



GOVERNMENT OF SAMOA



ANNUAL REPORT

July 2021 - June 2022



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GOVERNMENT OF SAMOA

The Honourable Speaker
The Legislative Assembly of Samoa

In accordance with Article 35 of the *Constitution of the Independent State of Samoa 1960* and section 9 (3) of the *Law Reform Commission Act 2008*, I lay before you copies of the 13th Annual Report for the Samoa Law Reform Commission for the period of July 2021 to June 2022 for tabling before the Legislative Assembly of Samoa. This report documents activities implemented by the Commission within this period, in accordance with the Act.

A handwritten signature in blue ink, appearing to read 'S. Pulufana', written over a horizontal line.

Honourable Matamua Seumanu Vasati Sili Pulufana
MINISTER FOR THE SAMOA LAW REFORM COMMISSION



GOVERNMENT OF SAMOA

Honourable Matamua Seumanu Vasati Sili Pulufana

MINISTER FOR THE SAMOA LAW REFORM COMMISSION

In accordance with section 9 (2) of the *Law Reform Commission Act 2008* and Article 35 of the *Constitution of the Independent State of Samoa 1960*, I have the pleasure to present you with copies of the 13th Annual Report for the Samoa Law Reform Commission for the period of July 2021 - June 2022, for tabling before the Legislative Assembly of Samoa. This report documents activities implemented by the Commission within this period, in accordance with the Act.

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

**ACTING EXECUTIVE DIRECTOR
SAMOA LAW REFORM COMMISSION**

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FOREWORD – MINISTER FOR THE SAMOA LAW REFORM COMMISSION



The Samoa Law Reform Commission is an independent statutory agency for the review, reform and development of the laws of Samoa, in order to promote Samoan customs and traditions, enhancing the social, cultural, economic and commercial development of Samoa. In performing the Commission's roles and functions, it also ensures that the laws of Samoa are kept in a modern state which meets the needs of the government and the community, by providing evidence-based research to inform government decisions about the development, reform and harmonisation of Samoan laws and related processes.

The Commission places significant importance on public consultations as this is the door to public participation in the development of laws of Samoa. This is an opportunity given to the people to contribute to the law making process of the country. The public is encouraged to attend and participate in consultations held by the Commission from time to time to voice their opinions, views and concerns on laws being reviewed, to inform the Commission's recommendations for possible reforms.

This is my second annual report, marking the second year of my term as Minister for Samoa Law Reform Commission. It has been an eventful year and one in which significant change has been achieved. Despite the challenges faced by the Commission during the reviewed period, it has been a productive year with the Commission completing one of its main law reform projects and carrying out preliminary works to respond to other requests received by the Commission.

I wish to thank the Management and the whole staff who have worked tirelessly to continue the work of the Commission in spite of changes and challenges arising, in their efforts to ensure that the Commission successfully achieves its set targets within this financial year.

We said farewell to a number of staff members and welcomed some new members to the team. I wish to acknowledge and thank each of these staff members for their dedicated service to the Commission.

I wish to record my special acknowledgement and appreciation of the former Executive Director, Telei'ai Dr. Lalotoa Mulitalo for her tremendous contribution to law making in Samoa, as well as her remarkable service to the development of the Commission to date. Mālō le pale, viia le Alii mo lona soifua galue. Ia saga faamanuia le Atua i laasaga uma o lona soifua auauna.

As the Minister for the Samoa Law Reform Commission, I am very pleased to present the 13th Annual Report for the Financial Year July 2021 – June 2022.

Ma le faaaloalo tele.

A handwritten signature in blue ink, which appears to read 'S. Pulufana'. The signature is stylized and written in a cursive-like font.

Honourable Matamua Seumanu Vasati Sili Pulufana
MINISTER FOR THE SAMOA LAW REFORM COMMISSION

ACTING EXECUTIVE DIRECTOR'S STATEMENT



The 2021-2022 financial year has been a very busy and challenging period for the Samoa Law Reform Commission (SLRC). Despite the challenges, the Commission has sustained their great effort in the effective implementation and delivery of their planned activities and projects at hand.

This report provides an overview and insights into our operational and financial performance, detailing the activities implemented by the SLRC for the financial year 2021 – 2022 and their progress.

The Commission acknowledges with appreciation the commitment and support extended by the Government of Samoa and Cabinet, in particular the Minister of the Samoa Law Reform Commission, Honourable Matamua Seumanu Vasati Sili Pulufana and the Associate Minister Fesola'i Apulu Tusiupu Tuigamala.

The major highlights in this financial year's performance are:

- The Commission made further significant progress towards completion of the Review of Family Laws in Samoa, completing the last three stages of the law reform process (stages 4 – 6). This achievement is a result of the Executive Director's leadership and the SLRC Staff's determination and commitment despite a shortage in staff members.
- There were preliminary research completed during this financial year for the nine (9) Ad-Hoc references from ministries and agencies, and the five (5) Ad-Hoc references initiated by the SLRC Executive Director.
- The collective effort by the whole SLRC staff had enabled the Commission to complete and endorse their new Corporate Plan 2022 – 2025 before the end of the financial year.
- The team work and dedication shown by the SLRC staff had enabled the Commission to complete 70% of their Key Performance Indicators planned for the financial year.

The Commission wishes to acknowledge the crucial contribution and assistance of its Development Partners in its work. Thank you also to government ministries, agencies and corporations as well as the community at large for their ongoing support and continued partnership with the SLRC, to improve our law reform processes for better and effective laws for the country.

The Commission notes with gratitude and appreciation, the collaborative effort and assistance from our Law and Justice Sector partners, ensuring the accessibility to the justice system is improved and harmonized with governance and integrity of the customary and formal justice system.

In presenting this report, I want to acknowledge and thank our SLRC Staff for their commitment to our ongoing work and in delivering high quality service at all times, despite the many challenges encountered along the way.

Last but not the least, I extend a special acknowledgement with appreciation of the great leadership, guidance and support provided by the former Executive Director, Telei'ai Dr. Lalotoa Mulitalo. The SLRC staff are grateful for all the trainings, on the job support and encouragement that you have provided during your time with SLRC. These have further equipped the SLRC Team as we strive to review and reform laws as most appropriate for the people of Samoa. Faafetai tele lava.

Tatou faalagolago pea i le fesoasoani sili mai le Alii e fai ma ta'iala i le faigamalaga a Samoa.

A handwritten signature in blue ink, which appears to read 'Sheliza Tapuai'. The signature is fluid and cursive.

Sheliza Tapuai
ACTING EXECUTIVE DIRECTOR, SAMOA LAW REFORM COMMISSION

1. INTRODUCTION

1.1 OVERVIEW

The Samoa Law Reform Commission (SLRC) operates under the leadership of an Executive Director, the administrative head who supervises and directs the Commission's work.¹ The Organizational Structure of the Commission sets out a team of fourteen (14) permanent staff and three (3) contractual staff; which makes up a total of seventeen (17) staff members. By the end of this financial year, there were four (4) vacant positions within the Commission. There is only one (1) Main Output of the SLRC called 'Legal Research Analysis and Recommendation'.

Within the current allocated budget, the SLRC seeks to maintain all these 17 staff members led by the Executive Director, 10 lawyers and 7 corporate support staff. The legal staff consists of 8 lawyers who are led by the Assistant Executive Director in carrying out the law review and law reform tasks. The SLRC relies on Terms of References (TORs) received from the three (3) sources of TOR as legislated. Accordingly this then determines the extent to which the SLRC can meet its performance targets which is influenced from year to year by the number of references referred to the SLRC, the prescribed timeframes for these references, the number of lawyers for professional capacity, and the resources made available to conduct them. The Commission may also initiate reform projects where necessary as a result of any current and ongoing review or any arising events.

1.2 MAIN OUTPUT

The performance indicators and targets for the SLRC are provided under the one (1) main output of the SLRC (Legal Research Analysis and Recommendation) for their implementation. There are different activities identified and set in place to assist the Commission in its efforts to provide effective and efficient services, which would overall contribute to the achievement of the Commission's strategic objectives. These activities are funded by appropriations.

The Legal Division consists of eight (8) lawyers and is led by the Assistant Executive Director. At the date of this report, four (4) legal positions are vacant and are being advertised in the PSC Circular for replacements.

1.3 SUPPORT OUTPUT

The Corporate Services Division is required to provide full support to the Legal Division to ensure continuous, timely and effective implementation of research and reform of the laws of Samoa. The Corporate Services Division is responsible for five key areas of the Office:

- i. Financial Management;
- ii. Human Resource Management;
- iii. Project Coordination;
- iv. Information Communication and Technology; and
- v. General Administration of Public Relations, Reception and Transport arrangements.

The Corporate Services Division is led by the Manager supervising six (6) permanent staff.

2. ROLE AND FUNCTIONS

The Commission was established in 2008 under the Law Reform Commission Act 2008. The Commission undertakes research and provides recommendations on necessary reforms to the laws under review according to its mandate:

¹ Law Reform Commission Act 2008, section 10 (Executive Director) – (1) The Executive Director is the administrative head of the Commission and shall supervise and direct the work of the Commission.

- to research and analyse areas of law considered to be in need of reform in accordance with a reference made to it by the Prime Minister, Cabinet or the Attorney General; or self-initiated by the Commission and endorsed by the Attorney General or the Prime Minister;
- to consult with and advise the public about its work;
- to provide reports providing its recommendations to the Prime Minister, Cabinet and the Attorney General; and arrange for the publication upon Cabinet approval;
- if recommended in its reports and where capacity allows, to draft new or amending laws or proposed legal framework for the approval of the Attorney General;
- to promote awareness of the laws of Samoa;
- to advise government Ministries and agencies on the manner or content of reviews of the law conducted by those Ministries and agencies.²

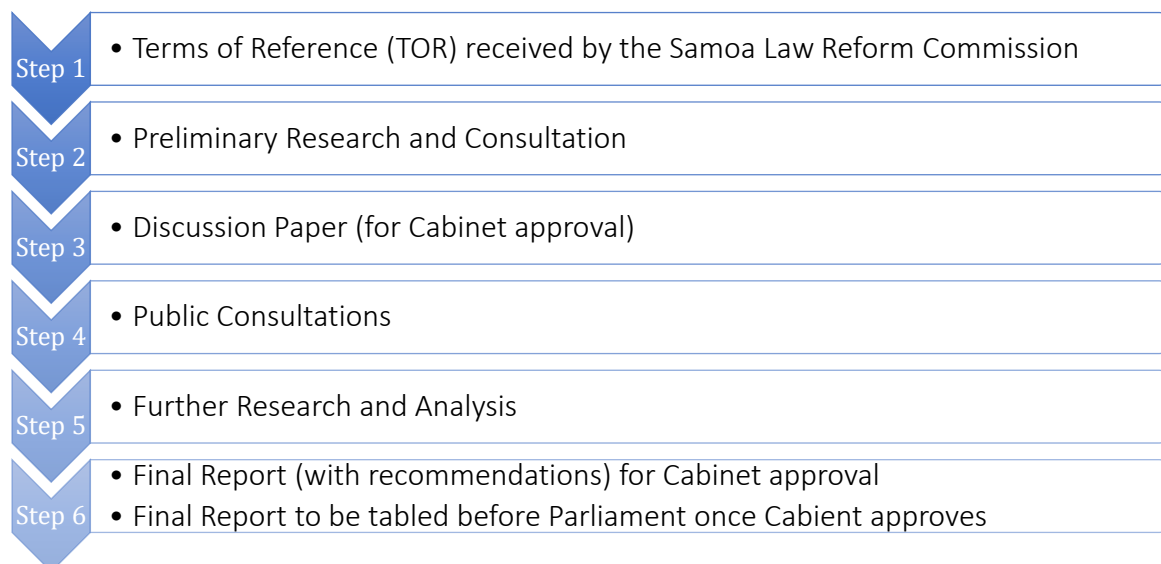
The SLRC is responsible to the Parliament of Samoa through the Minister for the Samoa Law Reform Commission, pursuant to Article 35 of the Constitution of the Independent State of Samoa.

At the conclusion of each law reform project, the SLRC provides a final report with evidence-based recommendations for law reform to the Prime Minister, Cabinet and the Attorney General. This Final Report is then to be tabled before Parliament after Cabinet approval. Overall, the SLRC's role is to facilitate the review, reform and development of the laws of Samoa in order to:

- promote Samoan customs and traditions;
- enhance the social, cultural, economic and commercial development of Samoa; and
- ensure that the laws of Samoa are kept in a modern state which meets the needs of the Government and the Community.³

3. THE LAW REFORM PROCESS

The SLRC follows a 6 Steps process in the review and reform of laws referred:



² Law Reform Commission Act 2008, section 6 (Functions of the Commission).

³ Law Reform Commission Act 2008, section 4 (Purpose of the Act).

4. REVIEWS BY THE COMMISSION IN FY 2021-2022

A total of twenty (20) references were reviewed by the SLRC for the FY 2021 - 2022. There were three (3) Terms of References for full review, three (3) Ad-Hoc References received from the PM, AG and cabinet, nine (9) Ad-Hoc referred from government ministries and SOEs, and five (5) Ad-Hoc References initiated by the Executive Director as shown in **Table 1** below. These include references received from previous financial years that have continued into this Financial Year. These 20 References are detailed in the following sub-sections.

ONGOING REVIEWS FROM FY20/21	REVIEWS PLANNED FOR FY21/22	AD-HOC REFERENCES RECEIVED FROM THE PM, AG AND CABINET IN FY 21/22	AD-HOC REFERRED FROM MINISTRIES AND SOES	AD-HOC INITIATED BY THE EXECUTIVE DIRECTOR
3	3	3	9	5

Table 1: References received by the Commission

4.1 ONGOING REVIEWS BY THE COMMISSION IN FY 2021/2022.

There were three (3) Ongoing Reviews conducted by the SLRC in this financial year as explained below:

4.1.1 REVIEW OF THE FAMILY LAWS OF SAMOA

The review of the Family Laws of Samoa was a Review initiated in response to a recommendation from the Judiciary (during the Commission's consultations for its Review of the Fabric of Laws of Samoa in 2017) that the family laws of Samoa were in dire need for review and updating. The Commission carried out several preliminary discussions with the Ministry of Justice and Courts Administration (MJCA) as the administrator of the family laws, and it was agreed that the Commission leads this Review. After these discussions, a Terms of Reference was developed by SLRC and consequently approved by the Office of the Attorney General (OAG) in 2018. The six (6) family laws reviewed are as follows:

- i. Infants Ordinance 1961;
- ii. Marriage Ordinance 1961;
- iii. Divorce and Matrimonial Causes Ordinance 1961;
- iv. Maintenance and Affiliation Act 1967;
- v. Family Safety Act 2013; and
- vi. Family Court Act 2014.

The review was carried out by the Commission in close collaboration with the MJCA as the instructing Ministry and administrator of these laws. The Commission also invited some key stakeholders to join the Commission in the active raising of the people awareness of Samoa's family laws in public awareness seminars and subsequently seeking and collecting the people's views through public consultations and open invitation for written submissions. These partners were the Ministry of Women, Community and Social Development (MWCSO), the Office of the Attorney General (OAG), the

Samoa Bureau of Statistics (SBS), and the Ministry of Police, Prisons and Correctional Services (MoPPCS).

The Commission followed its six (6) stage law reform process according to section 8 (Procedure of the Commission) of the Law Reform Commission Act 2008 for this Review. For this financial year 2021/2022, the Commission focussed specifically on the continuation and completion of Stage 4, Stage 5 and Stage 6 as explained below:

Stage - Law Reform Process	Details of progress
Stage 4 - Public Consultations	<ul style="list-style-type: none"> The public consultations for Upolu on the 6 Family Laws as deferred from FY 2020/2021 were conducted from 25th October – 10th November 2021; a total of thirteen (13) public consultations. The compilation and analysis of all of the public consultation findings and written submissions received were all completed in this financial year.
Stage 5 - Further Research and Analysis	<ul style="list-style-type: none"> Further doctrinal research and literature review were also carried out to confirm the Commission’s analysis of its review findings and submissions received to inform the formulation of its Final Report and recommendations.
Stage 6 - Final Report	<ul style="list-style-type: none"> The Final Report for the Review of the Family Laws of Samoa was completed in June of this financial year and submitted to the Hon. Minister, Matamua Seumanu Vasati Sili Pulfana on the 16th June 2022, before advancing to Cabinet for approval as per usual process. On 1 July 2022, the Final Report was submitted to Cabinet for their endorsement. It is noted here that Cabinet by way of its Directive FK (22)30 issued instructions for the Commission to carry out further consultations with other Government agencies before the Commission reports back to Cabinet.

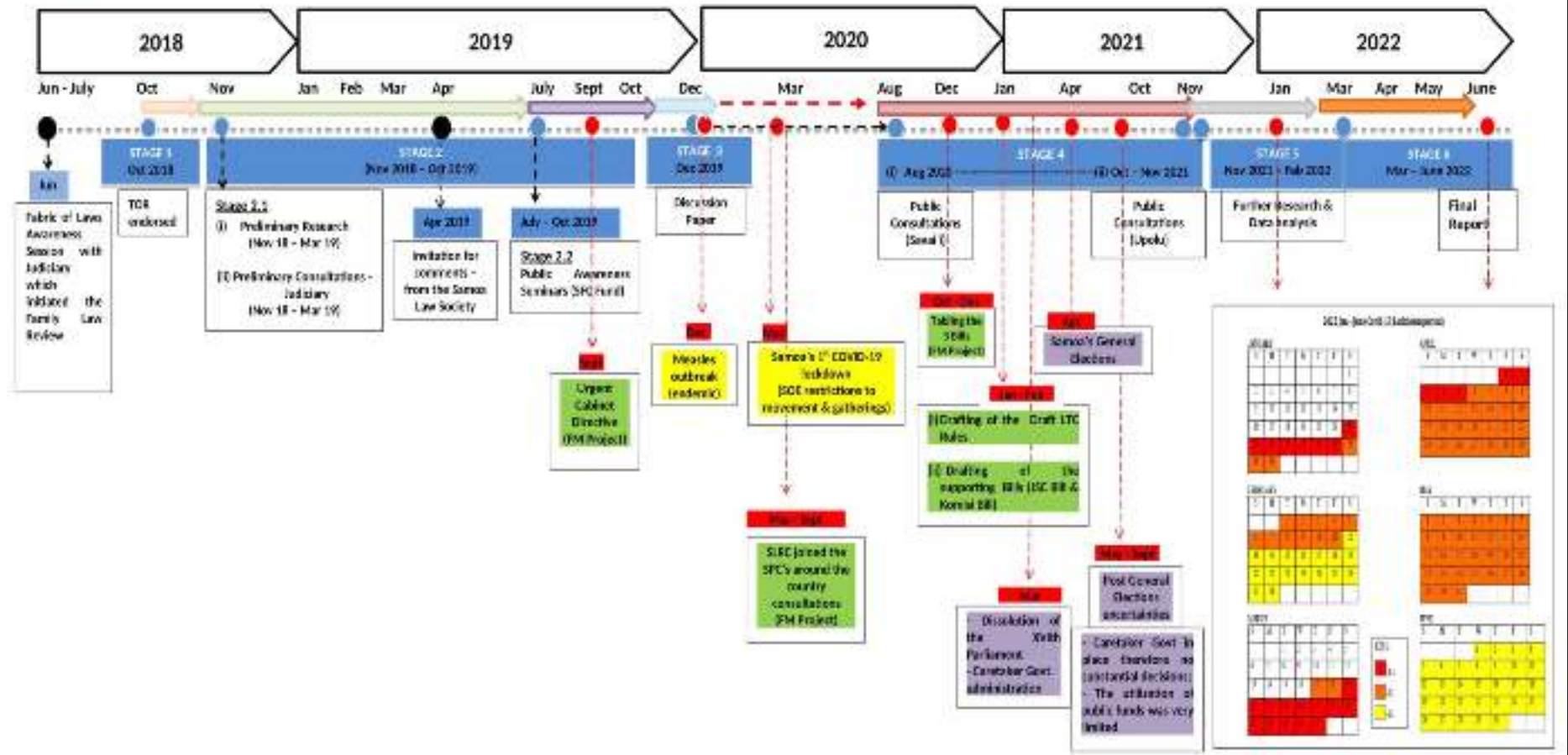
Table 2: Progress of Law Reform Process; Stages 4 - 6 of Family Laws Review

The diagram below is an attempt to provide, at a glance, the progress of the Review of the Family Laws of Samoa since it’s initiation to date.

Chronology for the Review of the Family Laws of Samoa 2018 - 2022

Stages of the Law Reform Process

● Stages of the Law Reform Process	➡ Stage 3 - Discussion Paper (Dec 2019)	 Urgent Cabinet Directive (FM Project)
● External factors causing the delay to the Project	➡ Stage 4 - Public Consultations (I) Aug 2020 (Savaii) (II) Oct - Nov 2021 (Upolu)	 SOE for (Measles & Covid-19) --- National lockdowns
➡ Stage 1 - Terms of Reference endorsed (Oct 2018)	➡ Stage 5 - Further Research & Data analysis (Nov 2021 - Feb 2022)	 Political matters & the 2021 General Elections
➡ Stage 2.1 - (I) Preliminary Research (Nov 2018 - Mar 2019) (II) Preliminary Consultations (Nov 2018 - Mar 2019)	➡ Stage 6 - Final Report (Mar - June 2022)	
➡ Stage 2.2 - Public Awareness Seminars (Jul - Oct 2019)		



4.1.2 REVIEW OF TRAFFIC LAWS OF SAMOA

In 2019, there was a notable increase in the number of traffic related incidents in Samoa. A preliminary legislative review by the Commission submitted to the former Honourable Prime Minister highlighted that Samoa's traffic laws needed to be reviewed and updated.

Upon the Commission's proposal, the Hon. Prime Minister approved a Terms of Reference on 29 July 2019 for the Commission to conduct a full review of the Traffic Laws of Samoa.

The full review of the Traffic Laws is a review of the following laws:

- i. Road Traffic Ordinance 1960 (including Regulations, Orders, Rules);
- ii. Road Traffic (payment of Fines) Act 2009 (including Regulations, Orders, Rules); and
- iii. Road Transport Reform Act 2008 (including Regulations, Orders, Rules).

The Commission was at the final stages of finalising its Draft Discussion Paper for Cabinet approval before carrying out public and stakeholders' consultations in this financial year. However, this did not take place due to a change in priorities, a shortage of Legal Staff as well as State of Emergency restrictions in response to the Measles outbreak and COVID-19 pandemic.

The continuation of this work is now deferred to the next financial year.

4.1.3 REVIEW OF ARMS ORDINANCE 1960

This review was requested by the MoPPCS in 2019 stating that this law, as a pre-independence law requires updating to allow the MoPPCS to implement its duties and functions in line with current practices to suit the context of Samoa. A TOR was developed following preliminary consultations between the Commission and the MoPPCS, and was later endorsed by the OAG.

The Commission commenced its preliminary research on this Project in the FY 2020-2021 but was later put on hold due competing work priorities needing urgent attention and assistance by the Commission.

The Commission planned to re-commence its preliminary research and analysis in the FY2021-2022, and continue on to compile its findings to develop a Discussion Paper to be submitted to Cabinet as per usual process. However, these were further deferred due to a change in work priorities, a further decrease in the number of Legal Staff to carry out the work as well as the continuation of restrictions in response to COVID-19. It is noted here that the MoPPCS requested that this Review be prioritised as a matter of national interest in the security and safety of its people, given the increase in numbers of arms related incidents and offences brought forward.

4.2 AD-HOC REFERENCES FROM THE PM, AG AND CABINET IN FY 2021-2022

There were three (3) Ad-Hoc References referred to SLRC from the Hon. Prime Minister (PM) and Office of the Attorney General (OAG) and completed during this financial year.

4.2.1 POST 2021 GENERAL ELECTIONS

- Following the 2021 General Elections, the Commission provided some assistance to the Office of the Attorney General with relevant research and analysis until the completion of matters or until SLRC assistance was no longer required. These assisting works were completed in this financial year.

4.2.2 LAND LAWS REVIEW (MNRE, SLC AND STEC)

- This land laws review was referred to the SLRC from the Office of the Attorney General for the Commission to assist with research as may be required. This referral was taken into account in the Commission's Plans for FY2021-2025, and noted as an ad-hoc reference for preliminary research, until a Terms of Reference is developed (if any).
- To date, there was no TOR developed or received for this matter.

4.2.3 RESEARCH ON THE LTA 2020 AND CAA 2020

- There were research on the LTA 2020 and CAA 2020 carried out and completed in this financial year, and advice was provided to the OAG on the interpretation of certain provisions of the Acts, specifically on appointment of LTC judges, transitional provisions and drafting.

4.3 AD-HOC REQUESTS REFERRED FROM GOVERNMENT MINISTRIES AND SOES

There were nine (9) Ad-Hoc references recorded to have received by the SLRC from government ministries, SOE's and Agencies during this financial year. The brief details for each Ad-Hoc are provided below:

4.3.1 REQUEST FOR A REVIEW OF LEGISLATION GOVERNING PUBLIC BODIES

- The Ministry of Public Enterprises (MPE) in its letter of 14 April 2021 sought the SLRC's assistance to review legislation governing Public Bodies. The Commission preliminary research found some 33 laws regulating public bodies which would be included in this Review to address MPE's request.
- This was factored into the Commission's plans for the FY21/22.
- There were some preliminary discussions between the Commission and MPE on MPE's directives and objectives hoped to be achieved from this Review. This was noted as an ad-hoc reference until the completion of preliminary discussions with MPE, and until a TOR was received (if any).
- There was no TOR formulated or received, therefore this did not develop into a full review Project

4.3.2 POSSIBLE REVIEW OF SOCIAL PROTECTION LAWS IN SAMOA

- There was a request received on 24th June 2021 by a UNDP advisor of the Social Protection Programme for explanation and advice on the laws relevant to social protection in Samoa. At preliminary discussions started on the 9th August 2021, the Executive Director clarified the mandated process of referral of matters for SLRC review and noted that at this stage, Samoa does not have the proper infrastructure for the envisioned social protection system to effectively operate.
- This was also noted as an ad-hoc reference at this stage, with a view that a possible TOR would be developed and raised for approval by the Hon. Prime Minister, Cabinet or OAG.
- There was no TOR formulated or received, therefore this did not develop into a full review Project.

4.3.3 SQA DRAFT QUALITY ASSURANCE STANDARDS AND POLICIES

- SLRC was invited through a letter received on the 23rd February 2022 to contribute to the Samoa Quality Assurance's (SQA) Stakeholder Endorsement Consultation on Quality Assurance Policy and Standards. The Commission carried out some preliminary review and research of

the provided Standards and Policies and provided comments for SQA's consideration on 3rd March 2022.

4.3.4 DRAFT SQA AMENDMENT BILL 2022 – STAKEHOLDER CONSULTATIONS

- The Commission was also invited on the 1st March 2022 to take part in the SQA Stakeholder Consultations on its proposed amendments to the Samoa Qualifications Authority Act 2010 (Draft Amendment Bill) to enable the SQA to improve its implementation of its mandate and functions. The SLRC contributed by providing comments during the Consultations on 15th March 2022 for consideration by the Legal Consultant and the SQA in taking this Draft Amendment Bill forward.

4.3.5 THE INTER-COUNTRY ADOPTION DISCUSSIONS

- The Commission made some contributions at the early stages of the discussions between Samoa and New Zealand through MFAT and MJCA, stating that the Commission's role is particular to reviewing Samoa's own laws.
- In terms of contributing to NZ's review, the Commission noted that it would be more beneficial to sought input from the authority implementers/regulators of the current adoption legal framework of Samoa, such as the Ministry of Women, Community and Social Development (MWCSD), the Office of the Attorney General (OAG) and the Ministry of Police and Prisons and Corrections Services (MoPPCS).
- The preliminary virtual discussions were held on 5th July 2021 and the formal consultations on Review of NZ's Adoption Laws was conducted on 16th August 2021, where the Commission provided its advice/response and no further action required afterwards.

4.3.6 REVIEWING UN ENGAGEMENT IN SAMOA

- The SLRC was invited on 21st September 2021 to comment and participate in consultations on the Common Country Analysis (CCA) on achievements, challenges and gaps of UN supported interventions.
- The Commission provided comments and input on the CCA document via a letter (1 October 2021) and there was no further action required.

4.3.7 COMMENTS / FEEDBACK ON DRAFT NATIONAL POLICIES

- The Commission continues to participate in discussions and contributes comments on Draft National Policies brought before the National Policy Coordination Committee (NPCC), for their deliberations.
- The Commission has in some instances used this opportunity to provide some information relevant to a Policy document before the NPCC, to the lead Ministry. This was the case for the International Treaty Making Manual (MFAT) where the Commission, following an NPCC meeting, provided some brief preliminary research findings and comments to MFAT, for MFAT's records and consideration in taking their Manual forward.
- In this financial year, the Commission made some comments on the following Draft National Policies, for the Committee's and relevant Ministry's consideration:
 - Draft One Government Digital Platform Policy (MCIT)
 - Draft National Freedom of Access to Information Policy (MCIT)
 - Draft National Fisheries and Aquaculture Policy 2021-2031 (MAF)

4.3.8 DRAFT GUIDE TO RESPOND TO VIOLENCE AGAINST WOMEN AND GIRLS

- As a member of the Law and Justice Sector, the Commission attends and contributes to deliberations of the Sector on various matters concerning the Sector. At a Law and Justice

meeting in May 2022, the Sector Secretariat provided a copy of the Law and Justice Guide to respond to victims and survivors of Violence Against Women and Girls (the Guide) for members' information and perusal. The Commission raised a few matters to be considered and revised for legal accuracy of the Guide. This was welcomed by the Secretariat. The Commission forwarded its proposed revisions by letter of 21 June 2022 for the Secretariat's consideration and incorporation into the Guide.

4.3.9 COMMISSION OF INQUIRY (COI)

- The Executive Director for the SLRC was invited to appear before the following committees:

(1) Parliament Special Inquiry Committee (SIC) – CAA 2020 and LTA 2020

- For this appearance, the SLRC prepared and compiled its records of the above CAA 2020 and LTA 2020 to present before this Special Committee.
- At the request of the Committee, copies of these records were provided for their perusal and purposes.

(2) COI into Electoral Matters 2021

- The SLRC's preparations of a brief presentation for the COI as well as its responses to questions raised by the COI members were informed by the SLRC's research into the relevant laws such as the Constitution of the Independent State of Samoa 1960, Electoral Act 2019 and the Electoral Constituencies Act 2019.
- At the request of the COI, the SLRC provided copies of its presentation and research findings and analysis for the COI's purposes.

4.4 AD-HOC REFERENCES INITIATED BY THE EXECUTIVE DIRECTOR

There were five (5) Ad-Hocs initiated by the SLRC Executive Director during this Financial Year and the details are provided below:

4.4.1 FETUUNAI MUNIAO (SPECIAL PROJECT)

- Following the passage of the 3 Acts (Constitution Amendment Act 2020, Land and Titles Act 2020 and the Judicature Act 2020) from the Fetuunai Muniao Special Project, the Commission planned to profile the process of the development of these three laws for future parliament references. However, due to a change in government priorities and COVID-19 restrictions, this was not progressed further.
- For this Financial Year, the Commission also factored into its plans that where sought, the Commission would assist and provide advice on the LTC Procedure Rules 2021, Judiciary Service Commission Bill 2021, and the Tulafono Taufaaofi o le Komisi o le Faamasinoga o Fanua ma Suafa 2021 (supplementary to the 3 Acts passed in 2020).
- The Commission received requests for copies of the supplementary Bills and these were provided as requested. There were no further requests from the SC Judiciary, LTC Judiciary, MJCA or OAG for the SLRC to assist during the financial year, therefore there was no further work required under this Special Project.
- This Project therefore officially closed in the beginning of 2021.

4.4.2 POST 2021 GENERAL ELECTIONS

- Following the 2021 General Elections, the Commission initiated and provided some research and analysis assistance to the Office of the Attorney General until the completion of matters or

until SLRC assistance was no longer required. These assisting works were completed in this financial year.

4.4.3 2021 GENERAL ELECTION AND PREVIOUS FIVE GENERAL ELECTIONS

- Following the 2021 General Elections, the Commission initiated preliminary research into the history of previous General Election years (2016, 2011, 2006, 2001 & 1996) for comparative analysis with events following the 2021 General Elections. The main focus of this initiative was to document and analyse the legal processes and steps in the past general elections in comparison to 2021 General Elections processes.
- Preliminary research and comparative analysis of the 2021 General Elections and previous 5 years were stopped due to a change in priorities.

Summary of the work conducted:

- In the five previous General Election (GE) years (1996, 2001, 2006, 2011 and 2016), in one GE year, the Head of State (HOS) made only one (1) Proclamation for Parliament to convene (*with a subsequent summons for the Legislative Assembly to meet (first official meeting) after the first convening and swearing in of Members of Parliament*).
- In the 2021 GE, the HOS made a total of 4 Proclamations:
 - Two separate proclamations for Parliament to convene; and
 - Two other proclamations made for the first time in Parliament GE 2021, the proclamation for fresh elections and a proclamation suspending a proclamation made to convene parliament.
- Out of the four (4) Proclamations made, three were made under **Article 52** (*Meetings of the Legislative Assembly*) of the Constitution; and one was made pursuant to **Article 64** (*General elections*) of the Constitution.
- From the analysis conducted by the Commission, there were provisions noted for possible reforms to cater for similar events should they arise in future General Elections. Some of these provisions (according to preliminary findings) are Article 52 (Meetings of the Legislative Assembly) and Article 64 (General elections) of the Constitution of the Independent State of Samoa 1960, as well as the Section 52 (writ of election issued by the HOS) of the Electoral Act 2019.
- Overall, in light of extraordinary events arising in the 2021 General Elections, consideration may be made about further review of the electoral framework / steps / events in Samoa, taking into account other countries and their electoral laws and any extraordinary events that may have arisen in their general elections processes, which may offer guidance for Samoa in the future.

4.4.4 ADMISSION DOCUMENTS MATTERS - SAMOA LAW SOCIETY

- The Commission continues to offer research and analysis assistance where opportunity arises in its day to day work. One such case was during the preparation of admission documents for the Commission's Legal Analysts in June 2022. The Executive Director used this avenue to raise some matters in the forms and relevant documents for the Samoa Law Society (SLS) to consider and clarify in line with the Lawyers and Legal Practice Act 2014 and the Supreme Court Procedure Rules. This was acknowledged by the Society's secretary.

4.4.5 REVIEW OF THE FABRIC OF LAWS OF SAMOA

- As the work of the Commission relies heavily on an understanding and appreciation of the totality of the fabric of the laws of Samoa, the Commission thanks the Office of the Attorney General for their continued Consolidation of the laws of Samoa.
- For the Commission's displays and research and review purposes, a list of the laws of Samoa as recorded in the OAG's latest consolidation of the laws of Samoa up to March 2021 (a total of 269 laws), was printed as a display banner (Back-Drop).
- Any future awareness consultations by the Commission on the fabric of the laws of Samoa, will continue to be guided by future consolidations of the laws of Samoa as updated and released by the
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5. REPORT ON PERFORMANCE

5.1 ANNUAL PERFORMANCE STATEMENT FY 21/22

As the accountable authority of the Commission, we present the annual performance statement as part of the annual report, which has been prepared for Part XIV of the Public Finance Performance Act 2001 for the 2021-2022 financial year and accurately presents SLRC performance in compliance with the said Act.

5.2 MINISTRY LEVEL OUTCOMES

The SLRC desired outcome:

“Amended and new Legislation consistent with social, cultural, economic and commercial development of Samoa”

The SLRC has ten (10) key performance indicators developed to implement in this financial year 2021/2022 with the intention that they will contribute to the achievement of its desired outcome – conducting preliminary inquiries into aspect of Samoan law and related processes for the purpose of law reform. It is through the preliminary inquiries process that the SLRC undertakes rigorous research, analysis and community consultations that underpin recommendations for law reform.

The Commission strives to pioneer excellence in law reform that is relevant and responsive to the needs of Samoa.

Furthermore, the SLRC will continue to work closely with the Attorney General’s Office and the Law and Justice Sectorial stakeholders to ensure appropriate lead time for planning and sharing resources when new references are referred to the SLRC.

5.3 APPROVED KEY PERFORMANCE INDICATORS (KPI) FOR FY 2021/2022

Provided in Table 2 below are the results depicting the Commission’s achievements in this reviewed financial year.

SLRC performance against KPIs for FY 2021 – 2022

Key Performance Indicators (KPIs)	Target	Achievement Status	2021-2022 Progress Against KPIs
<p>1. Ad-hoc References/Projects referred from the Honourable Prime Minister, the Attorney General and Cabinet: - Research & provide advise/recommendation</p>	(3) 100%	100% Achieved	<p>A total of THREE (3) Ad-Hoc Reference referred to SLRC from the PM and OAG and completed during this financial year:</p> <p>(i) Post 2021 General Election:</p> <ul style="list-style-type: none"> - The SLRC provided research and analysis assistance to the Office of the Attorney General until their completion and until SLRC assistance was no longer required. These were completed <p>(ii) Land Laws Review (MNRE, SLC and STEC):</p> <ul style="list-style-type: none"> - SLRC noted this referral for research assistance for AG to be incorporated into the SLRC's Plans for FYs 2021-2025. - Based on preliminary instructions received by SLRC, this was recorded as an Ad-Hoc reference until a Terms of Reference is developed (if any). No TOR developed. <p>(iii) Research on the LTA 2020 and CAA 2020:</p> <ul style="list-style-type: none"> - Completed the research on the LTA 2020 and CAA 2020 and provided advice to OAG on application of the Acts specifically on appointments of LTC judges, transitional provisions and drafting.
<p>2. Ad-hoc request refer from Government Ministries & SOE's: - research & provide advise/recommendation</p>	(3) 100%	100% Achieved	<p>There were NINE (9) Ad-Hoc references received by SLRC from Government Ministries, SOEs and Agencies during this financial year:</p> <p>(i) Ministry of Public Enterprises requested SLRC's assistance in a Review of Legislative governing Public Bodies (a comprehensive review of some 33 SOE laws:</p> <ul style="list-style-type: none"> - There was no TOR received, therefore this was not a Project. - The Commission consulted with MPE 44on MPE directives and objectives hoped to be achieved with a possible review of MPE laws, as determined by MPE.

- SLRC noted this as an Ad-HOc until preliminary consultations with MPE completed and to develop a TOR (if any)
- (ii) Request by a UNDP Adviser (Social Protection Programme) - Preliminary Discussions on possible Review of social protection laws in Samoa:**
- At preliminary discussions, SLRC clarified the process of referring matters for the SLRC's review and also noted that the necessary infrastructure for a social protection system to operate effectively is absent in Samoa. This was noted as an ad-hoc reference until a TOR is developed for approval by the Honourable PM, Cabinet or OAG.
- (iii) SQA Draft Quality Assurance Standards and Policies 2022:**
- The Commission made contributions to SQA Draft Quality Assurance Standards and Policies 2022 (SQA)
- (iv) Draft SQA Amendment Bill 2022 – Stakeholder Consultations:**
- The Commission made contributions to the Draft SQA Amendment Bill through its representative who attended and made comments at the Stakeholder consultations.
- (v) The Inter-Country Adoption Discussions (Samoa and New Zealand):**
- The Commission noted at the early stages of discussions between Samoa and New Zealand through MFAT and MJCA that its role is particular to the review of Samoa's laws (as in its Review of the Family Laws of Samoa). The more relevant contributions to these discussions would be best sought from the implementers and regulators of Samoa's adoption laws.
- (vi) Reviewing UN engagement in Samoa:**
- The SLRC reviewed and provided comments on the Common Country Analysis (CCA) on achievements, challenges and gaps in UN supported interventions.
- (vii) International Treaty Making Manual:**
- SLRC was given the opportunity by the Ministry of Foreign Affairs and Trade to provide feedback on the International Treaty Making Manual.
 - The Commission carried out some preliminary research and provided comments for the MFAT's consideration.

			<p>(viii) Draft National Policies for NPCC</p> <ul style="list-style-type: none"> - The Commission continues to participate in discussions and contributes comments on Draft National Policies brought to the NPCC, particularly those Policies related to some of the Commission’s completed or current works. <p>(ix) Commission of Inquiry</p> <ul style="list-style-type: none"> - The Executive Director for the SLRC appeared, presented and responded to matters raised in two (2) separate Commissions during this financial year: <ul style="list-style-type: none"> (i) Parliamentary Special Inquiry Committee (CAA 2020 & LTA 2020); and (ii) COI into Electoral Matters 2021.
<p>3. Ad-hoc initiated by the Executive Director for Review & Research to Formulate advice/recommendation to Government in line with existing laws.</p>	(3)100%	67% achieved	<p>There were THREE (3) Ad-Hocs initiated by the Executive Director during this Financial Year:</p> <p>(i) Fetuunai Muniao (Special Project):</p> <ul style="list-style-type: none"> - The Commission planned to profile the process of the development of three (3) laws (Constitution Amendment Act 2020, Land and Titles Act 2020 and Judicature Act 2020) for future parliament references. However, due to the change in priorities as well as COVID-19 restrictions, this did not progress further. - The Commission also factored into its plans for the financial year to assist provide advice on 3 supplementary Bills developed at the beginning of 2021 (LTC Procedure Rules 2021, Judiciary Service Commission Bill 2021, and the Tulafono Taufaaofi o le Komisi o le Faamasinoga o Fanua ma Suafa 2021). There was no requests received from the SC Judiciary, LTC Judiciary, MJCA or AGO during the financial year. - The Commission provided copies of the draft supplementary Bills developed when requested. The SLRC was on standby, but there were no further requests for SLRC’s assistance at this stage. <p>(ii) 2021 General Election and previous General Elections (1996, 2001, 2006, 2011 & 2016):</p> <ul style="list-style-type: none"> - After the 2021 General Elections and the events that arose, the SLRC Executive Director initiated the documentation and analysis of the legal process / steps of some past General Elections for purposes of comparative analysis.

			<ul style="list-style-type: none"> - Preliminary research and comparative analysis were completed, but this initiative was stopped due to a change in priorities. <p>(iii) Review of the Fabric of Laws of Samoa:</p> <ul style="list-style-type: none"> - The Commission will continue to refer to and rely on the OAG’s consolidation of the laws of Samoa as the record of the laws of Samoa, to inform the Commission’s law review and reform projects. Any future awareness consultations by the Commission on the fabric of laws of Samoa will be guided by the OAG’s consolidations of the laws.
<p>4. REVIEW OF THE FAMILY LAWS OF SAMOA STAGE 3 <i>Continue from FY2019-2020</i></p> <p>6 Core Family Law Acts: 1. Infants Ordinance 1961; 2. Marriage Ordinance 1961; 3. Divorce and Matrimonial Causes Ordinance 1961; 4. Maintenance and Affiliation Act 1967; 5. Family Safety Act 2013; and 6. Family Court Act 2014.</p>	<p>1. Additional Public Consultations continued (5 Savaii, 5 Upolu): July – October 2021</p> <p>2. First round of compilation of Public Consultations findings and any submissions received: Sept – Nov 2021</p> <p>3. Further Research and Analysis raised from findings and submissions: Dec 21– Jan 2022</p> <p>4. Stakeholder consultations – In light of the overall comments and concerns raised, how can they be</p>	<p>99% Achieved</p>	<p>Review of the Family Laws of Samoa (Stages 4 - 6) continued and completed in this Financial Year.</p> <p>Stage 4:</p> <ul style="list-style-type: none"> - Public consultations in Upolu on the 6 Family Laws deferred from FY20/21 were conducted in this financial year from 25th October - 10th November 2021 - The compilation of public consultation findings and submissions from the public as well as the analysis were all completed in this financial year. <p>Stage 5:</p> <ul style="list-style-type: none"> - Further legal research and literature review were also carried out to validate the Commission's analysis of its findings and submissions received, to inform recommendations for possible law reform. <p>Stage 6:</p> <ul style="list-style-type: none"> - The Final Report for the Review of the Family Laws of Samoa was completed in this financial year and submitted to Hon. Minister on the 16th June 2022 for her approval prior submission to the Cabinet - On 1 July 2022, the Commission submitted this Final Report to Cabinet for their endorsement as per usual.

	practically and realistically addressed? (MJCA, OAG, BDM, MOP, and MWCSO: Feb – Apr 2022		
<p>5. Review of Traffic Laws: Full review of the Traffic Laws of Samoa to inform recommendations to Cabinet based on the following laws: 1. Road Traffic Ordinance 1960 (including Regulations, Orders, Rules) 2. Road Traffic (payment of Fines) Act 2009. (including Regulations, Orders, Rules) 3. Road Transport Reform Act 2008 (including Regulations, Orders, Rules) 4. Land Transport Authority Act 2007 (including Regulations, Orders, Rules) 5. Ministry of transport Act 1978 (including Regulations, Orders, Rules)</p>	<p>1. Compilation of Pre Research Finding and Submit Discussion Paper to Cabinet: July – Dec 2021</p> <p>2. 10 Consultations (7 Ministries, 3 Public): Jan – Mar 2022</p> <p>3. Formulate Final Report and submit to Cabinet: Apr – June 2022</p>	Not Achieved	<p>Review of the Traffic Laws of Samoa:</p> <ul style="list-style-type: none"> - The full review of the Traffic Laws did not take place in this financial year due to other competing work priorities, a shortage of the legal staff, and the contributing impacts of the SOE restrictions in response to the COVID19 pandemic. - This review is deferred to the next financial year for continuation.
<p>6. Review of Arms Ordinance 1960.</p> <ul style="list-style-type: none"> - Carry out research to inform recommendations to update Arms Ordinance. 	<p>Compile findings on Preliminary research and Submit Discussion Paper to Cabinet: July – Aug 2021</p> <p>2. Consult with Ministries to formulate</p>	Not Achieved	<p>Review of the Arms Ordinance 1960:</p> <ul style="list-style-type: none"> - The preliminary research and consultations for this review were put on hold due to other competing work priorities, a shortage of the legal staff, and the contributing impacts of the SOE restrictions in response to the COVID19 pandemic. - Therefore this review is deferred to be conducted in the next financial year

	recommendations and Final Report to Cabinet : Sept – Dec 2021		
7. SPECIAL PROJECT : “Fetuunai Muniao” - Customs in the Constitution & Land and Titles Court Review (CCLTC/Legal Pluralism): - The objective is to draft and develop the three Bills below: 1. Constitutional Amendment Bill 2020 2. Judicature Amendment Bill 2020 3. Lands and Titles Court Bill 2020	100% The development of laws/bills and rules as a result of the 3 Bills	100% Achieved	The Commission completed the drafting of 3 supplementary laws in the beginning on 2021. 1) Draft Land and Titles Court Rule Procedures 2021 (completed and submitted to MJCA on the 3rd February 2021) 2) Draft Judiciary Services Commission Bill 2021 (completed and submitted to OAG on 12 th February 2021) 3) Tulafono Taufaaofi o le Komisi o le Faamasinoga o Fanua ma Suafa (completed and submitted to OAG on the 26th February 2021) For this Financial Year (2021-2022), there was no further work required under this Special Project. The Project therefore Officially Closed in the beginning of 2021.
8. Review of the Fabric of Laws of Samoa - Round 2: Updating the Fabric of Laws of Samoa/Awareness of the Laws of Samoa	1. Data collection on the laws administered by the respective Government Ministries / SOEs / Statutory Bodies / Constitutional Bodies (collection of data will be obtained through consultations with information with stakeholders: Sept – Dec 2021) 2. SLRC to compile its findings and formulate an Information Paper updating the Fabric of Laws of Samoa as of Dec	100% Achieved	Review of the Fabric of Laws of Samoa: - The updating of the Fabric of Laws of Samoa was completed and compiled in this financial year. The consolidation of the Laws up to March 2021 was printed in a form of a display banner (Back Drop) in June 2022 for office displays and awareness purposes.

	2020: Jan – June 2022		
9. Management Information System/Database	<p>1. Engage MIS Design and Development. (Company/Individual)</p> <p>2. System Planning.</p> <p>3. System Analysis</p> <p>4. System design</p> <p>5. System implementation and system operation management and evaluation</p>	Not Achieved	<p>Management Information System/Database:</p> <ul style="list-style-type: none"> - Due to high cost of developing a new platform and associated fees, the Commission focus was changed to a development of a Centralized Database System (CDS) which would achieve a similar outcome. - The initial preparation for the development of a CDS will start in the New Financial Year 2022 - 2023
10. SLRC Corporate Plan 2022 - 2025	<p>Publish a Strategic Plan that stipulates the direction for the Commission in the next three years</p>	100% Achieved	<p>Development of the Corporate Plan 2022-2025:</p> <ul style="list-style-type: none"> - The Commission developed its new Corporate Plan 2022-2025 in this financial year through conducting consultative meetings and internal divisional consultations in April and June 2022. - The English version of the Corporate Plan was approved by the Executive Director and SLRC Management on the 16th June 2022 and the Samoan translation commenced soon after. - Both the English and Samoan versions were endorsed by Honourable Minister, Matamua Seumanu Vasati Sili Puluafana on the 5th July 2022. - The completion of this Corporate Plan in time was a result of a collective effort by the SLRC Management Team and the whole staff.

Table 3: Progress of SLRC KPIs for FY 2021-202

6. CHALLENGES

1. The Commission's core function is to carry out research and analysis into laws and recommended reforms. Access to legal search engines and other useful databases is therefore crucial to inform law reform recommendations. Unfortunately, the Commission continues to face the challenge of limited access to legal search engines (i.e Lexis Nexis, NZLii and Austlii) for the Commission's legal, doctrinal, literature social, philosophical etc. to inform recommendations for law reform due to unaffordable subscription costs to these search engines.
2. A recurring challenge noted by the Commission from past financial years is the high number of turnover staff, particularly in the legal division. In the financial year 2021-2022, the Commission lost two (2) more staff to other higher paying offices in government and in the private sector, while some left to pursue a different area of interest, beyond the Commission's specialized legal research and analysis line of work. By the end of the reviewed FY, the Commission was left with a total of 13 staff members. The Commission hopes to see more lawyers develop and pursue an interest in legal research and analysis for law reform in the future, to continue law reforms that are tailored to address the needs and environment of the Samoan people.
3. The 6 step Law Reform process is completed upon the Final Report being tabled before Parliament for passage. One of the challenges faced by the Commission is that the Commission is not mandated to take forward a Final Report (with its recommendations) with the relevant instructing Ministry / Agency after Parliament passes the same. Although the Commission has the mandate to review, research and analyse laws and other findings to inform law reform recommendations, it is a challenge for the Commission to take forward a Final Report (with its recommendations) with the relevant instructing Ministry or Agency, after Parliament passes its Final Report. This gap can result in the Commission's research and analysis in these reports becoming outdated before they are actioned. The Commission hopes to soon develop a process where there is a further step in the law reform process to ensure that the Commission's law reform recommendations are considered, and where necessary for immediate action (amendments to laws), or to consider plans towards implementation as the instructing Ministry thinks appropriate.

7. HUMAN RESOURCE MANAGEMENT

The SLRC employs the Team of Lawyers and a supportive Corporate Staff. This enables the delivery of planned strategies and activities as outlined and stipulated in the Law and Justice Sector Plan 2020 - 2025 as well as the SLRC Corporate Plan 2022 - 2025.

The Recruitment and Selection (R&S) process for permanent staff is led by the Corporate Services Division whereas the R&S for contract staff is administered by the Public Service Commission. This is governed by the Principles set out in the Public Service Act 2004 and the Recruitment and Selection Handbook of the Samoa Public Service 2005. The following 3 principles are enforced by the SLRC in the selection of corporate permanent staff members:

- Merit-based selection;
- Advertisement of all vacant positions is open to anyone; and
- Gender balanced panel for interviews including an independent member from outside of the Commission.

7.1 STAFF MOVEMENT

7.1.1 RESIGNATIONS

Permanent Staff:

- (i) **Faapale Telesia Lemalu** served the Commission for five years. She started on the 31st October 2016 as a Senior Legal Analyst and later on promoted to a Principal Legal Officer 18 February 2018. She resigned from the Commission on the 3rd August 2021 to take up a Principal Level position in the Ministry of Foreign Affairs and Trade (MFAT).
- (ii) **Grace Eugene Lafi** served the Commission for 5 years and 5 months. She was recruited as a Legal Analyst on the 3rd October 2016 and then promoted to a Senior Legal Analyst on the 1st May 2018. Grace was again promoted to a Principal Legal Officer position on the 3rd May 2021. However, she resigned from the Commission on the 21st March 2022 to pursue other employment opportunities in the Office of the Attorney General OAG).
- (iii) **Elena Tielu** served the Commission for 2 years and 1 month as a Principal Accounts and Administration Officer. On 18 May 2022, Ms Tielu resigned from the Commission for personal reasons.

Part Timer:

- (i) **Christina Wanganui** worked as a Part Time Researcher for the Samoa Law Reform Commission and she resigned on the 17th September 2021 to take up a new position in the Ministry of Works, Transport and Infrastructure (MWTI).

7.1.2 END OF CONTRACT

- (i) **Mr. Masinamua Maselusi Ah Poe** was appointed as the Manager for the Corporate Services Division on 7 January 2019. His services for the SLRC ended upon the completion of his three (3) year on the 6 January 2022.

7.1.3 NEW APPOINTMENTS

- (i) **Hope Nattaley Crichton** was recruited on 29 November 2021 as the new Legal Analyst for the Commission.
- (ii) **Mr. Leumoana Salima Lasalo Salima** was recruited as the new Manager for the Corporate Services Division for the Commission on 8 April 2022.

7.1.4 INTERNSHIP PROGRAM

- (i) The SLRC occasionally hosts interns from Universities around the Pacific Region and abroad. The internship trains studies from those Institutions who hope to join the legal profession. More importantly, this allows the Commission to build working relationships/ networks with these Institutions.
- (ii) For this Financial Year 2021/2022, the Commission was unable to host interns from overseas Universities because of the current restrictions to borders due to COVID19. The Commission is very keen in welcoming more interns in the years to come when the global pandemic ceases and borders are open again.

7.1.5 SLRC EXISTING WORKFORCE COMPOSITION

STAFF	TOTAL NO.	FEMALES	MALES	SALARY GRADING
Contract Staffs	3	2	1	ACEO – CEO
Executive Legal Officers	2	1	1	L17
Legal Analysts	2	2	-	L10/L11
Principal Officers	2	2	-	A16
Senior Officers	2	1	1	A12/A13
Officers & others	2	1	1	A3-A7
Number of Vacant Positions				
Principal Legal Officers	2	-	-	L16
Senior Legal Analysts	2	-	-	L14
TOTAL (including vacancies)	17	9	4	

Table 4: SLRC Current Workforce Composition

8. TRAINING AND CAPACITY BUILDING

The Commission has attended the following trainings and workshops during this financial year 2021/2022.

8.1 LEGAL DIVISION

TRAINING/ COURSE TITLE	PROVIDER	DATE	LOCATION	SLRC EMPLOYEE
Leadership Development Program for Young Women in the Public Sector	Public Service Commission	1 week (2-6 August 2021)	PSC Conference Room	Lizatalei Hakai-Stanley
Senior Executive Training and Development Program – ACEO Cohort	University of New South Wales	5 months (17 March – 17 August 2021)	Virtual Training (SLRC Office)	Sheliza Tapuai
Senior Executive Training and	University of New South Wales	5 months (17 March – 17	Virtual Training (SLRC Office)	Tapuala Mearold Viliamu

Development Program – PO Cohort		August 2021)		
Law and Justice Sector Roundtable discussions – Technical Assistants Assignments	Ministry of Justice and Courts Administration	1 day (30 September 2021)	Taumeasina Island Resort Conference Room	Sheliza Tapuai Tapuala Mearold Viliamu
Launching of the Samoa Digital Readiness Assessment	Ministry of Communication, Information and Technology	1 day (4 October 2021)	Taumeasina Island Resort	Telei'ai Dr. Lalotoa Mulitalo & Sheliza Tapuai
Government of Samoa Access to Government Information Webinar	Public Service Commission	1 day (15 November 2021)	Sheraton Aggie Grey's Hotel	Sheliza Tapuai
Public Consultations of the Final Draft Bill of the National Digital Identity System in Samoa	Samoa Bureau of Statistics	1 day (15 November 2021)	Taumeasina Island Resort	Lizatalei Hakai
Data Analytics for Monitoring and Evaluation Workshop	Ministry of Communication, Information and Technology	1 week (6-10 December 2021)	National University of Samoa Conference Room	Grace Lafi & Ernest Amosa
International Women's Day	Ministry of Women, Community and Social Development	Haf Day (8 March 2022)	Taumeasina Island Resort Conference Room	Faauu Kolia & Hope Crichton
SQA Stakeholder Consultation on Draft SQA Amendment Bill 2022	Samoa Qualifications Authority	1 day (15 March 2022)	Lelava Hotel	Lizatalei Hakai-Stanley
Indigenous and Pacific Research Methodologies	Telei'ai Dr. Lalotoa Mulitalo	1 day (18 May 2022)	SLRC Conference Room	Legal Staff, Leaumoana Salima Lasalo Salima & Tovale Filipo
Law and Justice Sector Steering Committee Meeting	Ministry of Justice and Courts Administration	1 day (19 May 2022)	Le Lava Hotel Conference Room	Tapuala Mearold Viliamu Leaumoana Salima Lasalo Salima
Consultations on the development of the UN Sustainable Development Cooperation Framework 2023 - 2027	United Nations Samoa	1 day (26 May 2022)	Taumeasina Island Resort Conference Room	Telei'ai Dr. Lalotoa Mulitalo & Sheliza Tapuai
London Legislative Drafting Course	University of London	4 weeks (20 June – 15 July 2022)	Virtual Training (SLRC Office)	Sheliza Tapuai & Lizatalei Hakai-Stanley
Launch of the Guide on how to respond to victims and survivors	Ministry of Justice and Courts	1 day (30 June 2022)	Taumeasina Island Resort	Telei'ai Dr. Lalotoa Mulitalo

of violence against women and girls	Administration		Conference Room	Tapuala Mearold Viliamu
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Table 5: Trainings and Workshops attended by the Legal Division

8.2 CORPORATE SERVICES DIVISION

TRAINING/ COURSE TITLE	PROVIDER	DATE	LOCATION	SLRC EMPLOYEE
Senior Executive Training and Development Program – ACEO Cohort	University of New South Wales	5 months (17 March – 17 August 2021)	Virtual Training (SLRC Office)	Masinamua Maselusi Ah Poe
Senior Executive Training and Development Program – PO Cohort	University of New South Wales	5 months (17 March – 17 August 2021)	Virtual Training (SLRC Office)	Elena Tielu
Gender Equality & Social Inclusion GESI	Ministry of Women, Community & Social Development	2 days (19 – 20 July 2021)	Le Lava Hotel Conference Room	Uiese Falaniko
Finance One Refresher Training on Purchasing/Accounts Payable, Accounts Receivable, Assets, Payroll and Reporting Modules	Ministry of Finance	1 week (13-17 September 2021)	Central Bank of Samoa Computer Training Room	Elena Tielu
Human Resource Coordinators Forum	Public Service Commission	1 day (17 September 2021)	Public Service Commission Conference Room	Masinamua Maselusi Ah Poe
ICT Policy Development and Implementation Training Workshop	Ministry of Communication, Information and Technology	4 days (4-7 October 2021)	Taumeasina Island Resort Conference Room	Ernest Aмоса
Occupational Safety and Health	Public Service Commission	3 days (23-25 November 2021)	SSS Conference Room	Elena Tielu
Public Sector: Standardized Induction Consultation	Public Service Commission	2 days	SSS Conference Room	Fugalaau Siaki
HRC Forum	Public Service Commission	Half Day (24 February 2022)	SSS Conference Room	Florita Tupai
Indigenous and Pacific Research Methodologies	Telei'ai Dr. Lalotoa Mulitalo	1 day (18 May 2022)	SLRC Conference Room	Leaumoana Salima Lasalo Salima & Tovale Filipo
HRC Forum	Public Service	Half Day (26 May)	SLRC Conference	Leaumoana

	Commission	2022)	Room - Virtual	Salima Lasalo Salima & Fugalaau Siaki
Refresher Workshop on Cabinet Processes and Procedures	Ministry of Prime Minister and Cabinet	Half Day (10 June 2022)	SLRC Conference Room - Virtual	Florita Tupai
Finance Administration Training	Public Service Commission	4 days (27-30 June 2022)	PSC Conference Room	Fugalaau Siaki
SamCERT Bring Your Own Device – Catch UP-Workshop	Ministry of Communication, Information and Technology	1 day (15 June 2022)	MCIT Conference Room	Ernest Amosa
Recruitment and Selection & PMS Trainings	Public Service Commission	4 days (27-30 June 2022)	PSC Conference Room	Fugalaau Siaki
Special Online Human Resource Coordinators Forum	Public Service Commission	Half Day (29 June 2022)	SLRC Conference Room - Virtual	Leaumoana Salima Lasalo Salima & Fugalaau Siaki

Table 6: Trainings and Workshops attended by the Corporate Services Division

9. FINANCIAL AND ACCOUNTS

The approved estimate for the Commission for FY21/22 was \$1,491,927, appropriated for Personnel, Operating Expenditure and Transactions on Behalf of the States.

The overall spending of the approved estimate for FY2021/2022 was within the approved budget but not fully utilized due to the impact of SOE orders thus delayed implementation of public consultations of ongoing review projects.

GOVERNMENT OF SAMOA
SAMOA LAW REFORM COMMISSION
EXPENDITURE REPORT FOR PERIOD ENDING 30 JUNE 2022

(Non-Audited Financial Report)

OUTPUTS PROVIDED BY MINISTRY	ACTUALS	COMMITMENTS	YTD + COM	UTL %	BUDGET	FUNDS REMAINING
4610 - Legal Research Analysis and Recommendations						
Personnel						
703100 - Salaries	-	-	-	0%	527,637	527,637
703101 - Public Servants Salaries	407,343	-	407,343	0%	-	407,343
703300 - Employer Contribution	-	-	-	0%	68,081	68,081
703301 - NPF	41,128	-	41,128	0%	-	41,128
703302 - ACC	4,113	-	4,113	0%	-	4,113
703401 - Telephone Allowance	1,800	-	1,800	50%	3,600	1,800
705200 - End of Term Contracts	-	-	-	0%	9,200	9,200
705204 - Severance PPayment	8,314	-	8,314	0%	-	8,314
707103 - Local Travelling Allowance	2,730	-	2,730	95%	2,880	150
707109 - Higher Duty Allowance	8,699	-	8,699	100%	8,700	1
TOTAL	474,127	-	474,127	76%	620,099	145,972
Operating						
722601 - Repairs & Maintenance	-	-	-	0%	2,500	2,500

722701 - Repairs & Maintenance-Office Equipments	-	-	-	0%	2,500	2,500
722702 - Consumables/Peripherals	30	-	30	0%	-	30
723103 - Other	338	-	338	87%	389	51
725401 - Financing Lease	-	-	-	0%	26,729	26,729
725501 - Facility Hire	-	-	-	0%	6,600	6,600
728101 - Subscriptions to Publications	177	-	177	20%	900	723
728201 - Personnel Membership Fees & Subs.	3,000	-	3,000	30%	10,000	7,000
734202 - Licences	306	-	306	0%	-	306
734302 - Legal	-	-	-	0%	20,000	20,000
734307 - Technician	-	-	-	0%	20,000	20,000
740101 - DSA/Transit Allowances	-	-	-	0%	1,800	1,800
740102 - Incidental Allowances	-	-	-	0%	1,800	1,800
740104 - Clothing Allowances	-	-	-	0%	1,800	1,800
740201 - Accommodation	2,739	-	2,739	39%	7,000	4,261
740202 - Meals	704	-	704	20%	3,500	2,796
740301 - Passports	-	-	-	0%	340	340
740302 - Permits & Visas	-	-	-	0%	500	500
740401 - Air Fares	-	-	-	0%	4,500	4,500
740403 - Boat Fares	-	-	-	0%	1,550	1,550
746401 - Postage	87	-	87	97%	90	3
746402 - Courier	-	-	-	0%	180	180
750103 - Registration fees	-	-	-	0%	32,205	32,205
752101 - Medical Consumable Supplies	-	-	-	0%	450	450
758101 - Stationery	1,254	-	1,254	46%	2,700	1,446
758102 - Bulk Paper Supplies	417	-	417	21%	2,000	1,583
758201 - Advertisements(Media)	-	-	-	0%	13,460	13,460
758202 - Production & Design	800	-	800	0%	-	800
758300 - Printing & Publications	-	-	-	0%	10,000	10,000
758301 - Printing & Publications	3,260	-	3,260	0%	-	3,260
761101 - Catering & Refreshments	283	-	283	5%	6,000	5,717
761103 - Beverage & Water	156	-	156	0%	-	156
764101 - General Supplies	1,674	-	1,674	124%	1,350	324
TOTAL	15,225	-	15,225	8%	180,843	165,617
Capital						
787101 - Furniture & Fittings	8,000	-	8,000	87%	9,200	1,200
788108 - Other	7,664	-	7,664	88%	8,664	1,000
788203 - Laptops	15,435	-	15,435	87%	17,750	2,315
788204 - Tablets/Ipads	2,538	-	2,538	87%	2,919	381
788303 - Stereos & Mics	130	-	130	87%	149	19
TOTAL	33,767	-	33,767	87%	38,682	4,915
Sub Total	523,119	-	523,119	62%	839,623	316,504
4691 - Central Service Unit						
Personnel						
703100 - Salaries	-	-	-	0%	273,042	273,042
703101 - Public Servants Salaries	251,607	-	251,607	0%	-	251,607
703300 - Employer Contribution	-	-	-	0%	30,864	30,864
703301 - NPF	27,645	-	27,645	0%	-	27,645
703302 - ACC	2,764	-	2,764	0%	-	2,764
707103 - Local Travelling Allowance	150	-	150	0%	-	150
707109 - Higher Duty Allowance	11,473	-	11,473	100%	11,474	1
TOTAL	293,638	-	293,638	93%	315,380	21,742
Operating						
722501 - Repairs & Maintenance	1,302	-	1,302	43%	3,000	1,698
722502 - Spare Parts	1,432	-	1,432	72%	2,000	568
722503 - Fuel (Min to Min)	5,063	-	5,063	51%	10,000	4,937
722505 - Vehicle Fluids	209	-	209	0%	-	209
722602 - Consumables- Fittings	20	-	20	0%	-	20
722701 - Repairs & Maintenance-Office Equipments	243	-	243	14%	1,800	1,557
722702 - Consumables/Peripherals	7	-	7	0%	5,000	4,993
723103 - Other	26	-	26	0%	-	26
725902 - Water Coolers - Rents & Leases	1,943	-	1,943	97%	2,000	57
734102 - Vehicle Insurance	5,719	-	5,719	77%	7,390	1,671
734201 - Fees & Registrations	730	-	730	49%	1,500	770

734202 - Licences	4,154	-	4,154	87%	4,790	636
740402 - Taxi/Bus Fares	43	-	43	0%	-	43
746101 - Telephone	3,485	-	3,485	65%	5,400	1,915
746103 - Cellphones	20	-	20	0%	-	20
746201 - Internet, Broadband & Email	14,822	-	14,822	76%	19,400	4,578
752101 - Medical Consumable Supplies	-	-	-	0%	150	150
758101 - Stationery	1,300	-	1,300	48%	2,700	1,400
758102 - Bulk Paper Supplies	-	-	-	0%	1,000	1,000
758103 - Printers/Photocopiers Supplies	2,824	-	2,824	40%	7,000	4,176
758201 - Advertisements(Media)	-	-	-	0%	2,023	2,023
758300 - Printing & Publications	-	-	-	0%	5,000	5,000
758301 - Printing & Publications	5,000	-	5,000	0%	-	5,000
761102 - Tea Supplies	2,264	-	2,264	113%	2,000	264
761103 - Beverage & Water	96	-	96	0%	-	96
764101 - General Supplies	4,021	-	4,021	298%	1,350	2,671
764102 - General Services	415	-	415	0%	-	415
773100 - Petty Cash	-	-	-	0%	1,000	1,000
TOTAL	55,137	-	55,137	65%	84,503	29,366
Capital						
TOTAL	-	-	-	0%	-	-
Sub Total	348,775	-	348,775	87%	399,883	51,108
TRANSACTION ON BEHALF OF THE STATE						
G01 - Government Building	167,900	-	167,900	100%	167,900	0
Q01 - VAGST Output Tax	42,734	-	42,734	142%	30,000	-
						12,734
U19 - Community Consultations	44,936	-	44,936	72%	62,068	17,132
TOTAL	255,570	-	255,570	98%	259,968	4,398
GENERAL LEDGER SUMMARY						
Output Provided by Ministry	871,894	-	871,894	70%	1,239,507	367,613
Transaction on Behalf of the State	255,570	-	255,570	98%	259,968	4,398
TOTAL	1,127,464	-	1,127,464	75%	1,499,475	372,010
SUMMARY BY BUDGET CATEGORY						
CAPITAL - Capital	33,767	-	33,767	87%	38,682	4,915
OPERATNG - Operating	70,362	-	70,362	27%	265,346	194,983
PRSONNEL - Personnel	767,765	-	767,765	82%	935,479	167,714
TOTAL	871,894	-	871,894	70%	1,239,507	367,613

Table 7: SLRC Expenditure Report for period ending 30 June 2022

STATEMENT OF MINISTRY RECEIPTS BY REPORTING CATEGORY AND EXPENDITURE BY OUTPUT APPROPRIATION ACCOUNT for the financial year ended 30 June 2022						
	Notes	2022	Original Estimate	Final Estimate	(Over)/Under	2021
LAW REFORM COMMISSION						
PAYMENTS						
Outputs						
1.0	Policy Advice to the Responsible Minister and the Board	860,781	1,239,506	1,239,506	378,725	984,524
Total Outputs		860,781	1,239,506	1,239,506	378,725	984,524
Transactions on Behalf of State						
	Community Consultations	44,936	30,000	62,068	17,132	0
	Rent and Lease (Government Building)	167,900	167,900	167,900	0	167,900
	VAGST Output Tax	42,734	62,068	30,000	(12,734)	43,004
Total Transactions on Behalf of State		255,570	259,968	259,968	4,398	210,904
TOTAL PAYMENTS -LAW REFORM		1,116,351	1,499,474	1,499,474	383,123	1,195,428
GOVERNMENT DEVELOPMENT PROJECTS						
		2022	Original Estimate	Receipts	Payments	Opening Balance
		\$	\$	\$	\$	\$
Grants - GDP						
	Technical Assistance From Sisters for Change to SLRC (Other)	35,212	0	433	700	35,479
	SLRC- Spotlight Initiative Project (UNDP)	67,099	0	262,023	194,924	0
TOTAL GOVERNMENT DEVELOPMENT PROJECTS		102,311	0	262,456	195,624	35,479
Additional Information to Accounts:						
Schedule 9 - Fixed Assets						
	Opening Balance as at 1st July 2021	697,980.00				
	Additional Assets purchased during the financial year	38,533.00				
	Assets Disposed/Written-Off during the financial year	13,178.00				
	Closing Balance of Ministry's Fixed Assets as at 30th June 2022	723,335.00				

9.1 FINANCIAL ASSISTANCE (GRANT)

9.1.1 UNDP Spotlight Initiative

The Spotlight Initiative in Samoa builds on existing Government commitments to ending domestic and intimate partner violence and cultural institutions in Samoa that support ending violence against women and girls. The programme will contextualise international best practice in preventing and responding to violence and learning from emerging practices in determining what works in Samoa.

The Samoa Law Reform Commission comes under Pillar 1 (Laws and Policies) of the programme with the focus on legislative review and reform of the six family laws in Samoa to ensure coherence and to address any gaps relevant to DV/IPV.

Through the Ministry of Finance, an agreement was signed on 14 April 2020 by the Minister of Finance for the Commission to implement two main activities.

1. Participatory review of DV/IPV gaps to policies and legal instruments relevant to DV/IPV stakeholder agreement on key priorities to act upon.
2. Develop nation-wide advocacy, communication strategy and plans to raise awareness on reform proposal (in line with DV/IPV) and advocate with village councils to recognise DV/IPV laws in line with village laws and legislations.

Total funds allocated to SLRC under the Spotlight Programme to carry out the above activities is USD\$76,350. The Commission was able to utilize the bulk of this allocated funds to carry out Family Law Public Consultation activities in the second quarter of FY2021-2022, October – November 2021.

Where the Spotlight Initiative Programme terms and timelines allow, the remaining funds from this Spotlight Project will be utilized for the Family Law Review remaining activities in the next financial year (2022-2023)

10. SLRC ORGANIZATION STRUCTURE

