation of the Public Private Partnership model.

2: OUR KEY RESULT AREAS:

2.1 : KRA 1 : OUR SERVICES:

KRA 1.2: OFFICE OF THE DEPUTY PRIME MINISTER & MINISTER FOR COMMERCE, INDUSTRY AND LABOUR

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

KRA 1.2: PERFORMANCE ACHIEVEMENTS:

The Ministry supports the Hon. Minister's office through the employment of five full time staff to provide secretariat and administrative support. They look after the Minister's schedule, prepare paperwork/documents (for Parliament, Cabinet, Private sector, various Boards, overseas business/investors and Government dignitaries) and organise his official travel. The Ministry funds the operation of the Minister's office including his travels.

Minister's official travel for 2013-14:

1. Travel to Laos, Vientam with Hon Muagututagata P. Ah Him (Associate Minister) 2nd meeting for LDC Negotiations for WTO 15-18 October,
2. Travel to Brussels with Hon. Sooalo Mene (Associate Minister) for the Pacific ACP (Africa Carrebian & Pacific Group of states) in Brussels where Pacific sates met the EU to progress EPA negotiations in October,
3. Travel to New Zealand with Press Secretariat official (Mr. Laveitiga Tuiletufuga) for the Trade Show exhibition of the SAME (Samoa association of Manufacturers and Exporters) held in November 2013,
4. Travel to Indonesia with Good lady Mrs. Rosita Meredith and Hon Sooalo Mene (Associate Minister) for the 9th WTO Ministerial meeting from 3-6 December,
5. Travel to Honiara by Hon. Muagututagata P Ah Him, for the Pacific ACP meeting with the EU which took place to take stock of status of the negotiations and way forward in December,
6. Travel to Fiji with Hon. Muagututagata P Ah Him for the Pacific ACP trade and fisheries officials meeting on strategies to be explored to revitalise EPA negotiations in April 2014,
7. Travel to Kiribati by Hon. Tusa Misi Tupuola (Associate Minister Police) as a representative of the Hon. Minister of MCIL for the Forum Trade Ministers Meeting in May 2014,
8. Travel to New Caledonia in June 2014 for the Leaders Summit and 2nd Oceania 21 meeting.

Regular meetings with the CEO continue to discuss progress of Ministry legislations and in the provision of policy advice on those issues requiring Cabinet approval.

KRA 1.1: OFFICE OF THE CHIEF EXECUTIVE OFFICER (CEO)

OBJECTIVE: To provide appropriate policy advice to the Minister on all areas of the Ministry's mandate:

KRA 1.1: PERFORMANCE ACHIEVEMENTS:

The CEOs leadership continues with efforts to continue engagement and dialogue with the private sector that would support the Ministry's mission of providing quality service to foster economic growth for all. The Ministry continues to place importance on creating public private partnerships with the private sector underscoring the importance of the private sector as the engine for growth. The Ministry continues to

provide not only under its various assistance schemed under KRA 1.3 below, but also provides annual assistance grants to boost the administration and governance of private sector organisations. The CEOs leadership is also reflected in the commitment provided to hosting and driving/providing the mechanism for the Trade, Commerce and Manufacturing sector Coordination unit within the offices of the Ministry.

During the year, the 2011/2012 and 2012/2013 annual reports were completed and submitted to Parliament. Corporate tools for empowering staff and performance were reviewed including the Corporate plan, workforce plan as well as the provision of the CEOs procurement and Human resource management reports as part of his contractual obligations.

Of the four legislative reviews planned for the year, a total of six was actually carried out including: Apprenticeship Bill 2013, TCI amendment Bill 2014, Legal metrology Bill 2014, Fair trading Bill 2014, Personal properties and securities amendment bill, and the public Holiday bill.

During the year, the CEO continued to lead the Ministries mandated boards and committees including the Industry and Development Board, Price Control Board, Apprentice council, National Codex Committee, Trade, Commerce and Manufacturing Sector Steering Committee and the Samoa National Tripartite forum. The CEO also continued to foster productive engagement with stakeholders and partners in the sector ranging from private sector, government and non government organisations. He also sits as board member for the Accident Compensation Corporation, Samoa Qualifications Authority, National University of Samoa as well as the National Revenue Board. The Ministry is also part of a wide range of boards and committees that have a direct link to the work of the Ministry. These have been noted on page eight (8) above, under 1.3 of our Mandates.

The CEO travelled during the year as a representative of Government to attend the following meetings:

1. Aid for Trade Global Review held in Geneva in July 2013,
2. Pacific Alliance Leaders meeting held in Japan in October,
3. Samoa Association of manufacturers Trade Show New Zealand in November 2013,
4. PACER Plus officials meeting held in New Zealand in November 2013,
5. Policy making meeting on Intellectual property held in New Zealand in March 2014, and
6. Meeting on labour market transition for young men and women in the Asia Pacific held in May in Thailand.

As a result of the Chief Executive Office leadership, there has been an increase in third party fundraising to implement the Trade, Commerce and Manufacturing sector plan, strengthened Private Public Partnership, more updated legislations that facilitate development in current economic trends, improvement in innovative avenues for financing towards Private-sector development, improvement in the Company registry at the Ministry among other things.

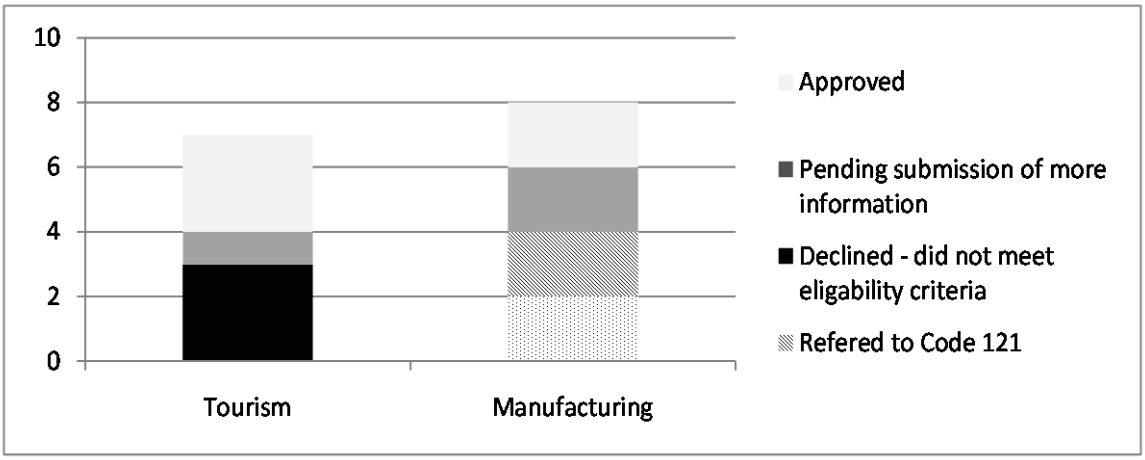
KRA 1.3: INDUSTRY DEVELOPMENT & INVESTMENT PROMOTION (IDIP) DIVISION:

OBJECTIVE: A high level of industry development and facilitating an investment friendly environment

KRA 1.3: PERFORMANCE ACHIEVEMENTS:

1.3.1 : Private Sector Assistance Programmes:

i) ***Duty Concession:*** The division inspects new applicants, then inspects each beneficiary quarterly. This gives the unit the opportunity to (i) see whether the goods requested to be exempted from duty are used directly for the purpose they were approved for, (ii) to advise the Qualifying companies about the time-period granted for their goods to be imported and (iii) to acquire updated information in terms of activities been added, creation of employment and the current status of the development as it is to update their files and the Division's database.



The number of entries facilitated this year is quite high because of the increase supply of imported goods for constructions of new developments such as Taumeasina Resort & Survivor Samoa and for projects that need to complete their projects before the Small Island Development States meeting in September, e.g. Su'a Pale Ltd as well as Manufacturing projects such as Samoa Superior, Wilex and Samoa Beverage.

ii) Code 121:

It is recorded for this reporting period that 4 applications were received for Code 121 including the 2 projects that were transferred from the Investment Committee as they did not meet the requirements under the Customs (Tourism and Manufacturing developments) 2010. All applications were facilitated and endorsed by the Ministry. The division continues to carry out quarterly inspections to these projects to site the imported goods that were approved for their developments.

A review to the turnover threshold is now in the hands of the Ministry for Revenue to consider a reduction if possible, for applicants to easily access the scheme especially the vulnerable business operators.

iii) Export Development Scheme:

The Committee has finalized the Revised Guidelines and is now working on finalizing the Deed of Guarantee to ensure consistency with exiting legal framework, as well as some of the concerns noted from individuals and groups that were previously consulted. It is anticipated that the final draft of Deed of Guarantee will be submitted to the commercial banks before end of 2014 for their feedback. The Final EDS Documents should be submitted to Cabinet for clearance in the next financial year before the program is implemented.

iv) Private Sector Support Facility:

Operating Highlights:

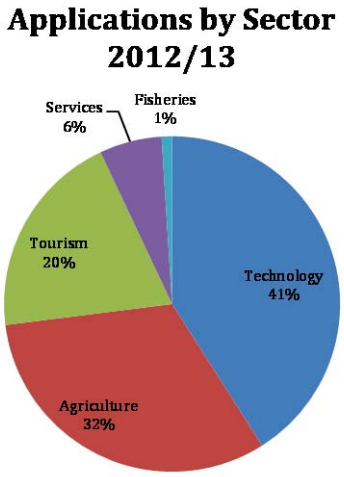
A total of 205 applications were received in the financial year 2013/14 which is also the highest number of applications submitted since the inception of PSSF, in 2007. This was a 58% increase on the number of applications received compared to the previous year.

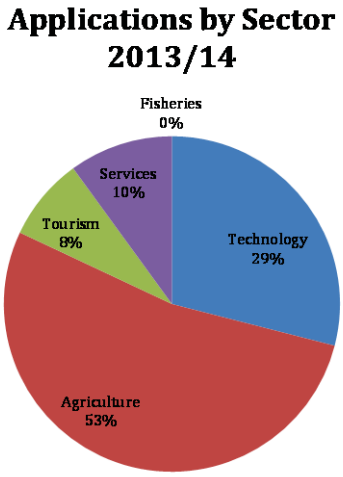
Approximately 84% of applications received were approved while the rest were either withdrawn by the applicant or declined on the basis of the business no meeting the eligibility criteria of the scheme or the request being outside the coverage of the scheme.

Category	AGRI	FISH	TECH	TOUR	SERV	TOTAL
Category A	1	0	2	1	0	4
Category B	108	1	50	13	20	192
Category C	0	0	7	2	0	9
Total Applications per sector (2013/14 values)	109 (42)	1 (1)	59 (53)	16 (26)	20 (8)	205 (130)

Table1: Applications received by category and sector

In comparison to last year, the Agriculture sector has the highest number of applications submitted and the largest increase in numbers of applications. Followed behind is the technology sector then Services sectors and finally the Tourism sector this may be in part due to the availability of alternate funding through the Tourism Cyclone Recovery Program fund.





Originally applications were considered in Rounds and assessed by the Secretariat for the Steering Group's (SG) consideration. However after the PSSF Strengthening Program Review during FY2012/13, the concept of rounds was discontinued and now applications and now applications are accepted throughout the year. Under the PSSF strengthening process applications are assessed by the Secretariat and considered by the Project Application Committee (PAC), which is a smaller

subset of the SG. This process has meant that application processing is much faster and is not held up by unrealistic cut-off dates.

Types of Projects Funded:

- **Agriculture –** mainly water tanks and fittings with a smaller number of applications for market exploratory visits, trainings and marketing materials
- **Technology –** majority of applications requested participation at overseas marketing and trade shows, with 22 of the 59 applications (37%) being for the NZ SAME trade show. A further 22 (37%) were for participation in other festivals and trade shows with the remainder of the applications for promotional materials,
- **Services -** majority of applications were for marketing and promotional activities with the remainder of the applications for equipment .e.g. point of sale equipment, education and training
- **Tourism –** 9 of the 16 applications (56%) were for marketing and promotional materials. Of the remainder, 4 applications were for water tanks, 2 for participation in trade shows and 1 for an operational analysis of the business with the objective of improving efficiency and capacity

PSSF Consultancy Services :

The approval of consultants for the drafting of proposals from Private Sector Organisations (PSOs), both individual consultants and PSO consultants, has now been endorsed by the Steering Group and is currently in its contracting stage. For information on the consultancy services, applicants can contact the Secretariat. It is expected that the selected PSSF consultants will be make known to the stakeholders within the first quarter of the next financial year.

Financial Highlights:

The project funds budget for the reporting period is **$1,282,033.00.** The total committed funds for the period was **$1,160,266.00**, which is 90.5% of the overall PSSF fund budget. The allocated budget for Category A and C were both under committed as only 13 applications were submitted under these two categories compared to the 192 applications submitted under category B.

	AGRI	FISH	TECH	TOUR	SERV	TOTAL Committed Funds	Budget
CATEGORY A	5,209	0	50,000	50,000	0	**105,209**	574,976
CATEGORY B	447,467	0	316,759	103,376	88,758	**956,360**	400,000
CATEGORY C	0	0	86,526	12,171	0	**98,697**	307,057
TOTAL FUNDING PER SECTOR	**452,676**	**0**	**453,285**	**165,547**	**88,758**	**1,160,266**	**1,282,033**

Table 2: Overall Budget Expenditure

Project Achievements:

- ***Centralized electronic storage of data:***

Since the establishment of the database of the centralized electronic storage of applications and assessment data, we have noted reporting improvements such as timely submission of progress and annual reports which were previously caused due to manual recording of data.

In the absence of a thorough review and measure of the impact of PSSF funding on the growth and development of trade and activities of the private sector as the ultimate objective of the scheme, the Secretariat has noted from the submitted end of project reports and through the ongoing Steering Group monitoring site visits some of the progress and achievements made by selected projects as follows:

- ***GM Bakery: Canton Trade Fair in China:***

The benefits include the networking with manufacturers and also manage to make new business transactions to air them in their goal to expand in the wholesaling business in Samoa. With the new business transactions they have managed to gain deductions in freight prices directly from the manufacturer as a way of buying more and pay less. In return they are able to acquire reimbursement from freight cargo fees. They also managed to purchase some new appliances for their bakery as well as the restaurant in the sense to improve the standard of preparation of food and beverages to meet the demand of their customers.

- ***Tropical Island Bottling : SAME NZ Trade Show:***

They have established relationships with other businesses and interested clients and customers. The business has secured business with dairy operators and the Indian business community in NZ especially the grocery shops and outlets in South Auckland. The business benefitted in various areas that includes promotions and potential markets. The Trade Show was an excellent event of publicizing what they offer in terms of products made in Samoa. The project has also given insight on how different market operates and how the business gained understanding with the involvement of various businesses.

- ***CCK Trading Ltd : SAME NZ Trade Show :***

The main objective was to gauge interest for their products within the Samoan community in Auckland. Secondly to meet with distributors around South Auckland in hopes to gain a distributorship deal. Both objectives were met. There was a huge interest and actual demand for all three CCK products; coffee, Samoan cocoa and noni drink. Also they are currently working on a deal with a seller based in Auckland, to sell at the weekly markets in Mangere, Otara and Avondale. This will provide exposure to the mass Samoan and Pacific Island communities. The benefits include the increase number of contacts within the Samoan community as well as the local media (Samoa Post) to promote their products in the future. They have shipped a pallet load of goods to be sold at the Mangere markets in the beginning of February 2014. They have recently installed a new more efficient coffee roaster to cope with increased local demand and future orders. As a result of the tradeshow, they have sent a pallet of products to NZ for the Polynesian Island market.

- ***Loriana's Fashion: Pasifika Festival :***

Their main aim of their participation at the Pasifika Festival was to penetrate the Auckland market further. They already have players or potential buyers in the market however they wanted to ensure that their existing markets still want to continue. They were able to meet some new contacts supply them with good quality but reasonable priced fabrics. In the future they hope to partner with them in exchanging products. Their potential partners found from this event were Rosetta Magele and Kanti Patel. Loriana sent their first shipment of stock at the end of April for Rosetta and Kantiowns a fabric warehouse where Loriana's has received supplies of reasonably priced fabric from them as part of their deal.

1.3.2 : The Investment Environment:

The financial year 2013/14 has recorded the lowest number of registered Foreign Investment Enterprises (FIE's) with a total of 39 as compared to 57 in the previous reporting period. The 'Professional Services'

sector has recorded almost 50% of the total number FIE's that were registered followed by 'Retailing' and 'Construction'. The sectors with the lowest recorded investment include 'Agriculture', 'Repairs and Maintenance', 'Manufacturing' and 'Accommodation'. The division continues to carry out monitoring inspections/site visits to ensure compliance of the FIC holders in both Upolu and Savaii.
However, the Foreign Investment database is no longer in use due to technical failures and therefore the division is pursuing other avenues for creation of a new database so that important records are maintained. In the meantime the division has in place a manual database that is kept up to date by the team.

The Investment publications used in promoting investment such as the Investment Guide and National Investment Policy Statement have been reviewed and are now available to the public and are on the Ministry's website www.mcil.gov.ws

1.3.4: Other Achievements:

i. ***Non-compliance of Foreign Investment Enterprises*** – Compared to previous years this has been an ongoing issue that the team faces challenges with. The breach in conditions as set out in the Foreign Investment Amendment Act 2011 comes after non-citizens have been found to engage in reserved activities. Therefore the team is now working closely with the lead Ministries such as MfR and MPMC and also within our own Ministry to try and minimize these non-compliance issues in the hopes that we will be able to completely resolve these continuing matters.

The Ministry is working on on-going cases that have been brought to the attention of the team however the reporting period has recorded a 100% compliance with newly registered Foreign Investment Enterprises that have commenced business operations. As a way forward the Ministry is currently undergoing a review of the Foreign Investment Act 2000 and the Amendment Act2011 to further strengthen our approach to minimize reoccurrence and discovery of any new cases with such nature.

ii. ***Submission of Status Reports*** **–** As a requirement under the Foreign Investment Amendment Act 2011, FIE's must submit a status report to the Ministry once every year. However, it has been found that about 95% of all FIE's fail to comply with this requirement and are somewhat ignorant and therefore the team has found it difficult to analyze the trends and benefits of foreign investment in the country. As a strategy to resolution to this issue the team has decided to send follow up letters to all FIE's reminding them of their obligation under the legislation.

iii. ***Employment Creation*** - Employment generated as a result of foreign investment is highly valuable and we are therefore pleased to announce that for this reporting period there has been an estimated 488 job opportunities created through establishment of these Foreign Investment Enterprises. This information is gathered from submission of application forms.

However the challenge we face here is gathering accurate information to confirm that these are the exact numbers of jobs opportunities that are available to our local community. This may be the result of the registered businesses not setting up within the period in which it was registered due to certain delays or the variation in the number of jobs available once the business has actually commenced operations. i.e. business may not have gotten off to the start that the owners had hoped etc.

KRA 1.4 FAIR TRADING, COMPETITION POLICY AND LAW, LEGAL METROLOGY AND CODEX ALIMENTARIUS (FTCA) DIVISION:

OBJECTIVE: Enhance effectiveness of market mechanisms and growth of domestic activities and create a level playing field for all in the domestic market.

KRA 1.4: PERFORMANCE ACHIEVEMENTS:

Key Performance achievements for the FTCA Division in enhancing effectiveness of market mechanisms and the growth of domestic activities and creating a level playing field for all in the domestic market for this reporting period have been:

1.4.1: Finalizing the Legal Metrology Law: The main mission of this legislation is for traders to use accurate weighing and measuring equipment, encouraging fair trade practices and protecting the consumer in order to enhance socioeconomic development of Samoa. The following are some of the activities conducted:-

a) The finalization of reviewing of the Ordinance was done by the Consultant as well as the Fair Trading Division using electronic communication. Several meetings conducted with the AG Office before preparing the final copy for the Cabinet endorsement.

b) The Division also provided assistance to the Legislative Assembly with regards to translation work given the Bill was so technical.

c) The Cabinet endorsed the Bill in 2013 and first reading in Parliament was in March 2014 session followed by numerous consultations with the Parliamentary committee on issues raised by the public and members.

d) The consultations and training of staff was made possible under the Enhanced Integrated Framework through the Trade, Commerce and Manufacturing Sector Plan in 2013 to 2014. All these activities were conducted by Mr. John Barker of the Barker Metrology Consultant Limited, New Zealand.

e) Further training was also conducted in collaboration with Trading Standards Division of the Ministry of Business Innovation and Employment ("MBIE"), Christchurch branch, New Zealand. Two staff from our Division attended the training and this was part of our preparation for the implementation enforcement of the new bill. The Trading Standards Division is the regulator responsible for protecting New Zealand consumers in three work areas: Legal Metrology, Fuel Quality Monitoring and Consumer Product Safety. This branch has only three officials that administer and enforces its Weights and Measures Act and Regulations. These officials cover the whole of the south island of New Zealand.

1.4.2: Developing the Competition Policy and Law: The Ministry commissioned the Certari Consulting Ltd., Hong Kong that drafted the Competition Policy 2013 to also draft the Competition Bill with funding support from ADB. The following were some of the activities conducted and achieved during the FY 2013/2014 on the Competition and Consumer Bill:-

a) The first draft of the CCB was received in January 2014 followed by a mission from the consultant and representatives from ADB who were here to discuss the 1st draft with our team, Regulator, MOF and the Office of the Attorney General.

b) Two consultations on the second draft of the Bill conducted at Jet-over Hotel in Savaii on the 24th of June and the NPF conference room on the 26th June 2014. Both consultations were attended by several members of the private sector with feed-back received on the progress of the Bill and its content.

c) This Bill will repeal the Fair Trading Act 1998, an Act that promotes competition in markets in Samoa; and establishes certain standards of conduct for those engaged in trade; and contributes to a trading environment in which the safety and interests of consumers are protected and consumers and businesses participate confidently.

d) There are still important issues that require further consultations with the Office of the Attorney General before the Bill is forwarded to Cabinet for endorsement before Parliament.

1.4.3: Prices Board :

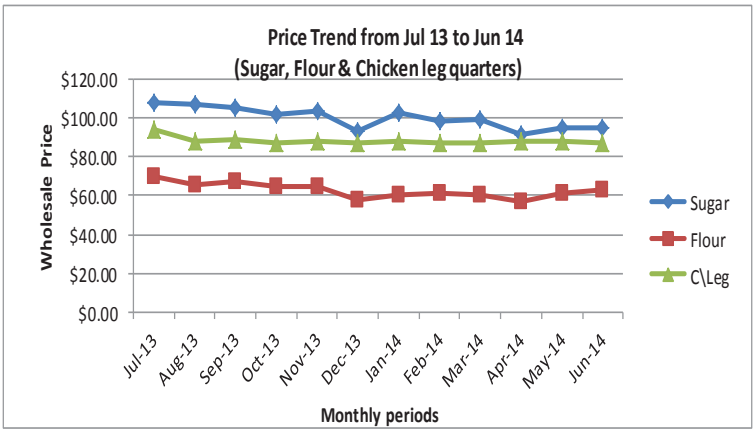
Quarterly meetings of the Board were convene with the ultimate intention of ensuring that prices of necessary food items were made available at reasonable costs for consumers. For the FY 2013/2014;

a) Three meetings were held during this financial period to review the Prices of stipulated goods.

b) Two submissions were received for price increases for local products namely cigarettes and beer. These submissions included price increases for Vailima pure (750mls & 355mls) and Pall Mall packets 10 & 20.

c) A total of 116 products have been recorded since the end of this financial period. In every review, some products increased in prices while some reduced due to the fluctuation of exchange rates in importing countries. Some products remain unchanged due to lack of information received for the review of their prices or retained as some were still found on retail shelves. The quarterly review observed regularly slight fluctuations with some products like sugar, flour and chicken leg quarters experienced.

d) The usual wide distributions of each Price Orders were carried out in a timely manner. The Division used the media such as television, radio and newspapers advertise each Price Orders. The number of traders in Samoa according to distribution records continued to increase from 840 in the first six months to 855 at the end of this financial period. The Division also conducted weekly inspections to ensure effective compliance and freedom of consumers to exercise their rights in the marketplace.



e) The publicity of two major projects namely **Sene Rounding and No Refund projects** were also

approved by the Board during the period in order to strengthen consumer protection and minimize complaints on these areas. These projects were reported to be productive for traders and consumer awareness

1.4.4: Daylight Saving Time (Survey): The Division conducted a second survey in order to further gather the understanding of the public towards Daylight Saving Time ("DST") in May 2014. DST is a process of adjusting clocks in advance by one hour which occurred the first time in Samoa at the end of September 2010 and reverse to standard time six months later, beginning of April 2011.

The result of this survey enabled the Ministry to understand the extent of its public awareness programs on informing the public as well as understanding the attitudes of the business community and the public towards DST. A questionnaire designed for both the business community and consumers was distributed during the General Price Order distribution in May 2014. A total of 1,500 questionnaires were distributed and only 998 responses were received. There were 756 responses received from Upolu and 242 from Savaii. The majority of the distribution targeted the businesses and 69% of the responses were from the business community.

The responses received reflected a 61% in support of DST while 39% were against it. The 2011 survey had a 51% in support and 49% against. The 61% that support DST are in business ventures such as restaurants, recreational services, petrol stations, and retailers. Their main reason for supporting this activity is due to the longer hours of the afternoon for guests to socialize in restaurants, more clients travelling utilizing petroleum products and also beneficial with extra time for sports activities with family and friends and it reduced electricity consumption which does improve morale.

Those that were against DST were mainly concerned for the school children that await buses in the dark mornings and workers were always late due to ensuring that their children were safely at schools because of the busy traffic and the mad rush hours of the mornings. Many stated that their lateness was due to the change in time that the schools started because of DST while some would blame the transportation system. The late arrival attitude by employees and early to leave to catch their buses home translated to slow performance and loss of productivity. Others stated that instead of their electricity expenses reducing it actually increased electricity consumed due to preparing the school children.

Overall Daylight Saving Time is favourable for the development of Samoa.

a. **Fair Trading Enquiries/ Inspections/calibration and Cases :** The Division recorded 210 enquiries lodged into the Office within the financial year and most of enquiries were on the prices of goods, calculation of mark ups, general price orders and refunds.

b. A total of 312 traders inspected during the FY 2013/2014 in Upolu including 104 follow ups. During inspections staff also educated each and every traders on their obligations under legislations administered by the Division.

c. Our Division also received and recorded about 86 complaints, 65 (75%) out of 86 were resolved while the others are continuing on with investigations.

d. The nature of these complaints were mainly on misleading and deceptive aspects of the Fair *Trading Act 1998*, others on services delivered not in accordance with consumer standards as well as some on food safety. Most of these complaints were resolved on the spot (30%) while the majority (70%) were investigated and others through to the mediation process for settlement.

e. Four calibrations conducted within the financial year in Upolu to check the accuracy of some petrol stations in the country. All petrol station tested were in compliance with certain standards required by law.

1.4.5: MCIL Savaii Branch (Complaints & Enquiries): The Savaii branch was officially opened in July 2012 with three (3) staff just recruited in May and June of 2013. The initial focus of the Savaii office is for the functions of the Fair Trading Division but it was open to receiving matters pertaining to the whole Ministry. The following are the activities conducted within the first financial year in operation:-

a. A total of 562 traders inspected in the island during the reporting period including follow ups.

b. Overall, a compliance rate of more than 80% of traders has been observed with all the various obligations under Fair Trading Act 1998. 20% represents traders that have not complied mainly in the areas of overpricing, not displaying GPO and sales of goods below approved standards.

c. In terms of enquiries, a total of 122 (35-Fair Trading) received and recorded which are mainly related to matters pertaining to the entire Ministry as well as issues for referring to other ministries such as Revenue and Health.

d. The Savaii office also records a total of 27 complaints on industrial relations & labour matters and 23 for over pricing of goods. All cases on Fair Trading matters were resolved while others on labour issues were referring on time to the responsible Division.

e. Ongoing petrol adjustments on a monthly basis and the calibration of **six (6)** petrol stations in Savaii including the new one at Saleula was done in September 2013.

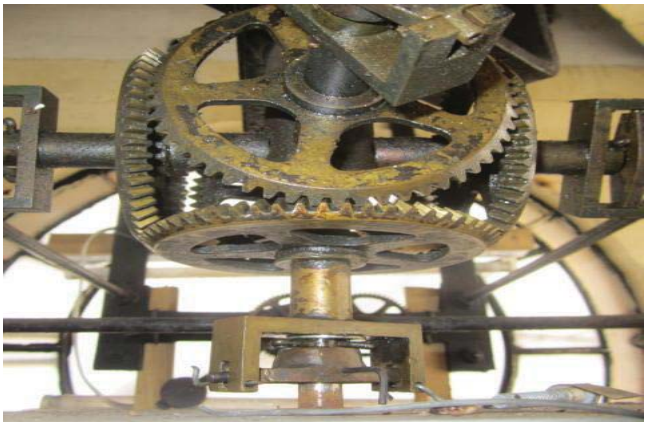
1.4.6: Other Activities:

i) World Consumer Rights Day:

The World Consumer Rights Day ("WCRD") commemoration was held in Savaii on the 14th of March 2014. A half day workshop was scheduled to re-enforce the awareness on consumer rights targeting Year 12 and Year 13 students from the twelve colleges in the island. The theme for the day was focused on consumer right to refund and consumer right to information. Several presentations on the theme of the day as well as our role were done by staff of the Fair Trading Division and the Legal Unit.

ii) Town Clock Repair Works:

The Apia Town Clock experienced problems in the past months and the Division has requested



the services of the Town Clock Australia to conduct repair and maintenance works. The repair works was commenced on the second week of May 2014 starting from Monday 12th to Thursday 14th and two employees from the Ministry one from the Fair Trading Division and our IT specialist were attached to assist and learn from the consultant.

iii) Awareness Activities:

The Division during the period under reviewed has strengthen its awareness program in order to inform and educate the public and our clients on the functions as well as the legislation administered by the Division. In that regard, we prepared and aired 2 TV advertisements on local televisions which mainly focused on the issues of "No Refund" and "Displaying GPOs". The feedback from the public on these TV advertisements was positive where consumers are more aware of their rights and traders with their obligations under our legislation. Apart from TV advertisements, the Division also developed and installed two (2) billboards with advertisements on consumer protection in Upolu and Savaii with the intention of creating more awareness for the public and the country as a whole.

iv) Amendments to the Fair Trading Act 1998:

The Division also received an advice from the Office of the Attorney General if it is possible to have only the Chairman of the Prices Board to sign on their behalf on Price Orders instead of all members. The issue was raised before the Prices Board at one of their meetings in 2013 and they unanimously agreed on the advice from the Attorney General's Office. The Board at the same meeting instructed the Division through the secretariat and the Legal Unit to work on the amendment to section 55 of *the Act.* Both our Division and the Legal Unit have been working to review and amend the particular section of the Fair Trading Act 1998. The new amendment was endorsed by Cabinet and the first reading in Parliament was in March 2014.

KRA 1.5: APPRENTICESHIP, EMPLOYMENT AND LABOUR MARKET DIVISION:

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

KRA 1.5: PERFORMANCE ACHIEVEMENTS:

1.5.1: Apprenticeship New legislation: The review of the Apprenticeship Act 1972 is one of the strategies under MCIL's Corporate Plan for the period from July 2012 to June 2016, to lift the standard of the Apprenticeship Program to be competency based instead of number of years. Hence, the review is completed and is now repealed by the new Apprenticeship Act 2014 being passed by Parliament early 2014 and assented by the Head of State of Samoa on 7th April 2014. This new Apprenticeship legislation is one of the milestones and a great achievement for the Apprenticeship, Employment and Labour Market (AELM) Division, under its projected activities for Fy2013/2014. The implementation or the coming into force of the new Apprenticeship legislation reflects the new developments for the administration of the Apprenticeship Scheme. For instance, the formulation of the new composition of the Apprenticeship Council, the protection of the rights of employers as well as apprentices under the scheme, the establishment of the new selection criteria for those who want to enter the Apprenticeship Program and

the formulation of National Competency Standards (NCSs) for the seven trades under the Apprenticeship Program by the Samoa Qualification Authority and its key stakeholders inclusive MCIL.

1.5.2: Apprenticeship Act 2014 Awareness Programs: The Apprenticeship, Employment and Labour Market division coordinated and conducted two awareness programs for parties that cover under the new Apprenticeship Act 2014, to ensure full compliance to all the requirements being stipulated under the new legislation. The first awareness program was held at the Central Bank of Samoa's Building on Monday 16th June 2014 and the second one was on Friday 20th June 2014 at Apita o Pisaga Hall, Saleleloga Savaii. Participants for the two crucial events were the ministry's key stakeholders inclusive government ministries and corporations, employers, apprentices, PSET Training Institutions and also reps from the public.

1.5.3: Trade Test Exams: Carpentry and Joinery :

One of the highlights under the Apprenticeship and Trade Testing Schemes is that the Head of EU has shown interests by joining the Apprenticeship Program during FY2013/2014. The division under its budgeted activities coordinated and conducted four trade tests exams inclusive Carpentry and Joinery trade both theory and practical at the National University of Samoa. This is one of the priorities for the ministry is to continue in upgrading and up skilling our trades people as this is a backbone of Samoa's economy.

1.5.4: Apprenticeship Graduation 17 December 2013:

The Honourable Acting Deputy Prime Minister, Afioga Sooalo Mene delivered the keynote address while the Chief Executive Officer of MCIL, Auelua Taito Samuelu Enari presented the Annual Report for the Apprenticeship Program during the Apprenticeship Graduation on the 17th December 2013.

The 2013 Apprenticeship Graduation is an earmark and a great achievement for the work of AELM Division and the ministry as a whole as this is the first time for an apprentice under the Carpentry and Joinery Trade, to be awarded with 3 years scholarship through the Ministry of Foreign Affairs and Trade, to study at the Canterbury University in New Zealand.

The continued coordination and hosting of the Apprenticeship Graduation by the Ministry of Commerce, Industry and Labour at the end of every Apprenticeship School Calendar Year is an end product of all the commitments and sacrifices by the ministry and its key stakeholders, under AELM division throughout the year, in the administration and facilitation of this crucial program.

1.5.5: Post School Education & Training (PSET) Annual Conference 30th – 31st January, 2014:

The Samoa Qualification Authority (SQA) conducted its two days Annual Conference on the 30th and the 31st of January 2014 for Post School Education and Training (PSET) inviting its key stakeholders at the national level. The two days conference was held at the Tui Atua Tupua Tamasese Efi Convention Centre at Sogi and was carried out with its Theme: "Promoting Quality in the Post School Education and Training Sub-Sector in Samoa". The objectives and expected outcomes of this event were for the participants and SQA Stakeholders to collaboratively share the experiences and the understanding of quality PSET, having to identify issues and challenges in order to achieve quality PSET. Lastly but not least it revealed the effective solutions to accelerate progress in achieving its quality. It also articulated the purpose of the conference as strengthening working relationships between SQA and its stakeholders bringing together targeted groups, to promote and discuss on how to accommodate PSET quality. Amongst these stakeholders was the attendance of the Ministry of Commerce Industries and Labor (MCIL), to present one of its core functions, which is the administration of the Apprenticeship Scheme.

The presentation was given out by the Chief Executive Officer; Afioga Auelua Taito Samuelu Enari. The Assistant CEO, Sa'u Taupisi Faamau for AELM division, Pulotu Lyndon Chu-ling, ACEO for IDIP, Stephen Musubire the Trade Advisor and the Apprenticeship team also attended the conference. The presentation by the CEO of MCIL was mainly focused on the Apprenticeship Program's background with the new developments like the New Apprenticeship Bill 2013 and the development of National Competency Standards (NCSs) for the seven (7) trades under the Apprenticeship Program. The presentation articulates the processes, procedures plus legal obligations that are required by government, employers and apprentices that are involved or parties to the Apprenticeship Scheme. This program also encourages students to wisely decide their potential future career.

1.5.6: Labour Force Survey and School To Work Transition Survey: The Honourable Deputy Prime Minister, Afioga Fonotoe Nuafesili Pierre Lauofo had officially delivered the keynote address for the launching of the first ever Labour Force Survey (LFS) and School To Work Transition Survey (SWTS) on Thursday, 27 March 2014. Amongst the invited guests is an ILO official, Ms Surkafa Katafono from the regional ILO Office in Suva Fiji. The project is funded by the International Labour Organization.

The coordination and implementation of the LFS and SWTS is a joint initiative by the Ministry of

Commerce, Industry and labour and the Samoa Bureau of Statistics. The rationale behind this crucial activity is to increase the capacity of the relevant staff of MCIL and SBS in terms of data collection,

tabulation and analysis of Labour Market Information. It also assists policy makers and LMI users for better decision making and labour policy development.

The implementation and facilitation of the above surveys is one of the strategies under MCIL's current Corporate Plan 2012-2016, to continue in promoting awareness of employers, stakeholders and the public for better assessment and analysis and also to improve networking of labour market information.

1.5.6: Industry Day Program 30 May 2014, Salelologa, Savaii:

Theme: **"Plan and choose wisely for a Suitable Employment"**, gives the students the heads up on what they can decide to do or plan for the next step when leave High Schools. It challenges their minds on what is beyond their limits and also the opportunities they can get from this crucial program.

The above classic event was carried out on Friday 30th May 2014. The whole idea or the rationale behind the program is to assist the target group or students from the invited schools/ colleges in Savaii, to gain their confidence in leading them to a brighter future. From MCIL's experiences in conduction of similar activities in the past years, we realized that some students may not have the capability to learn the theoretical side of education but the skills they might have can lead them to a great improvement of their academic life.

The process of learning may take a while for them to adapt but the access of time to their ability will take them to a successful path. The program is also a crucial benefit for our division and also the ministry as a whole as it can be considered as a best strategy, to increase employability of our local people. It also develops the consistency of employment demand that leads to an extent which is the continuous creation of more employment opportunities.

We informed the participants during the course of the event re; the EMPLOYMENT SERVICE that is currently administered by MCIL in terms of Free Job Registration, Referrals and Placement and also to help students write CVs, Cover Letters and most importantly their preparation for an Interview.

1.5.7: Job Seekers Training March 2014:

One of the core functions of the Ministry is the continue training of jobseekers to increase employability and employment opportunities in the market. Hence on 21 March 2014, the employment and Labour Market branch of the Division conducted a "jobseekers training" for those jobseekers who have registered with our employment service, in search of employment or job opportunities.

The training aims at training of jobseekers on basic methods and skills required when looking for jobs/employment in the labour market. This crucial activity allows the facilitators/trainers to assess individual participant and identify weakness which need to be addressed when going out to look for employment in the workforce.

The continuous implementation of this event on a voluntary basis is one of the many initiatives by the government under the Ministry of Commerce, Industry and Labour, to ensure equal access to support services offered by both public and private sectors. Consequently, it will assist employability of our local people particularly the youths and the same time assist the development of the country's economy as a whole.

Elder Pulotu Lyndon Chu-Ling, also the Assistant Chief Executive Officer for the IDIP division lead the group with a prayer followed with the main address which was delivered by Assistant Chief Executive Officer for the Apprenticeship, Employment and Labour Market, Ms Sa'u Taupisi Fa'amau. Presentation on job seeking methods and skills was carried out by the Principal officer of Employment, the Senior Employment officer as well as MS Leutu Ieremia of the Corporate Services division who presented on the recruiting & selection process in the public service.

It was one day training held at the ACC conference Room level 5, and twenty four jobseekers attended who each received certificate at the end of the training.

KRA 1.6: ENFORCEMENT OF LABOUR STANDARDS AND ASSESSMENT OF WORK PERMITS:

OBJECTIVE: Enforcing labour, employment relations and foreign workers

KRA 1.6: PERFORMANCE ACHIEVEMENTS:

1.6.1: Industrial Relations Workshops conducted for employers and employees on the Labour and Employment Act:

The effective delivery of workshops for all stakeholders was essential to ensure a smooth transition from the LER Act 1972 to the LER Act 2013. The division was able to hold thirteen (13) such workshops covering the new LER Act 2013 highlighting the important changes such as the inclusion of management personnel under the new Act. The workshops were effective in that they brought together both employees and employers to generate dialogue on some of the issues relevant to the workplace. In addition, thirty five (35) social dialogues were held with private businesses and public corporations for a more intimate session whereby specific organizational issues can be raised and Solutions recommended by the Ministry.

One of the key outcomes from these workshops and social dialogues is that issues are dealt with before any employment relationship is damaged due to misinterpretation of the Labour legislation.

1.6.2: Samoa National Tripartite Forum :

Five (5) meetings were called for the financial year to discuss various issues related to industrial relations, employment permits and occupational health and safety. The clarification of authorized deductions was one such issue with the Samoa National Provident Fund (SNPF) in that it must not exceed 35% of the employee's Net pay. The parameters for advertising conciliation committee were developed with advertisement targeted for the new financial year.

1.6.3: Routine Inspections to ensure Compliance of Businesses:

A total of 289 routine inspections were carried out by the labour division to ensure that businesses were in full compliance with the Labour and Employment Relations Act 2013. The main purpose of inspections is to request the provision of records and documentation which is required under the LER Act 2013. Outcomes from inspections were positive although there were cases where the employer was contravening the Act, the inspection team was able to issue corrective actions and upon follow up of the business/corporation they were in full compliance. Some of the issues noted from routine inspections:

- Lack of understanding on part of employees and employers in both private businesses and corporations;
- A more coordinated systematic labour inspection schedule required given limited inspectors and number of businesses/corporations.
- Diligence in inspections to continue dialogue with employers and employees on the changes from the repealed 1972 Act.
- Labour inspectors require further formal training in dealing with employers and employees especially in tense situations.

In light of above issues the division has engaged assistance through the ILO to carry out labour inspection training and use of efficient systems of inspection. Furthermore, social dialogues and targeted media campaigns will be employed to increase awareness of labour rights.

1.6.4: Capacity Building for Labour Inspectors and ILO Constituents

Capacity Training for Staff Inspectors:

The Ministry has prioritized improving its labour and OSH Inspection functions under Outcome 1.2 of its Decent Work Country Programme (DWCP). The ILO projects on Labour Law and its implementation focuses on building the capacities of OSH Inspectors and improving the capacity of Labour. It was in a form of individual interviews for all IR/OSH/Work Permit inspectors individually. The objective of this programme is to deliver labour and OSH Inspection training to Labour Offices.

In addition, a participatory capacity assessment of Labour and OSH inspection functions to assist in developing a training package for labour and OSH inspectors was carried out by Regional Consultant (Mr. Bulivao Alifereti).

Photo: LER Act 2013 Consultation, Samoa Hideaway

Photo: Social dialogue with the Regulators Office

1.6.5: ILO Missions Training on Tripartism on 27th -28th May 2014:

Two Days Training at the SNPF Conference room for the Samoa National Tripartite Forum on "Good Practice Tripartism" Tripartism Training was also conducted by ILO Regional consultant with SWC Executives and representatives from PSC, NPF and

ACC hosted by IRWPOSH Division, to discuss the promotional work on the LERA 2013 mainly on the importance of Social Dialogue between the workers and the employers.

One of the key outcomes from the above trainings/workshops was the development of a training program for labour inspectors to ensure they possess the necessary skills to administer relevant legislation effectively. The program which will be launched in FY1415 and will focus on enabling inspectors to understand the following:

Consultation on ILO Conventions, Orator Hotel

- The role of a Labour Inspector and its relevance in relation to international labour standards and the importance of making Labour Inspection a valuable contributor to a fair, healthy, safe, competitive and productive economy in Samoa
- The basic principles of labour relations/ standards and OSH inspection and modern developments in inspection with a focus on the strategic and transparent balance between educative and enforcement actions
- The basic principles and standards of code of ethics of the work of the labour inspectorate

1.6.6: Employment Permits for Non Citizens under the LER Act 2013 :

The Labour and Employment Relations Act 2013 provide the specific requirements for non-citizens of Samoa to apply for a foreign employee employment permit to the Ministry of Commerce, Industry and Labour. Hence, administration of work permits is now officially under the IREPOSH division. In this respect, the division conducted internal trainings with other divisions and also published notices in the media to inform the public of the changes. Given the sensitive nature of non citizens working in Samoa the division will continue to be diligent in assessing applications for permits to ensure abuse does not occur. A total of 420 work permits were received during the FY1314; mainly in the category of non specialized trades and also an increasing number of domestic workers which also is seen as a supporting reason for strengthening the regulatory framework by ratifying the Domestic Workers Convention C189. The new process also involves issuing ID Permits to non citizens working and an ID machine was procured for this purpose.

1.6.7: International Labour Standards- Reporting Requirements in Accordance with Article 19:

As part of Samoa's requirements under the ILO reports were prepared and submitted in accordance with Article 19 of the ILO Constitution. Under Article 19 member States are required to report at regular intervals, at the request of the Governing Body, on measures they have taken to give effect to any provision of certain Conventions or Recommendations, and to indicate any obstacles which have prevented or delayed the ratification of a particular Convention. In this respect, 4 conventions reports were submitted to ILO Geneva via Ministry of Foreign Affairs and ILO Fiji Office in September 2013. The division foresee an increasing workload in international reporting given the objective to ratify further Conventions in order to strengthen the regulatory framework and make necessary amendments to national legislation.

1.6.8: Sub Regional Workshop For New and Potential ILO Member States :

On the 26th-29th of November 2013 the ILO's more recent members and a potential member held a workshop which was organized by the ILO in collaboration with the Ministry (IRWPOSH). The purpose of the workshop was to discuss each country's obligations as members, to promote ratification of fundamental conventions and principles of tripartism and to address matters relating to accession to the 1947 Convention on Privileges and Immunities. The workshop was also a good opportunity for Samoa as

an observer to take note of necessary steps to be taken following ratification of fundamental conventions including the Maritime Labour Convention 2006.

KRA 1.7: ENFORCEMENT OF OCCUPATIONAL SAFETY AND HEALTH STANDARDS:

OBJECTIVE: Enforcing safe work at the workplace

KRA1.7: PERFORMANCE ACHIEVEMENTS:

1.7.1: Routine Inspections, Follow up & Investigations :

The Occupational Safety and Health division was successful in recruiting two new inspectors i.e. one Principal Labour Inspector and one Labour Inspector from within the Ministry and a recent graduate from the National University of Samoa. Over the relevant period 342 inspections were carried out covering Government Ministries, Corporations, and private businesses. The results of these inspections showed that there is a moderate to high appreciation for work safety. The presence of foreign owned businesses/companies has also contributed towards improving standard of specific sectors e.g. construction. During this period Petrol Stations were also heavily inspected across Upolu and Savaii; although initial observations revealed non compliance amongst the majority, the OSH inspectorate were able to issue improvement notices and follow up within 2-3 weeks to confirm adherence to issued notices. Over the period in question, inspections followed designated zones according to districts to ensure maximum coverage despite the limited number of labour inspectors. Similar to the previous year, two OSH inspectors joined the division towards the end of the financial year in question which contributed to the shortfall in targeted inspections.

Photo: Demonstrating full PPE

The OSH inspectorate also carried out investigations on 27 reported accidents with one fatality, three serious and the remaining accidents classified as minor-moderate. The OSH team in their investigations were able to resolve cases through interviews and issued corrective actions for both employers and employees. Further follow ups were conducted and formal warnings were issued to ensure that corrective actions were properly implemented. One of the key issues to be addressed in the new financial year is to formalize process for initiating penalties and prosecutions in the case of blatant contraventions of the OSH Act 2002 and eventually the OSH Regulations.

Photo: OSH Inspections, Savaii

1.7.2: Awareness Programs Conducted for both Employers and Employees

In our efforts to increase awareness on the existing legislation and general safety culture in the workplace; the division carried out six (6) workshops. One social dialogue at the request of National Health Services covering both the Labour and Employment Act 2013 and Occupational Safety and Health 2002; workshops held in Savaii on the OSH Act 2002 and Regulations still in draft form; one workshop on OSH regulations held in Upolu; and one consultation/workshop on ILO OSH Conventions for ratification. The consultation on OSH Conventions was a major activity for the division funded under tier 1 of the Trade Commerce and Manufacturing Plan; the outcome from this particular activity was positive in that participants from ILO constituents i.e. employers and employees, were supportive of the objectives of conventions to strengthen the OSH regulatory framework. The awareness programs were very productive in that stakeholders were able to express their views on the current state of Occupational

Safety and Health in Samoa. The cost of protective equipment is a common factor for non compliance; however, the OSH team believe that the most effective measure is through preventive measures such as safe work practices, introductory and regular staff training etc. and were able to present methods for implementing safe work practices through Hazard Identification and Risk Assessments.

Photo: OSH Day with Savaii market staff

1.7.3: Occupational Safety and Health (OSH) Regulations 2014:

One of the key milestones for the OSH division was the passing of the OSH Regulations 2014 on the 11th June 2014. The regulations will strengthen the monitoring and enforcement arm of the OSH division in various sectors. Given it has now come into effect, the OSH team will develop a strategy for creating awareness amongst its stakeholders through workshops and routine inspections.

The OSH Regulations require the division to consider strategies for developing/adopting codes of practices and other administrative measures for the following:

1) Asbestos- work involving the removal of asbestos containing materials;
2) Risk assessments- employers to carry out basic HIRAC in their workplace.
3) Noise generated by work activity etc.

1.7.4: Samoa National Tripartite Forum:

Five (5) SNTF meetings were called over the FY1314 with various OSH issues being discussed; one of the priority actions is to encourage organizations to nominate safety officers (OSH officers) to act as focal point for safety issues in the workplace and to liaise with management on corrective actions. The nominated officer will also be the contact point for the Ministry when conducting inspections and investigations. In addition, the division will be targeting the new financial year for submission of a Hazardous Child Labour List to the SNTF for their consideration to address the issue of child labour in accordance with the Convention on the Elimination of the Worst forms of Child Labour.

1.7.5: World OSH Day- Safety in the Use of Chemicals at Work 28th April 2014

The 28th of April is recognized internationally as the World OSH day with the theme this year being 'Safety in the Use of Chemicals at Work'. As such the OSH division agreed that the program should be taken to Savaii.

The necessary arrangements were made and the following program took place:

- Upolu inspections were carried out on the 24th April 2014 to distribute promotional T-shirts and to ensure compliance amongst Tourism operators;
- Demonstrations at the Salelologa market with cleaning staff.
    - This involved SLC staff demonstrating their normal procedures
    - when cleaning lavatories specifically in the handling of chemicals to ensure the safety of employees and the general public utilizing these facilities;
- Follow up inspections were also carried out to gas stations and bakeries in Salelologa and surrounding villages only due to time constraints.
- In addition, a press release was published in the Samoa Observer 27th April 2014 edition in relation to World OSH Day 2014 with emphasis on the theme.
- 100 promotional T-shirts were printed for the commemoration of this important day and distributed to workplaces (Savaii and Upolu) and MCIL management.

The OSH team found that the inspections and demonstration were well received by the employers and employees alike. The employees especially were interested in employers becoming more proactive in ensuring work is undertaken in a safe manner.

KRA 1.8: REGISTRIES OF COMPANIES AND INTELLECTUAL PROPERTIES (RCIP) DIVISION:

OBJECTIVE: Enhance systems and procedures for registration and maintenance of different registries, ensuring full protection of rights of intellectual property creators and proprietors,

KRA 1.8: PERFORMANCE ACHIEVEMENTS:

1.8.1 Establishment and the implementation of the new electronic registry of companies:

The electronic registry of companies launched in February 2013 was one of the milestone achievements for the division as well as the Ministry and ultimately Samoa. The modernised system is proven to be of great assistance to the business community in the registration of companies, searching of company information and maintaining of company information.

During the period July 2013/June 2014 the division continued to carry out trainings of officers, agents or directors of companies to familiarise them on how to use the electronic system of registration of companies. Most of those trainings were carried out on a one to one basis at the kiosk operated by the division to be used by its customers.

In addition to these trainings on an individual basis for those who called into the office, there were also a series of training/awareness programmes held in Apia and Savaii for the business community.

Like any new system or procedure there are always issues of uncertainty as to the effectiveness of the system, problems arising that needed to be solved and challenges encountered by users that should be addressed. The staff of the RCIP was committed to ensuring the smooth implementation of the electronic registry of companies so that it is a user friendly system that will contribute to the ease of doing business in Samoa.

The electronic registry system could be accessed from anywhere in the world 24 hours a day and seven days a week. The system has contributed immensely to the improvement of the registration of companies, and updating the information pertaining to companies. In addition companies have found it easier to file annual returns as advices are sent to company a month before the due date of filing annual returns. Subsequent advices are also sent if the company had failed to file the annual return on time.

1.8.2 Enforcement of the Personal Properties Securities Act (PPSA):

Although the Personal Properties Securities Act was passed by Parliament in April 2014, however there was a necessary amendment that needed to be carried out to the legislation before it is enforced. In September 2014 we worked in cooperation with the Office of the Attorney General in consultation with the experts from the ADB on the PPSA Amendment bill. The PPSA Amendment bill was tabled in Parliament in June 2014. It is hoped that Parliament will passed the amendment bill before the end of 2014.

Once the PPSA Amendment bill is passed by Parliament then we could progress forward to enforce the legislation, and then work on the establishment and implementation of the electronic registry of personal properties securities.

1.8.3 Implementation of the Intellectual Property Automated System (IPAS) for registration of trademarks:

The Trade marks Electronic Registry Project, a collaborative effort between the World Intellectual Property Organisation ('WIPO') and the Ministry of Commerce, Industry and Labour (MCIL), is aimed at converting the current manual Registry for Trademarks into an electronic platform. This Project has been in progress for several years but its progression was delayed for various reasons. The technical assistance and some equipment necessary for the Trade marks E-Registry project was provided by the WIPO. A WIPO Consultant Mr Kyaw Zaw based in Singapore, was assigned to assist in the Trade marks Registry Project and the subsequent configuration, deployment, implementation and training of the RCIP staff on the new Industrial Property Automation System (IPAS).

Phase 1: Data Entry/backcapture: In consultation with the WIPO consultant, the IP team re-commenced the Trade marks E-Registry project in January 2012. The Project progressed on a phased-approach with the initial phase being the data entry/capturing of all the relevant details of more than 6,500 trade marks in an Excel spreadsheet and the cropping of all trade mark logos for eventual scanning into the electronic system. The initial data entry/backcapture was completed in August 2012.

Since August 2012 and throughout the 2013 calendar year, Project activities and trainings that were initially planned for our IT officer and IP team were postponed due to the Consultant's unavailability and other commitments. The IP team however, continued with the cleaning up and removal of long expired and abandoned Trade marks from the Trade marks Register which were identified during the Data entry/backcapture process.

Discussions with Mr Kyaw Zaw regarding progressing the Project to its next phase was restarted in late 2013. As a result, the entire RCIP Division re-committed from early January 2014 to the end of May 2014, to re-checking all the Trade marks files and data in the Excel spreadsheet for data migration to the new IPAS and uploading to the Server.

Phase 2: Data migration, IPAS configuration, implementation, system testing an staff training: The abovementioned activities (i.e. Data Migration, System Configuration, Design of relevant System templates and Output documents, System Testing and Staff Training) were initially scheduled for the 2 weeks from 21st July to 1st August 2014. Unfortunately, due to the Consultant being unable to arrange in time his visas for travel to Samoa, the planned activities were postponed to the two weeks from 28th July to 8th August 2014.

These phases of the Project required a lot of commitment and ongoing support from our Principal IT Officer as the installation of the Server for the Trade marks E-Registry project, initial uploading of data to the Server and liaison with Mr Zaw on the technical requirements of the Project was heavily reliant on one MCIL IT Officer.

IPAS system staff training : Given the limited time that Mr. Kyaw Zaw (WIPO's IPAS Consultant for the Asia-Pacific Region) had allocated to implementing the IPAS in Samoa, the RCIP staff introduction to and training on the IPAS was fairly intensive. The first week involved a demonstration of the IPAS system functions, technical session with MCIL's only IT Officer at the time (Jobenz Manoa) to prepare

the Server for the IPAS System, finalisation of the migration of the Excel data into the IPAS, discussions with the IP Registry Team on the entire Trade marks Registration process – from initial receipt of the paper-based applications to final Registration plus post-filing tasks – in order to document the required Workflows for IPAS configuration and relevant System Templates to produce the necessary Outputs (Letters, Reports, Notices, Certificates and so forth). The IP Team's initial testing of the IPAS and relevant functions for use in our daily work was also conducted during the first week, using an IPAS test site.

IPAS system implementation : After the first week of system training and ongoing design of the required IPAS templates/outputs, the "live" IPAS site was switched into production mode in the 2nd week, effective from 4th August 2014. Since the IPAS is available only internally for the use of the IP Registry staff, the impact of switching to the "live" system was not immediately felt by our external customers as the IPAS is not available online to external users.

With the implementation of the IPAS from 4th August 2014, external customers will have noticed the changes in format and contents of some of the correspondence, Notices and Certificates issued by the IP Registry. These changes are a direct result of the outputs that are generated by the IPAS. The implementation of the IPAS does not affect our customers' statutory obligations and/or IP rights in terms of Trademarks application filing, renewals, legal protection and so forth as contained in the Intellectual Property Act 2011.

Current state of the IPAS: Necessary changes have been made to our usual work processes to ensure the smooth operation of the IPAS. Whilst the implementation of the IPAS has increased our current workload, since the IPAS is a partly electronic, partly manual system (we still maintain all the paper-based files and all the documents that are generated by IPAS), it is expected that as our staff gain more familiarity and expertise with the new system, the benefits gained will hopefully outweigh the new additional tasks.
We envisage that the benefits arising from the usage of the WIPO's IPAS include faster Trade mark Searches, timely Renewal of trademarks nearing their expiration dates, streamlining of our processes for Trademarks Registration and maintenance, improvement in the efficiency of our Trade marks work and reduction of error rate, maintenance of Trademarks data integrity, formal documentation for use and reference by current and future staff of the Division.

As of 8th December 2014, the IPAS Project is at the following state:

- All applications received and correspondence involving the payment of fees are recorded in IPAS with the relevant outputs (letters, Notices, Certificates etc) generated by the system.
- Ongoing training of the IP Registry staff on the use of various functions of the IPAS that were not fully tested or fully operational during the 2 weeks training by Kyaw Zaw.
- Continual upgrading and corrections of errors in the data that was migrated to the IPAS. The errors are discovered when particular trademarks are queried and the corrections are carried out as part of routine work.
- Ongoing re-designing of initial System templates and creation of new templates required for the reporting functions of the IPAS or when new issues crop up.

IPAS Module for the preparation of the Trade marks Publication i.e. Savali Trademarks Advertisements is not fully functional. This is currently being addressed by Kyaw Zaw and our Principal IT Officer

1.8.4 Review and Amend the Credit Union Ordinance:

The Credit Union Bill was finalised in July 2014 after consultations with stakeholders and considerable review carried out by the Office of the Attorney General.

The Credit Union Bill is now with the Office of the Clerk of the Legislative Assembly and it is hoped that it will be tabled in the December 2014 seating of Parliament. The passage of the new Credit Union Bill will repeal and replace the Credit Union Ordinance 1960 that is currently in force.

1.8.5 Training and Awareness Programmes:

In the year 2013/2014 there were two training/awareness programme on Companies Registry, with one trainings held in Savaii and three held in Upolu. Given that the e-registry system was still new at that time, there was a need to conduct training/awareness programmes for the officers and directors of companies as well as law firms and accountant with the latter acting as agents so that there is an increased understanding of how the system is used. Those training programmes were done in collaboration with the expert from the ADB Pacific Private Sector Development Initiative (PPSDI) programme in Sydney.

There were also training programmes in Incorporated Societies to train our stakeholders on the amendments to the Incorporated Societies legislation. Those trainings were held in Savaii and Upolu. The positive feedback received during the trainings indicated that the programmes were understood by the participants.

A training was also held in our office for members of Credit Unions to inform them of the changes that will be made to the Credit Union Ordinance 1960. That training also was an opportunity for the members to seek clarity on some of the issues that are faced by some Credit Unions as well as to gauge their feedback on the proposed amendments to the Ordinance.

1.9 Ensure the Full Protection of Rights of Intellectual Property creators and proprietors:

1.9.1 Enforcement of the Legislation: The division continued to carry out vigilant enforcement of the Intellectual Property Act 2011 and that had contributed to the increase level of compliance with statutory requirements.

The Registry Division continued to conduct inspections of video stores as one of the many ways to enforce the protection of copyrighted works. All the video shops in both Upolu and Savaii were inspected. The inspections were mainly focused on for illegally copying of DVDs movies (Cinematographic works), inspect any license to duplicate any movies and distribute them to the public, as well as whether there are pirated copies of new release movies, rented to the public. In addition another main focus of the inspection was to check whether the dvd's are originals or copies. It was noted during the inspections that the majority of the video shops in Samoa rent out duplicate copies of the movies (DVDs) and yet they do not have any agreement with the

Inspections of the flea market, street vendors as well as the music stores for any infringement of copyrighted works were also carried out. During our inspections we did not find any pirated copy of copyrighted. Follow up inspections indicated that people do understand the laws covering copyrighted works and the consequences of unlawful use of anyone's work.

1.9.2 Copyright Database: A database of copyrighted works had been established and the division continued to receive genuine copies of works from local authors. The establishment of a Copyright Database is not a mandatory requirement however it contributes positively to our efforts to be proactive with the enforcement of Copyright Laws and detection of copyright infringements.

The database is also the initial work in our efforts to facilitate the establishment of a Copyright Management agency.

The total numbers of copyrighted works provided to our office from July 2013 to June 2014 are detailed in the table below. The different types of works are categorized as **written works** for song lyrics,

scripts, and books, **audio-visual** works for DVD movies, Choir MTVs and **Musical works** including songs, musical CDs. These copyrighted works were provided by the public voluntary for our records and they are kept safely.

Written Works	Audio-visual Works	Musical Works
16 Song lyrics	1- DVD Movie	23- Songs (CDs)

Training and Awareness Programmes: The legal / training consultant attached to the Ministry under the AYA programme conducted a training for the RCIP division on the *Intellectual Property Act*, focusing on new issues in intellectual property law, including innovation patents, registered designs and new forms of trademarks. The training had provided clarity on some of the areas in the legislation which seemed unclear to the officers and had greatly improved our work.

In addition the division also conducted two trainings programmes on Copyright in Savaii for students in Colleges. The feedback from students and teachers on the training programmes positively indicated that the level of understanding had improved as a result of the training.

Copyright Brochure: The RCIP has prepared a copyright brochure, in English version, that has brief details of the Copyright Act 1998 and the Copyright Amendment Act 2011. The brochure will be used as one of the tools to raise awareness on the area of Copyright. Copies of the brochures were distributed to all schools.

2.2: KRA 2: OUR CLIENTS/PARTNERS:

The following KRAs are sub categories reflected in the Ministry's current Corporate plan (CPlan).

KRA 2.1: Enhance effective dialogue/engagement with clients/partners to achieve expected outcomes and

KRA 2.2: Enhance mutual understanding to maintain partnerships with private sector and public sector,

Numerous dialogue/engagement activities have been carried out during the year with partners and clients to facilitate and get a better understanding of the work that MCIL does. The different divisions of the Ministry continue to carry out their outreach awareness raising programmes in the absence of a formalised communication plan, carrying out trainings and consulting the public about new/revised legislations. These are done through outreach programmes, (with staff actually going out to meet the different interest groups), newspaper notices and advertisements, television spot ads as well as the Ministry's electronic newsletter. The website is also regularly updated as soon as new information becomes approved or ready, for implementation of new processes or procedures which have an impact on our clients. Significant awareness has been noted for instance in the area of industry promotion with the increase in number of companies applying for the grants under the private sector support programme. For the financial year, awareness activities represented 12% of the $1.2m operating budget, indicating the importance the Ministry places on using the various forms of the media to raise awareness on its legislations to improve understanding and promote voluntary compliance particularly amongst the business community.

The Ministry continues to issue its **Electronic newsletter** which is sent to all Ministries and all private sector members/organisations. The e-newsletters are published on a quarterly basis and the uploaded on

the website (as a cheaper alternative) that has potential to inform even our international business community. In itself, it is a key information document for MCIL staff, to enable them to understand the work of the Ministry as a whole, and be able to identify strategic linkages and where they exist for greater efficiency of performance and achievement of results. It is also planned for the e-newsletter to be made more user-friendly and compatible with technology trends such friendly with handheld mobile phones.

All Ministry documentations now follow a **similar branding theme featuring the MCIL logo** which is described as follows, "The outer triangle represents the high value that the Ministry places on its role as facilitator and enabler of Public Private Sector (private sector, ngos and civil societies) partnerships (PPP). The green triangle represents the Ministry's desire to create economic growth through the enabling implementation of various business legislations ("C" representing Commerce) . The scale represents a balanced facilitation of regulatory role conducive for business development in Samoa. Furthermore, the scale also reflects the 40+ legislations (requires ongoing reforms to meet the global business environment) that the Ministry administers which looks at creating fair competition, fair workplaces, capturing and nurturing talents/innovation as well as a fair market place for business development in the country. The wheel in orange triangle represents the Ministry's arm of industry development. The Ministry acts as the machinery that brings all partners together to discuss and guide where Governments support is much needed in the business environment. Yellow triangle with 2 parties handshake signifies the Ministry's mutual and tranquil collaboration with our many partners in the; private sector, civil society, employers, employees, consumers. The middle blue triangle with a splash of Samoan flavour tatau design signifies our Samoan traditions/identity which are tools that allow us to be at the centre of the Global Business environment".

Whilst a formalised c**ommunication plan/strategy document** does not exist, it is envisaged that one will be formulated in the next financial year exploring the different tools required for enhancing dialogue and engaging with partners. It will look banding all MCIL publications, posters, pamphlets, tv programmes/advertisements, notices, social media and website revamp etc. It is also the desire of the Ministry to enhance opportunities for all members of the public to provide, honest and meaningful feedback information and ideas on any issue relating to investment, industry development, apprenticeship, employment market, industrial relations, work permits, occupational safety and health as well as the registries of companies and intellectual properties.

A strengthened IT team is a crucial part of the communication strategy as they provide the backbone and peripheries required to deliver the communication tools. Hence after much convincing of the PSC and supported by a recommendation by the Audit office, the Ministry was able to recruit a senior IT office to its only Principal IT officer. The Ministry was also able to secure through the Australian Aid programme under the arm of Scope Global, a communication volunteer who would assist with the formulation of the Ministry's communication strategy and coordination of media activities. With the desire to nurture talent in our own IT team to use their innovation with technology, the revamping of the website will be carried out in house by the two IT officers with the assistance of the volunteer.

The Ministry participates in other joins other sector/Ministry's awareness programmes such as the **Public Service day celebrations**, NUS open day and Ministry of Health's Healthy living sports day. It has on on numerous occasions been invited to present for other sector/Ministries activities where linkages are evident. The Ministry also fully supports Governments efforts in some of its national activities such as the annual clean ups for Independence and Teuila festival. Most significant and having a considerable impact on the work of the Ministry int his financial year is its involvement in the planning and preparatory work for the coordination of decoration of venues for the SIDS conference to be held in August 2014.

A lot of the Ministry's time is invested in fostering greater partnership with the various stakeholders particularly for Ministry's/Committees it is a member of. The following are some examples of such committees and role the Ministry plays in them:

National Working Committee on Trade Agreements: The National Working Committee on Trade Agreements is administered by MFAT. In 2013/14 the key issues discussed were trade in services and labour mobility, as PACER Plus negotiations continued between Pacific island countries, Australia and New Zealand , and EPA negotiations continued between Pacific island countries and the European Union. There are several MCIL representatives on this committee. The Ministry is represented on this committee for:

- Trade agreements relating to market access – which is of interest to the TCM Sector to address trade imbalance issues by strengthening local manufacturing industry,

- Developing competent authority obligations for Samoa under WTO on investment matters and dumping and countervailing measures,
- Development of standards for Samoan products to be more competitive and compatible with international standards of exports,
- Development of food safety standards including for bottled water which is identified as potential export for Samoa,
- Formulation of the Legal metrology bill which should improve standardisation of Samoan exportable products,
- Tackling labelling standards for imported goods particularly food items from Asia which are labelled in a foreign language other than English.

National Ozone Committee: The National Ozone Committee is administered by MNRE and focuses on reducing Samoa's emissions of substances that deplete the ozone layer, namely HCFC from refrigerators and air conditioners (RAC). Activities undertaken in 2013/14 included public awareness programs (Environment Week, Ozone Day), consultations with RAC importers and technicians and an ongoing review of the Ozone Layer Protection Regulations 2006. MCIL is represented on the committee due to their close relationship with the private sector who are responsible for a significant proportion of emissions. The Ministry's participation helps to steer the direction for the future development of product standards for RACs by MCIL's Fair Trading and Codex division. There is also linkages regarding training for RAC technicians, who may be entertained under the Apprentice programme of the Ministry. It also links to occupational safety and health (OSH being under MCILs mandate) standards as well as certifying foreign businesses who may want to operate under this industry.

Petroleum Taskforce Committee : The Petroleum Taskforce Committee is administered by the Ministry of Finance (MOF) with its primary functions role of the issuance of petrol station licenses and monitoring the price of fuel and related issues. Some of the things the committee was tasked with in 2013/14 include ensuring quality underground tanks for petrol stations, and ensuring appropriate distances between petrol stations (at least 100m) to reduce unnecessary competition. Prior to the issuing of a petrol station license, MCIL carries out through the use of its metrology equipments, tests for pumps to ensure they are measuring volume accurately. MCIL's involvement contributed tremendously to the design and formulation of the draft legal metrology bill in 2013/14.

Commercial Fisheries Management Advisory Committee and Forestry Board: The fisheries committee and forestry board are both administered by MAF and MCIL. MCILs involvement provides staff with accurate and up-to-date information on fish stocks and forestry resources, which is crucial for their appraisal of applications for industry assistance (namely the Private Sector Support Scheme, Duty Concession Scheme and Code 121) and investment potentials.

Tourism Cyclone Recovery Program : The Tourism Cyclone Recovery Program (TCRP) is administered by STA, with the participation of MCIL. MCIL was involved in tourism recovery after the 2009 tsunami, and drew on this experience to help STA develop the TCRP. Under the program, tourism operators can apply for grants to reconstruct their facilities, market their services and improve their resilience to future cyclones. In this respect the program is similar to the industry development schemes which MCIL coordinates, so knowledge sharing is crucial.

KRA 2.3: develop evidence based policies aimed at improving service delivery:

It is envisaged that activities would be carried out in the next year (2014-2015) to develop evaluation forms for Ministry meetings and various engagement activities with its partners including feedback surveys for meetings chaired by the Ministry, evaluations for trade shows, career day exhibitions,

awareness activities which are held both in Savaii and Upolu by the divisions regarding their legislations. With the current review of legislations and with the legal consultant and communications specialist to be on board, policies developed to address legislative gaps will be the basis for which service delivery would be improved.

2.3: KRA 3: OUR MINISTRY CAPABILITY:

KRA 3.1: continuous improvement for an efficient and effective performance/service delivery

The most important approach for any improvement activity is to assess ones current situation and making a comparison against result that are designed for the benefit of its key partners or those for which determines the very existence of the Ministry. Hence there are ongoing reviews carried out in the Ministry to measure progress of performance and look at identifying options for delivering way forward. Divisions **performance targets** are relevant and prepared on a timely basis according to the Governments performance based budgeting. There is effort to align what is provided as key result areas in the Ministry's Corporate Plan with indicators required for the budget. Regular monitoring is carried out by the Corporate Services division with end month financial reports and advice provided to divisional managers on their performance progress and options for the way forward. Midyear performance review as well as forward estimate activities provide avenues for managers to review and get back to the drawing boards to measure what have been achieved and how resources may need to be adjusted to meet emerging priority needs.

At the end of the financial year and as confirmed by a PSC monitoring report of Ministries implementing the **Performance management system** (to appraise staff performance), MCIL was reported as one of the Ministries with 90% of staff included under the system. This is a clear indication of management's commitment to ensuring staff performance are focussed on achieving the Ministries overall objectives. Managers are encouraged to lead this process as tool to enhance staff performance and to ensure that staff are empowered and capability improved on the job. A lot of opportunities are available for staff for training/meeting/workshops overseas. These are important avenues for building and expanding their knowledge in their respective fields of work. There are also local avenues for building capacity including local trainings, and participation in other Ministry activities, particularly for those Ministries, we collaborate with in the sector ie those boards and committees as indicated above on page eight (8) above.

A number of refreshers are held throughout the year which are aimed at not only reminding staff of policies and guidelines, but is also intends to brainstorm gaps and issues that may arise and discuss options and solutions to address those issues which are impacting the way staff perform or the way services are delivered. These include :

- Records management workflow – highlights the importance of record keeping
- Budget planning – encourages annual workplanning to take place aligning activities with approved budget and some policies which guide delivery,
- Induction for new recruits – generally existing staff are also encouraged to attend as the refresher covers a whole lot of areas to know and understand in the Ministry and public service,

- Customer service training – done every year for all staff to emphasise the importance of customer service in delivering our results, at the end of the day all staff are in the frontline serving the public.
- Working conditions and entitlements
- Code of conduct – tools which guide behaviour and attitude as well as expectation in the workplace,
- Legal Administration training – for all staff to better read and interpret the 40 plus legislations it implements,
- Conflict management – how to handle this area in the workplace
- Procurement training – reminds staff of key requirements, process and documentations required in the Governments procurement systems – includes procurement planning,

KRA 3.3: sound financial performance and management

The Ministry's Finance team work closely with the Executive management team (CEO & ACEOs) in providing recommendations for reallocation of funds where managers require funds be redirected. Refreshers for budget planning and budget review are carried out during the year.

Internal control has also been strengthened through increased awareness of control measures for procurements of the Ministry. Within this financial year, the Ministry implemented actions required to address some issues raised by the Audit office for the audit of 2011-2012. The audit for 2012-2013 was also carried out with responses and action responses forwarded and discussed with the audit office. The Ministry also submitted to Parliament an update on the progress of actions to address audit issues of 2008-2011 financial year. A comprehensive audit was also carried out within the financial year for the Nov-Jan 2014 period. It was noted that the audit exercise has helped the Ministry in strengthening some of the gaps in its internal controls from the period 2009 – 2013, issues raised from the audit have reduced drastically to only a few issues a year. For the 2013-2014 audit, carried out in October 2014, only four issues were identified, three relating to companies registration and one on financial management of resources.

3.3.1 Cost Recoveries/Revenue Collection for the period 2013-2014:

For the period 2013/2014, the Ministry managed to **collect 20% more than the projected income** compared to a surplus of 22% collection for the 2012/2013. This is out of the three recovery outputs of the Ministry, ie Registration fees for Foreign Investment Certificates, Apprenticeship Scheme training fees, as well as fees collected for Registries of Companies and Intellectual properties. In March 2014 an additional revenue output was approved with the implementation of the recently passed legislation for the Labour and Employment Relations Act 2013 specifically for the collection of work permit fees.

Table 1 below provides further details of recoveries for the period.

STATEMENT OF MINISTRY RECEIPTS FOR PERIOD ENDED 30 JUNE 2014						
COMMERCE, INDUSTRY & LABOUR		**2014 $**		**Estimate $**		**(Over)/Under$**
RECEIPTS						
Ordinary Receipts						
	Other Receipts	424,655		354,704		(67,161)
External Receipts						
	Grants - GDP	1,008,796		0		(1,008,796)
TOTAL RECEIPTS		1,433,451		354,704		(1,078,747)

Source: Ministry of Finance, extracted from Certification under Annex 1 below.

3.3.2: Expenditure Details:

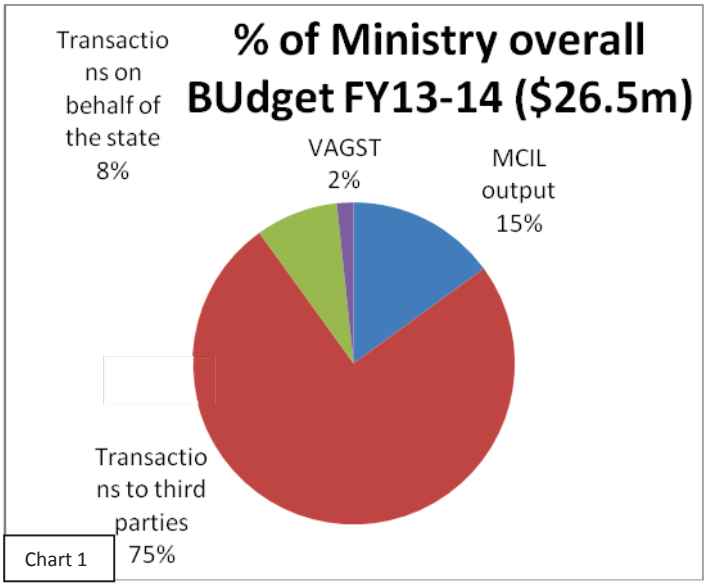


Chart 1

By the end of the financial year 2013-2014, the Ministry's total **approved budget stood at $26.5m,** an **increase of 43%** from previous year's budget of $18.5m. This increase is attributed to the $7m increase provision for the Samoa Tourism Authority included under MCILs budget. Despite this budget provision being included under MCILs budget, MCIL is not responsible or accountable for the way funds are utilised or reported. It has been several years now MCIL has been discussing with Ministry of finance to remove the STAs budget from MCILs budget as it distorts the overall allocation provided for MCIL activities. As indicated by chart 1, **only 15% ($3.97m)** of this was provided directly for the implementation of the **Ministry's outputs/activities, 75% or $19.93m (65% in 2012-2013) was provided for Third Party Component** (TPC-which included provisions for the Samoa Tourism Authority –STA ($19.478m or 97%) and rest with SBEC)) and **10% or $2.64m (12% 2012-2013) for Transactions on behalf of the state (TBS).**

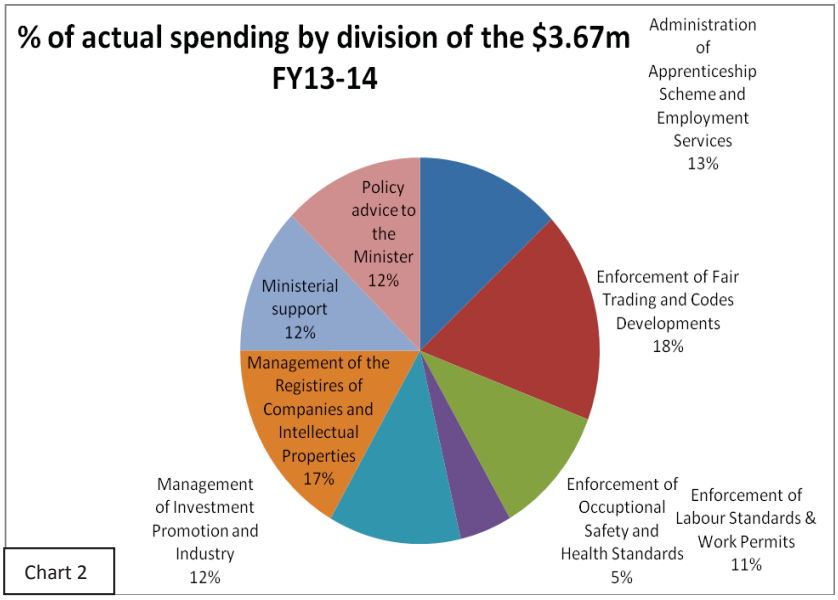


Chart 2

In terms of performance delivery, chart 2 on the left provides a snapshot of the distribution of the Ministry's actual spending by division. Of the $3.97m approved budget, only $3.67m was utilised. Greatest spending was noted for the Fair Trading and Codex Division and Registries of Companies as these two divisions had the highest budget provisions for their activities. Overall, the Ministry managed delivery of **92%** of the **Ministry outputs** compared to last year's delivery of 96%.

For the **TBS component**, the Ministry maintained actual spending at 98%. To be noted and of significance is the Governments ongoing annual contributions through the Ministry's budget to the SNPF lease of premises for the operation of Yazaki EDS of $0.98m per year. Other activities which feature under this TBS category include membership to international organisations, Private sector grant ($150,000), Governments cost sharing grant for the PSSF project of $50,000 and office space rental for the Ministry with ACC premises of $0.85m an increase from $0.55m from previous years due to the expansion of the MCIL offices to level 3 of the ACC Building. Another significant expenditure under this component is the $125,300 payment to the NUS-IOT for the management of the Apprenticeship scheme as per the agreement signed in February 2010. **Third Party Outputs** made up of Samoa Tourism Authority budget of $19.97m delivered 65% of its approved budget. The rest of the portion of Third party output is for Government assistance to Small Business Enterprise Center (SBEC) which saw an increase from $400,000 to $450,000 in the financial year.

Appendix 4 highlights performance results achieved based on targeted activities planned and for which funds/budget were approved for the 2013-2014 financial year.

2.4: KRA 4: OUR PEOPLE:

KRA 4.1: strategically focussed and effective leadership and management,

KRA 4.2: staff who are qualified, skilled and experienced for their role and future service challenges,

Weekly management meetings are held in the Ministry for the management consisting of CEO, ACEO and Principal officer for the discussion of issues, reviewing of progress of workplans as well as brainstorming of solutions for problems/challenges encountered. Discussion is also made on policy gaps noticed after initial implementation of some of the legislations. A **corporate plan review** was also carried out immediately at the end of the 2012-2013 financial year in July 2013 to discuss achievements, lessons learnt and discussion on progress on some of the ongoing activities. Team building exercise were also included as part of this review to encourage and foster partnership and understanding between the management team.

During the year, the Ministry had submitted to the PSC proposals for restructuring of some of its divisions, however due to PSC Ministry wide functional review this was deferred. The Ministry is therefore awaiting the review of MCILs structure based on its functions to ensure there is map between staff skills it has against skills required to achieve results as well as whether there is a need for additional staff to impellent the 40plus legislations of the Ministry.

KRA 4.3: develop a culture of safety, quality, innovation and high performance.

Some of our internal trainings are catered towards creating a culture of safety, quality, innovation nd high performance. The Ministry in efforts to create a healthy working environment, has an annual clean up day where staff are encouraged to clean up their desks and office surroundings to ensure that only relevant and current documents/paperwork/books are within their reach. With the help of our legal team, there were ongoing trainings carried out across divisions particularly for the review of legislations so staff are able to understand and implement legislations as they get approved. The importance of team work has been emphasised in training activities, proactive approach, open mindedness and ability to be flexible to handle any situation. Some of the trainings mentioned above on item KRA 3.1 reiterated the importance of these values including being able to make transparent decisions.

Appendix 1: MCIL Statement of Expenditures by Output appropriation for year ended 30 June 2013:

Ministry of Commerce, Industry and Labour

Statement of Expenditure by Output Appropriation account for financial year ended 30 June 2013:

MINISTRY OF FINANCE

STATEMENT OF CERTIFICATION

The Statement of Receipts and Payments and accompanying notes forms part of the Schedule 2- Budget, Receipts and Payments, Schedule 6 – Receivables, Schedule 11 – Receipts and Payments on Grants and Schedule 12- Special Purpose, of the Public Accounts 2014. They are drawn up in accordance with the reporting requirement of the Public Financial Management Act 2001, Part XIV, Financial Reporting and International Public Sector Accounting Standard (IPSAS).

As required by PFM Act 2001, Section 110, Ministry of Finance hereby certifies that the attached Ministry of Commerce, Industry and Labour, Statement of Receipts and Payments and accompanying notes is based on the results for the year ended 30 June 2014, as reflected in the accounting records of the Ministry of Finance for the Treasury Fund.

We are also, currently reviewing template reports and align our reporting requirements to improve compliance to the PFM Act 2001 and IPSAS. Therefore, this is the first time the attached template is presented, and comparative figures will be reflected in the FY 2015.

On behalf of the Government of Samoa.

Lavea Iulai Lavea

Chief Executive Officer

Date: 17/12/14

SCHEDULE 2.5

STATEMENT OF MINISTRY RECEIPTS BY REPORTING CATEGORY AND EXPENDITURE BY OUTPUT APPROPRIATION ACCOUNT

for the financial year ended 30 June 2014

COMMERCE, INDUSTRY & LABOUR	2014 $	Estimate $	(Over)/Under $
RECEIPTS			
Ordinary Receipts			
Other Receipts	424,655	354,704	(69,951)
External Receipts			
Grants - GDP	1,008,796	0	(1,008,796)
TOTAL RECEIPTS	1,433,451	354,704	(1,078,747)
PAYMENTS			
Outputs			
1.0 Policy Advice to the Responsible Minister	463,870	541,970	78,101
2.0 Ministerial Support	451,015	522,995	71,980
3.0 Management of Investment Promotion & Industry	437,749	461,555	23,807
4.0 Enforcement of Fair Trading and Codex Development	648,940	693,460	44,520
5.0 Administration of Apprenticeship Scheme & Employment Services	479,377	503,495	24,118
6.0 Enforcement of Labour Standards & Work Permits	399,086	423,026	23,940
7.0 Enforcement of Occupational Safety & Health Standards	171,922	182,012	10,090
8.0 Management of the Registries of Companies & Intellectual Properties	613,706	645,167	31,461
	3,665,665	3,973,681	308,016
Total Outputs			
Third Party Outputs			
Samoa Tourism Authority (STA)	12,013,588	19,478,009	7,464,421
Samoa Business Enterprise Centre (SBEC)	450,000	450,000	0
Total Third Party Outputs	12,463,588	19,928,009	7,464,421
Transactions on Behalf of State			
Membership Fees			
International Labour Organisation	10,143	11,142	999
International Organisation for Consumer Union	1,217	6,200	4,983
World Intellectual Property Organisation(WIPO)	3,940	5,000	1,060
World Association of Investment Promotion Agency	6,022	9,000	2,978
United Nations Industry Development	4,306	11,560	7,254
	25,628	42,902	17,274
Government Policies / Initiatives			
Contribution to Private Sector	150,000	150,000	0
Apprenticeship Training Provider NUSOT	125,300	125,300	0
	275,300	275,300	0
Counterpart Costs			
Private Sector Support Facility (PSSF)	50,000	50,000	0
Rents and Leases			
ACB Building Rent/Lease	827,645	854,977	27,332
Yazaki Rent/Lease	928,032	928,033	1
Government Building Lease	41,461	42,500	1,039
Rent - Fair Trading Division Office in Savaii	4,615	4,900	285
	1,801,753	1,830,410	28,657
VAGST Output Tax	345,414	442,570	97,156
Total Transactions on Behalf of State	2,498,095	2,641,182	143,087

Government Development Projects				
Donor funded		973,594	0	(973,594)
TOTAL PAYMENTS - COMMERCE, INDUSTRY & LABOUR		19,600,942	26,542,872	6,941,930
RECEIPTS OVER PAYMENTS		(18,167,491)	(26,188,168)	(8,020,677)

Notes to Accounts:

1 Final Appropriation for the Ministry at the end of the year was $26,188,168

a	Original Budget		$26,188,168
b	Unforeseen Appropriation	$	287,982

Allocation given during the year were base on expected Perfomance Outcomes to achieve under each Outputs of the Ministries.

2 Receipts and Collection during the year totalled to $424,655. However, at the end of the year, the Outstanding Age Analysis report balance stands at $389. This amount is currently reflected under the Schedule 6 of the Public Account 2014. These debts were categorised as follows:

Current (0 - 30 days)	$	300
> 180 days	$	89

3 Grants administered by the Ministry receipted $1,008,796 during the year and expenced $973,594 by the end of the year.

Appendix 2: List of MCIL legislations as at end June 2013

1	Apprenticeship Act 1972	21	Incorporated Societies Regulations 1973
2	Apprenticeship Amendment Act 1994	22	Incorporated Societies Amendment Act 2012
3	Apprenticeship Regulations 1973	23	Industrial Designs (Amendment of Fees Order)2007
4	Charitable Trusts Act 1965	24	Intellectual Property Act 2011
5	Companies Act 2001	25	International Date Line 2011
6	Companies Amendment Act 2006	26	Labour and Employment Relations Act 2013
7	Companies Regulations 2008	27	Measures Ordinance 1960
8	Consumer Information Act 1989	28	Miscellaneous Fees Amendment Regulations 1998
9	Cooperatives Societies Ordinance 1952	29	Occupational Safety and Health Act 2002
10	Cooperatives Societies Regulations 1954	30	Patent (Fees) Regulations 2007
11	Copyright Act 1998	31	Personal Property Securities Act 2013
12	Copyright Amendment Act 2011	32	Public Holidays Act 2008
13	Credit Union Ordinance 1960	33	Receiverships Act 2006
14	Daylight Saving Act 2009	34	Securities Act 2006
15	Fair Trading (Approved Egg Standards) Regulations 2010	35	The Shops Ordinance 1961
16	Fair Trading Act 1998	36	Trade Commerce and Industry Act 1990
17	Foreign Investment Act 2000	37	Trade, Commerce and Industry Amendment Act 1998
18	Foreign Investment Amendment Act 2011	38	Trademarks (Fees) Regulations 2007
19	Foreign Investment Regulations 2011	39	Transitional Provisions Act 2006
20	Incorporated Societies Ordinance 1952		

MINISTRY OF COMMERCE, INDUSTRY & LABOUR FULL YEAR REVIEW
FY13-14

1510 Output 1 : Policy Advice to the Minister of Commerce, Industry & Labour

Output Performance Measures, Standards or Targets

		Baseline Data	2012-2013	2013-2014		
	Performance Measure/Indicator	**Baseline (Base Year)**	**Estimated Actual**	**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	2011/2012 and 2012/2013 Annual report tabled in parliament	N/A	July 2012 & December 2012	December 2013 & June 2014	Completed/ Achieved	
2	3 Corporate Documents reviewed Corporate Plan, Workforce plan and HRM report.	N/A	December 2012 & March 2013	June 2014	Completed/ Achieved	Corporate plan reviewed July 2013, Annual HRM report for 2012-2013 submitted to PSC for 2012-2013 July 2013.
3	At least 4 Legislations reviewed	N/A	December 2013 & June 2014	December 2013 & June 2014	Completed/ Achieved	1. Apprenticeship Bill 2013 passed by Parliament in 2013. 2. TCI Amendment Bill 2014 3rd reading. 3. Legal Metrology Bill 2014 for 2nd reading. 4. Fair Trading Amendment Bill 2014 for 2nd reading. 5. PSSA amendment Bill for 2nd reading. 6. Public Holiday Bill for 2nd reading.
4	Trade, Commerce and Manufacturing Sector office established with required staff	N/A	N/A	1st December 2013	Completed/ Achieved	

1520 Output 2 : Ministerial Support

Output Performance Measures, Standards or Targets

	Baseline Data	2012-2013	2013-2014		
Performance Measure/Indicator	**Baseline (Base Year)**	**Estimated Actual**	**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**
Level of satisfaction of the Minister with Ministerial support provided by the Ministry	N/A	85%	85%	Completed/ Achieved	

1530 Output 3: Management of Investment Promotion & Industry Development

Output Performance Measures, Standards or Targets

	Baseline Data	2012-2013	2013-2014		
Performance Measure/Indicator	**Baseline (Base Year)**	**Estimated Actual**	**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	The number of Duty Concession Schemes applications received and approved (Tourism & Manufacturing Development)	15 (FY2009/2010)	25	15	On Schedule/ Target	A total of 15 new applications were received by the Ministry for duty exemption. 7 developments were from the tourism sector and 8 developments were from the manufacturing sector. 3 Tourism projects were approved while the other 3 were declined and 1 project is pending. With the Manufacturing developments, 2 projects have been approved, 2 declined (these were refferals to NECC), 2 are pending (awaitng additional info) and the other 2 were transferred to Code 121. In terms of the budgeted target it is estimated around 90% . The Ministry completed all assessments for the consideration of the Investment Committee.
2	Date by which the Duty Concession Scheme quarterly reports are submitted to Cabinet through the Minister of Commerce, Industry & Labor	N/A	1st report - 28 September 12; 2nd report - 24 December 12; 3rd report - 29 March 13; 4th report - 28 June13;	1st report- 28 September 13 2nd report- 24 December 13 3rd report- 29 March 14 4th report- 28 June 14	On Schedule/ Target	This report will be submitted to Cabinet by January 2015
3	The number of small operators duty exemption applications received and approved (Manufacturers - agricultural, handicraft, elei and garment; commercial poulty farmers)	5 (FY2008/2009)	5	5	On Schedule/ Target	A total of 4 applications were received. 2 of the applicants were referrals from the Investment Committee as they did not meet the requirements under the Customs (Tourism and Manufacturing developments) 2010. All applications were facilitated and endorsed by the Ministry.

4	Date by which further review of the eligibility criteria (threshold) will be completed.	N/A	30 June 2013	30 June 2014	On Schedule/ Target	The Ministry will liaise with the Ministry for Revenue regarding the threshold for this scheme; the difficulty being that smaller operators are unable to access this assistance due to the eligibility criteria, such as that of the $78,000.00 threshold. Follow up letters were already sent to Ministry of Revenue for a review on the threshold. However, the Ministry is still awaiting for a response.
5	The number of Export Development Scheme (EDS) applications received and approved by the EDS Committee and Cabinet.	N/A	5	5	Behind Schedule	The Ministry and EDS Committee is at its final stage of finalizing the Deed of Guarantee and Guidelines based on further comments of the Committee. This is behind schedule because the scheme has not being implemented. The Committee are now targeting Cabinet approval of the EDS by the first quarter of 2015
6	The number of PSSF applications received and approved an indication of increased level of awareness and participation of private sector in accessing Private Sector Support Facility (PSSF)	57 (FY2009/2010)	85	90	Completed/ Achieved	A total of 205 applications were received in reporting period. 13 applications under Category A and C and 192 applications under Category B alone.

7	Date by which the Private Sector Support Facility 6 monthly reports are submitted to Steering Group, Ministry of Finance and Development Partners.	N/A	31 January 2013 & 31 July 2013	31 Janurary 2014	On Schedule/ Target	The Private Sector Support Facility 6 monthly report was submitted to MoF and Development partners in February 2014 and the 2013-2014 annual report was submitted to the Steering Group in August 2014.
8	The number of public awareness programmes on all schemes conducted on tv/radio/newspaper and with various private sector associations.	N/A	4	4	On Schedule/ Target	1 presentation was conducted to the Small Business Development (Flea Mkt) Association, 2 newspaper advertisements, 1 advertisement in the Yellow Pages , 1 full page advertisement in the Yellow pages for the 2014 edition, 4 ads on MCIL quarterly e-newsletter and also the MCIL Corporate Website.
9	The percentage of applicants complying with industry development schemes conditions (based on inspection of consignments)	N/A	100%	90%	Behind Schedule	According to spot checks and quarterly inspections carried out for Duty concession cases, no 'qualifying projects' were found to be non compliant i.e. 100% compliance. However it has been noted that there is only an estimated 90% compliance with the PSSF applications. This is mainly due to the late or incomplete submission of End of Project reports by the applicants after the funds have been disbursed.

10	The number of foreign investment registrations / Percentage of foreign investment registered and successfully setup.	37 (FY2009/2010)	85	90	Behind Schedule	A total of 39 newly registered Foreign Investment Enterprises. 19 - professional services, 5 - construction, 5 - retailing, 4 - restaurant, 2 - other services, 1 - accommodation, 1 - manufacturing, 1 - repairs and maintenance, 1 - agriculture. Of the 39 that have registered it is estimated that about 40% of the FIE's have successfully commenced business operation therefore this target is below schedule
11	The percentage of foreign investors complying with requirements of the Foreign Investment Amendment Act 2011 (based on monthly monitoring/enforcement site visits).	N/A	100%	100%	Behind Schedule	The number of non-citizens being engaged in reserved activities and have been under investigation has grown to a total of 17 individuals under 9 businesses with a majority of 100% of local shareholders. Hence, compliance is around 95%. The ministry is working towards strengthen its comminication network and partnership with the MPMC (immigration), MfR (business license) and the private sector
12	Date by which the foreign investment report is submitted to the Minister of Commerce Industry & Labour	N/A	28 June 2013	31 December 2014	On Schedule/ Target	Report has been submitted to the Minister on the 6th November 2014

13	Date by which the National Investment Policy Statement is reviewed.	N/A	28 June 2013	N/A	On Schedule/ Target	The final draft of the National Investment Policy Statement has been printed and is available to the public and copies have also been disbursed to all the overseas missions as well as available on the Ministry website.
14	Date by which a consultant to do the review of Sector Profiles will be identified and initial work begins.	N/A	24 December 2012 & 28 June 2013	24 December 2013	Behind Schedule	The Commonwealth Secretariat has responded that they cannnot undertake the project. Hence, it's been redirected under TCM Sector Plan to identify assistance for developing of Sector Profiles. The task has been scheduled to be completed between February - April 2015
15	The number of TCI Development Board meetings on private sector issues.	5 (2010/2011)	Review of membership and Amendment of TCI Act 1990 was undertaken.	6	Behind Schedule	The Bill has been passed by Cabinet and has been in effect from 7th April 2014. The first meeting of the board is scheduled to be held in the first quarter of 2015.

1540 Output 4: Enforcement of Fair Trading & Codex Development

Output Performance Measures, Standards or Targets

	Baseline Data	2012-2013	2013-2014		
Performance Measure/Indicator	**Baseline (Base Year)**	**Estimated Actual**	**Budget Standard or Target**	**Traffic Light Progress Indicator**	**Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken**

1	Number of food safety standards and product safety standards to be developed and approved.	1 (2010)	2	2	Completed/ Achieved	Food Labelling and Packaging Standard and Food Hygiene Standard
2	Percentage of complaints resolved from the total number of complaints received on all matters pertaining to the Fair Trading, Legal Metrology, Competition Policy and Law and Standards .	55% (2010)	70%	75%	On Schedule/ Target	87% of all complaints received were resolved effectively and on time in Upolu and Savaii.
3	Percentage of traders complying with maximum prices of goods in General Price Orders, displaying Price Orders, marking of prices on goods for consumer information and accurately weigh pre-packaged goods	N/A	70%	75%	On Schedule/ Target	92% of traders inspected in Upolu and Savaii comply with displaying GPOs, 67% comply with setting prices for goods under price control, 75% comply with marking prices on goods/shelves and 99% comply with weighing pre-packaged goods.
4	Percentage of traders that are fully aware of all their obligations under Fair Trading and Consumer Protection legislations based on inspections conducted	15% (2010)	70%	75%	On Schedule/ Target	83% of traders inspected understood their duties and responsibilities under the Fair Trading and Consumer Protection legislations
5	Number of enquiries and complaints received and resolved by the MCIL Savaii Office on a monthly basis	N/A	20	30	On Schedule/ Target	An average of 6 monthly enquiries and complaints received and resolved by MCIL Savaii Office due to weekly inspections conducted 1st half of FY.

6	Legal Metrology Bill approved by Parliament; publication of commencement of Act and its requirements within the 12 months transitional period before enforcement; staff training.	N/A	30 August 2012	1 June 2014	On Schedule/ Target	Legal metrology Bill is currently been translated by both MCIL and Legislative Assembly.
7	Competition Bill approved by Parliament; publication of commencement of Act and its requirements within the 12 months transitional period before enforcement; staff training.	N/A	1 June 2013	1 June 2014	Behind Schedule	Competition Bill is in 2nd Draft format with more consultations to be held in March 2014.

1550 **Output 5 : Administration of Apprenticeship Scheme & Employment Services**

Output Performance Measures, Standards or Targets

		Baseline Data	2012-2013	2013-2014		
	Performance Measure/Indicator	**Baseline (Base Year)**	**Estimated Actual**	**Budget Standard or Target**	**Traffic Light Progress Indicator**	**Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken**
1	Number of existing ApprenticesNumber of Apprentices terminated	111 (2009/2010) 20 (2009/2010)	140 10	150 10	Completed/ Achieved	Number of existing apprentices is 178. The set target is exceeded.

2	Number of inspections for Apprentices: *Routine	300 (2009/2010)	310	350	On Schedule/ Target	About 215 inspections conducted from Jul-Dec 2013 with 180 form Jan-June 2014. A total of 395, thus exceeded the set target.
	*Follow up	300 (2009/2010)	250	255	On Schedule/ Target	!82 f'ups being conducted from Jul-Dec 2013 with 180 form Jan-Jun 2014. A total of 362. Target is achieved.
	*Special Investigation	20 (2009/2010)	20	20	Completed/ Achieved	No investigation takes place as both parties are fully complied on the requirements of the Apprenticeship Program.
3	Number of existing Employers of Apprentices:	55 (2009/2010)	80	70	On Schedule/ Target	Number of existing employers is 74.
4	Number of Apprenticeship Council Meetings:	4 (2009/2010)	4	4	On Schedule/ Target	4 Apprenticeship Council Meeting being conducted- 25/9/2013, 2/12/2013, 30/4/2014 and 30/6/2014
5	Number of trade tests and certification conducted.	4 (2009/2010)	4	4	Completed/ Achieved	4 Trade Tests carried out, (1) 23 August 2013 (Carpentry/Joinery Gr 1 Theory), (2) 24 August 2013, (Carpentry/Joinery Gr 1 Practical), (3) 31 Oct 2013, (Carpentry/Joinery Gr 2 Theory), (4) 2 Nov 2013 (Carpentry/Joinery Gr 2 Practical). The
6	Number of trade test candidates passed	20 (2009/2010)	25	25	Completed/ Achieved	26 candidates graduated under the trade testing scheme

7	Number of new apprentices entered	50 (2009/2010)	70	70	On Schedule/ Target	66 new apprentices
8	Number of Apprentices graduated	30 (2009/2010)	40	40	Completed/ Achieved	(not known untill results are out by the end of November)Target is achieved, 50 graduates beign graduated during last years graduation.
9	Number of Trade Advisory Panel meetings conducted	12 (2009/2010)	12	8	Behind Schedule	Only Two Trade Panel Meetings were carried out due to the unavailability of some of the Trade Panelists. (4)
10	Number of Jobseekers: - Registered - - Refer - - Place -					
		121 (2009/2010)	120	125	On Schedule/ Target	146 jobseekers being registered during Fy2013/2014. The set target is achieved.
		47 (2009/2010	85	90	On Schedule/ Target	Number of referrals is 81
		35 (2009/2010)	60	50	On Schedule/ Target	Placement is 22
11	Number of vacancies lodged and advertised through:					
	Employment Service	23 (2009/2010)	40	40	Behind Schedule	22
	Samoa Observer/Media	20 (2009/2010)	50	50	On Schedule/ Target	76

12	Number of half yearly employment survey returns collected from employers	385 (2009/2010)	430	440	Behind Schedule	390
13	Number of jobseekers trained succesfully to receive certificates	14 (2009/2010)	30-40	35	Behind Schedule	29
14	Industry Awareness					
	- Number of Senior Schools attended	8 (2009/2010)	12	10	Behind Schedule	8
	- Number of Students participated	80 (2009/2010)	100	100	Behind Schedule	78
	- Number of Presenters	8 (2009/2010)	10	8	Behind Schedule	10

1560 **Output 6 : Enforcement of Labour Standards and Assessment of Work Permits**

Output Performance Measures, Standards or Targets

	Baseline Data	2012-2013	2013-2014		
Performance Measure/Indicator	**Baseline (Base Year)**	**Estimated Actual**	**Budget Standard or Target**	**Traffic Light Progress Indicator**	**Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken**
1 Number of Industrial Relation Awareness Workshops conducted for employees and employers.	5 (2008/2009)	10	10	Completed/ Achieved	13 awareness workshops were conducted on the Labour and Employment Act 1972 highlighting changes proposed in the new 2013 Act to ensure a smooth transition from the 1972 act

2	Number of meetings of the Samoa National Tripartite Forum facilitated by the secretariat	3 (2009/2010)	6	6	On Schedule/ Target	5 meetings coordinated for the FY1314
3	Number of grievances cases to reach conciliation and arbitration.	9 (2008/2009)	0	0	Completed/ Achieved	3 Grievance Cases that reached conciliation. Most of these cases were solved and settled with collective agreement by employer and employee.
4	Compliance: - Number of routine inspection conducted	92 (2009/2010)	300	300	Behind Schedule	289 routine inspections that were conducted in the FY 1314. Most of these were record keeping audits to ensure that employers update records of workers.
5	- Number of investigation conducted on industrial relation grievances case i.e terms and conditions: - termination notice, annual leave, overtime, public holidays pay, sick leave, witholding wages, authorise deduction.	91 (2009/2010)	100	100	On Schedule/ Target	121 cases lodged and were investigated on terms and conditions of employment. Most of these cases reached final solutions that were agreed by both parties.
6	Number of work permits for expatriates verified and assessed.	375 (2008/2009)	470	470	On Schedule/ Target	420 work permits received and were assessed for the FY1314
7	Reporting on International Labour Standard on Core Conventions Samoa ratified, including: (a) Forced labour convention (C29)	0 (2009/2010)	2	4	Completed/ Achieved	4 conventions reports were submitted to ILO Geneva via Ministry of Foreign Affairs and ILO Fiji Office in September 2013. These reports were acknowledge by the ILO Geneva Office.

	(b) Aboition of Forced Labour (C105) (c) Minimum age convention (C138) (d) Worst form of Child Labor Convention (C182)					
8	New Labour and Employment Act in place - Trainining and workshop on the new legislation; Labour Employment Relation	0 (2009/2010)	7	7	Completed/ Achieved	13 Stakeholder trainings conducted for both workers and employers, and 35 Social Dialogue at workplaces for employers, workers as well as management of workplaces on the new labour and employement act 2013
9	International Labour Organisation Core Conventions that Samoa needs to ratify, including: (a) Domestic Work Convention					
	- production of the video tape for promotion.	N/A	1	1	On Schedule/ Target	No budget approved for this activity- cost of video SAT$30,000
	- Apia consultations		1	1	Completed/ Achieved	Consultations on domestic workers conventions were also included as part of the trainings of the new labour act
	- communities consultations		2	2	Completed/ Achieved	Consultations on domestic workers conventions were also included as part of the trainings of the new labour act
	(b) Labour Maritime Convention					

- Stakeholders Meetings/ Discussion		2	4	On Schedule/ Target	To be completed in the new Financial year
- Parliamentarians meeting		1	4	Completed/ Achieved	Parliamentarian meetings were conducted by the ILO experts during palimentry session and were agreed for Samoa to ratify it. This ratification was done on the 21 Nov 2013.

1570 **Output 7 : Enforcement of Occupational Safety & Health Standards**

Output Performance Measures, Standards or Targets

	Baseline Data	2012-2013	2013-2014		
	Performance Measure/Indicator	**Baseline (Base Year)**	**Estimated Actual**	**Budget Standard or Target**	**Traffic Light Progress Indicator**	**Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken**
1	Number of OSH inspections to enforce compliance on safety and health legislations: (i) Govt. Ministries (ii) Govt. Corporations (iii) Private Sector - Small, Medium & Large Enterprises	300 (2009/2010)	450	480	On Schedule/ Target	342 routine inspections conducted for the OSH for workplaces in Government Ministries, Corporations as well as the private sector.

2	Number of work accidents / incidents expected to be reported to the Ministry: (i) Accidents causing death (ii) Serious injury (iii) illness	40 (2009/2010)	35	50	Behind Schedule	27 number of work accidents that were reported to the Ministry, where the OSH team were attend to and investigate and assess. Corrective actions were also issued to ensure compliance with the Safety of workers in workplaces
3	Number of investigations to be conducted on reported accidents	70 (2009/2010)	55	55	Behind Schedule	27 accidents reported to the Ministry as above and they were investigated and reported.
4	Number of awareness workshops to be conducted for both employers and employees: (i) Roles of employers in promoting safety & health in the workplace (ii) what every worker should know about safety and health in workplace	3 (2009/2010)	6	15	On Schedule/ Target	13 Workshops conducted for stakeholders for FY1314 to increase awareness amongst employers and employees
5	Number of Tripartite National Occupational Safety & Health Council meetings to be held	N/A	4	4	Behind Schedule	5 SNTF meetings were held during the FY1314
6	New OSH Legislation: Number of training workshops: (i) Occupational Safety & Health Act & Regulations	N/A	4	15	On Schedule/ Target	13 Trainings on the OSH Legislation as well on the consultation for the draft Regulation.

7	Date on which OSH day will be celebrated	N/A	28 April 2013	28 April 2014	On Schedule/ Target	OSH day celebrated on 28 April 2014 and program delivered in Savaii
8	Number of Cases referred for prosecution	N/A	0	6	Behind Schedule	There were no cases referred during the period

1580 **Output 8 : Management of Registtries of Companies & Intellectual Properties**

Output Performance Measures, Standards or Targets

		2012-2013	2013-2014 Budget Standard or Target	2013-2014		
	Performance Measure/Indicator	**Estimated Actual**	**Estimated Actual**	**Budget Standard or Target**	**Traffic Light Progress Indicator**	**Output Manager's comments on progress towards achievement of the Target they have been funded to deliver, including what corrective actions are being taken**
	Number of registration each year:					
1	- Companies	170	180	102	On Schedule/ Target	await release of reporting function from the consultant dealing with the e registry of companies
	- Incorporated societies	15	18	14	On Schedule/ Target	3 incorporated societies registered
	- Charitable trusts	7	8	19	On Schedule/ Target	14 charitable trust registered
	- Cooperative societies	3	4	7	On Schedule/ Target	4 cooperatives registered
	- Credit Unions	2	3	0	Behind Schedule	None
2	**Number of registration each**			-		

	year: - Trademarks - Patents - Industrial designs	327 (180)	200	275	On Schedule/ Target	139 trademarks registered
		19 (10)	12	1	Behind Schedule	None
		3 (2)	3	4	Behind Schedule	None
3	Number of inspections of video shops for infringement of Intellectual property	90	100	105	On Schedule/ Target	55 inspections carried out on video/DVD shops and stalls at the markets
	Number of annual returns filed from Companies	880	900	327		
4	Number of financial statements filed: - Incorporated Societies - Credit Unions				On Schedule/ Target	270 companies inspected
		200	210	76	On Schedule/ Target	45 incorporated societies inspected
5		5	6	6	On Schedule/ Target	await release of reporting function from the consultant dealing with the e registry of companies
	Number of trainings and awareness programmes for: stakeholders and other interested parties	8	10	10		
6	**Number of filed:** - Trademark applications - Patent applications - Industrial design applications				On Schedule/ Target	41 financial statements filed
		291 (150)	250	313	Behind Schedule	None
7		19 (8)	10	4	On Schedule/ Target	2 trainings on the electronic registry of companies Upolu & Savaii

		2 (3)	4	5		
8	Number of de-registered: - Companies - Incorp societies dissolved including societies removed				On Schedule/ Target	193 trademarks filed in by class
		35	30	11	On Schedule/ Target	4 patent applications filed in
		17	20	174	Behind Schedule	None
9	Number of trademarks renewed	108 (150)	180	170		
	Number of trademarks abandoned	1,412 (135)	120	10	On Schedule/ Target	6 companies de-registered
	Number of trademarks advertised	361 (140)	160	313	On Schedule/ Target	3 incorporated societies removed
	Date by which Personal Properties Securities Act (PPSA) is approved by Parliament	1 June 2013	On going		On Schedule/ Target	89 trademarks renewed
10	Date by which National Intellectual Property Strategy is completed and approved by Cabinet	30 June 2012	On going		Behind Schedule	10 abandoned trademarks
	Date by which amendments to modernise the Intellectual Property Legislation are approved by Parliament	1 October 2011	On going		On Schedule/ Target	207 trademarks advertised
11	Date by which amendments to Incorporated Societies Act are approved by Parliament	16 March 2012	On going		On Schedule/ Target	await amendments from AG's Office

12	Date on which World Intellectual Property Day will be celebrated	26 April 2013	28 April 2014	28 April 2014	Completed/ Achieved	