



GOVERNMENT OF SAMOA



ANNUAL REPORT No.11
JULY 2019 - JUNE 2020

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GOVERNMENT OF SAMOA

The Honourable Speaker
The Legislative Assembly of Samoa

In accordance with section 9 (3) of the *Law Reform Commission Act 2008*, I lay before you copies of the 11th Annual Report for the Samoa Law Reform Commission for the period of July 2019 to June 2020 for tabling before the Legislative Assembly of Samoa. This report documents activities implemented by the Commission within this period, in accordance with the Act.

Honourable Tuilaepa Fatialofa Lupesoliai Aiono Neioti Dr. Sailele Malielegaoi
PRIME MINISTER AND MINISTER OF THE SAMOA LAW REFORM COMMISSION



GOVERNMENT OF SAMOA

Honourable Tuilaepa Fatialofa Lupesoliai Aiono Neioti Dr. Sailele Malielegaoi
PRIME MINISTER AND MINISTER FOR THE SAMOA LAW REFORM COMMISSION

In accordance with section 9 (2) of the *Law Reform Commission Act 2008*, I have the pleasure to present you with copies of the 11th Annual Report for the Samoa Law Reform Commission for the period of July 2019 - June 2020, for tabling before the Legislative Assembly of Samoa. This report documents activities implemented by the Commission within this period, in accordance with the Act.

Telei'ai Dr. Lalotoa Mulitalo

EXECUTIVE DIRECTOR
SAMOA LAW REFORM COMMISSION

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FOREWORD – PRIME MINISTER

I am pleased to present this 11th Annual Report for the Samoa Law Reform Commission for the Financial Year, 1 July 2019 – 30 June 2020.

This report provides a brief background on the Commissions operation and its role to reform laws. It outlines various inquiries referred to the Commission which have been completed or are in progress.



Honourable Tuilaepa Lufesoliai Dr. Sailele Malielegaoi
PRIME MINISTER AND MINISTER OF THE SAMOA LAW REFORM COMMISSION

EXECUTIVE DIRECTORS NOTE

Significant developments on the projects the subject of the SLRC's Key Performance Indicators for Financial Year 2019/2020 are discussed in the Report. I would like to spend a bit of time on the most important of all projects that has come through the doors of the SLRC.

Fetuunai Muniao – The 3 Bills

(Constitution Amendment Bill 2020; Land and Titles Bill 2020; Judicature Bill 2020)

By Cabinet Directive FK (19)31 of 20 September 2019 the Ministry of Justice and Courts Administration, the Office of the Attorney General and the Samoa Law Reform Commission were tasked to research and recommend on a subsequently endorsed Terms of References.

TOR 1 - To review and research the laws of Samoa on how customs and usages can be recognised and protected under the Constitution, within the ambits of the Constitution;

TOR 2 - To review and research the laws of Samoa on how the LTC can be an autonomous set up from the formal courts, within the ambits of the Constitution; and

TOR 3 - To make recommendations.

Extensive legal and socio-political research was carried out by the Team of the 3 offices, collectively named as the Fetuunai Muniao Team (FM Team). At the Ministry of Justice and Courts Administration, consultations and FM Team meetings were carried out. At the Samoa Law Reform Commission, legal research was carried out on all relevant laws of Samoa, the Pacific Islands and overseas jurisdictions; all relevant case law locally and overseas, comparative analysis of those findings; relevant Commission of Inquiries Reports of Samoa and overseas; Conference Papers; the court setups of Samoa and of other jurisdictions; the Procedural and Rule Manuals e.g. Standing Orders of Parliament; the Cabinet Manual for Cabinet Procedures; the Court Procedures and Court Bench Books and so on. Justices, judges and former Judges of the Criminal and Civil Courts, and of the LTC Court were consulted. Extensive analysis was undertaken on legal and socio-political literature by the FM Team to meet the Terms of References.

Timelines were very strict and the Fetuunai Muniao Team was to produce the relevant Bills before Cabinet in early 2020. In March 2020, the Bills (Constitution Amendment Bill 2020; Land and Titles Bill 2020; Judicature Bill 2020) were tabled in Parliament. From April to September 2020, extensive consultations were carried out by the Special Parliament Committee around the country. Throughout all this time, the SLRC played a significant part in researching, developing the draft laws and in the public consultations assisting the Special Parliament Committee.

This Project highlights a clear vision of the Government – that the *essence of being a Samoan* must be given more recognition and protection in its Constitution and other governing state laws. The essence of being a Samoan lies in Samoa's *customs and usage*.

As crucial as *customs and usages* are to Samoans, *customs and usages* are given very little reference, recognition and express protection in its Constitution and in the totality of Samoa's governing laws (*some 285 laws of Parliament as of December 2019*). This is the reality and challenge faced by Samoa as a legal pluralist society as it aspires to have its *customs and usages* recognized in its state laws. These challenges are not unique to Samoa, but are also experienced by other Pacific Islands and many other distant developing countries with similar historical backgrounds.

From the Samoa Law Reform Commission, we are proud to lead and be part of this Project. It has grounded us as lawyers, reminds us to keep checking on the value of what we bring to country as public servants serving the country through law reform services. No doubt we are very fortunate and grateful for our western and modern based legal training. However, we are Samoans first and foremost. We are also mandated under the Commission's empowering law to:

- (a) promote Samoan custom and traditions; and
- (b) enhance the social, cultural, economic and commercial development of Samoa; and
- (c) ensure that the laws of Samoa are kept in a modern state which meets the needs of Government and the community.

Is our everyday service as a public servant relevant and suitable to our faa-Samoa context? This is the question we hope to improve ourselves and our services on. We hope to put our full potential from our legal training to make relevant and suitable recommendations for relevant and suitable law reform recommendations for Samoa. And through all this, we continue to seek God's guidance in all the work of the Commission.

It is hoped the Bills will be passed in the last Parliament Sitting of 2020. May Samoa continue to hold her head up high and be proud of the initiatives to uphold her *customs and usages*, the identity of her people, of SAMOA.

The SLRC continues to be thankful and acknowledge the support of our Minister, the Prime Minister, Honourable Tuilaepa Dr. Sailele Malielegaoi. The SLRC is also grateful for the support from the stakeholders and partners that have contributed to the Commission's work. To the staff of the SLRC, Faamanuia le Atua i galuega lelei uma.

Tatou faalagolago pea i le fesoasoani sili mai le Alii.



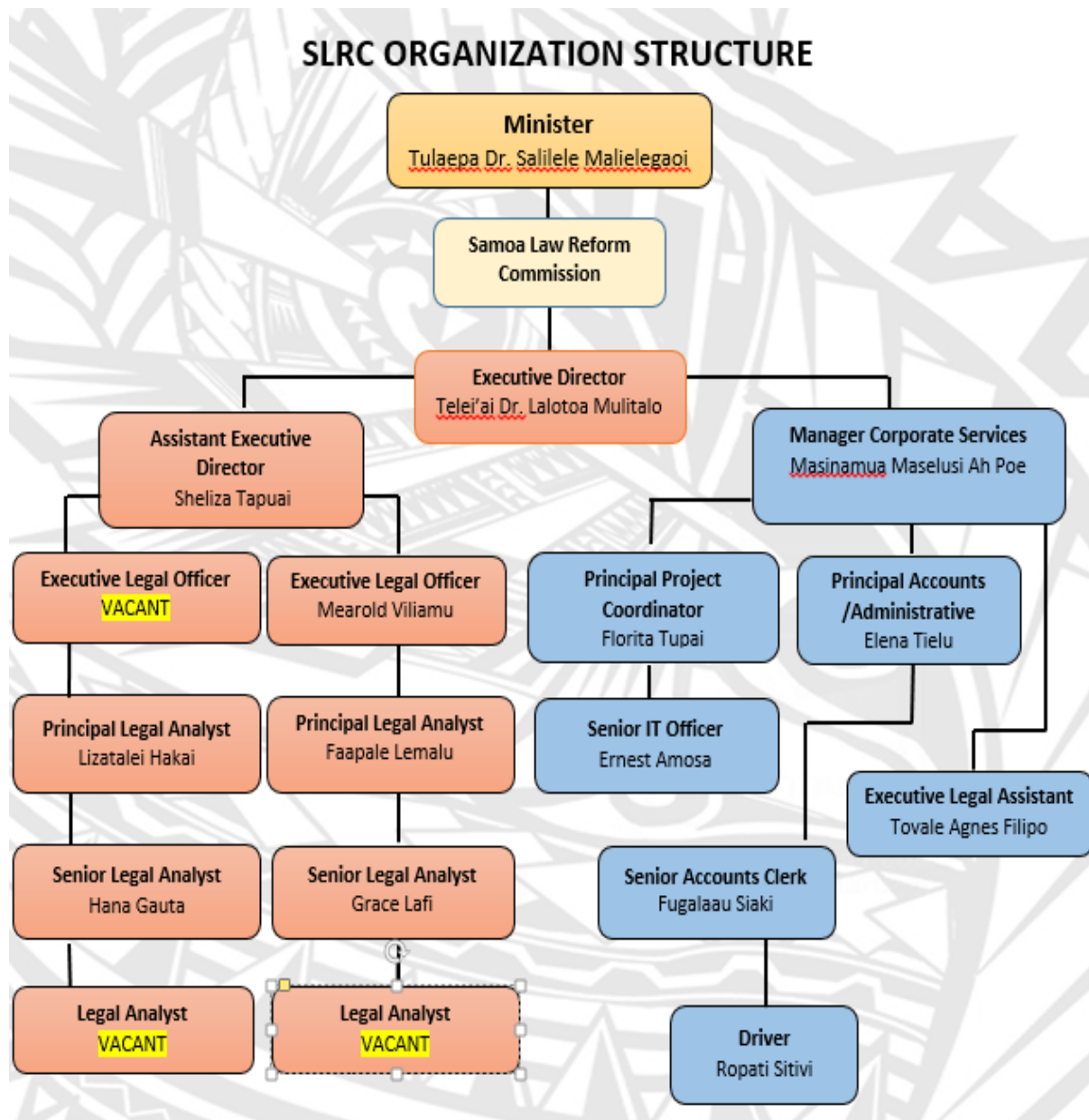
Telei'ai Dr. Lalotoa Mulitalo
EXECUTIVE DIRECTOR, SAMOA LAW REFORM COMMISSION

1. ORGANIZATIONAL STRUCTURE

1.1 OVERVIEW

The Commission consists of an Executive Director, Telei'ai Dr. Lalotoa Mulitalo, as the administrative head of the Commission who supervises and directs its work. There is only one (1) Output of the SLRC called 'Legal Research Analysis and Recommendation'. The office now has fourteen (14) permanent staff and three (3) contractual staff; total of seventeen (17) positions inclusive of 3 vacant positions. The organizational structure as shown below illustrates the organization of the SLRC staff positions.

1.2 STRUCTURE



1.3 MAIN OUTPUT

There is only one (1) main output for Samoa Law Reform Commission called 'Legal Research Analysis and Recommendation'. Under this output, performance indicators and targets are provided for implementation and delivery of activities funded by appropriations thus ensuring provision of effective and efficient services to achieve strategic objectives.

The Legal Research Analysis and Recommendation team consist of nine (9) lawyers and is led by the newly appointed Assistant Executive Director, Sheliza Tapuai. At the date of this report, three (3) legal positions are vacant and are being advertised in the PSC Circular for replacements.

1.4 SUPPORT UNIT

The Corporate Service Unit is required to provide full support to the Legal Research Analysis and Recommendation output to ensure smooth and sound implementation of research and reform activities. The Corporate Service Unit is responsible for four key sections of the Office, Financial Management, Human Resource Management, Information Communication and Technology, and General Administration of Public Relation, Reception and Transport arrangements.

The Corporate Service Unit is led by the Manager Corporate Service supervising six (6) permanent staff.

2. ROLE AND FUNCTIONS

The Samoa Law Reform Commission (Commission) was established in 2008 under the Law Reform Commission Act 2008. The Commission undertakes research and provides recommendations to reform the law on topics according to its mandate:

- To research and analyse areas of law considered to be in need of reform in accordance with 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 advice 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 Cabinets 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.

The SLRC is responsible to Parliament through the Prime Minister, Cabinet and the Attorney General. At the conclusion of each inquiry, the SLRC provides a report to the Prime Minister, Cabinet and the Attorney General that includes evidence-based recommendations for reform. The SLRC makes recommendations that:

- Promote Samoan customs and traditions; and
- 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. THE LAW REFORM PROCESS

The Samoa law Reform Commission follows a 7 Step process on review and reform references:



4. REVIEWS BY THE COMMISSION IN FY 2019-2020

The Samoa Law reform Commission undertook twenty four (24) references in total in this financial year including two ongoing inquiries from the previous financial year. One inquiry was referred to the AGO and MESC by FK (19) 14 with instructions for Draft Bills as a result of the Commission's consultation report approved by Cabinet on 24 March 2019.

ANALYSIS OF REVIEWS BY THE COMMISSIONS IN FY2019/2020

Ad-Hoc RECEIVED & COMPLETED FY19/20	ONGOING INQUIRIES FROM FY17/18 & FY18/19	INQUIRIES REFER TO OTHER MINISTRIES	INQUIRIES PLANNED FOR FY19/20	NEW MEASURES RECEIVED FY19/20	SPECIAL PROJECT RECEIVED FY19/20
15	1	1	2	4	1

4.1 AD-HOC COMPLETED FY19-20

The SLRC work spanned 15 Ad-hoc inquiries and all have been completed within the financial year.

No	DATE RECEIVED	AD-HOC REFERENCES	REPORT/ADVICE SUBMITTED TO	COMPLETED/ ONGOING (DATES)	FURTHER ACTION REQUIRED
1	30/4/2019	Igoa o Le Auala o le Taulaga- Faanumeraina Iloiloga o Tulafono	<i>Hon. Prime Minister</i>	Completed – 11/7/2019	<i>No further action required</i>
2	5/6/2019	Land Mining	<i>Hon. Prime</i>	Completed –	<i>No further action</i>

			<i>Minister</i>	23/10/2019	<i>required</i>
3	14/6/2019	Pasi Laupapa (Bus Review)	<i>Hon. Prime Minister</i>	Completed – 22/7/2019	<i>Recommendation resulted in a new review project for LRC – full review of Traffic Laws of Samoa (TOR approved by PM on 29 July 2019).</i>
4	19/7/2019	Revocation Of Proclamation Under The Samoan Village Regulations 1938	<i>Chief Executive Officer, MNREM</i>	Completed – 29/7/2019	<i>No further action required</i>
5	11/9/2019	NUS Matter – Maternity Leave and Employment Laws	<i>Office of the Attorney General</i>	Completed – 2/10/2019	<i>No further action required</i>
6	18/11/2019	Teuteuga o Tulafono a a Tamaiti (Draft Infants Amendment Bill 2019) (Compulsory child vaccination)	<i>Office of the Attorney General</i>	Completed – 28/11/2019	<i>No further action required</i>
7	12/11/2019	Regulator (Draft Telecommunications Amendment Bill 2019)	<i>Hon. Prime Minister</i>	Completed – 28/11/2019	<i>No further action required</i>
8	2/12/2019	Private Member’s Bill	<i>Associate Minister of MCIT</i>	Completed – 13/12/2019	<i>No further action required</i>
9	9/12/2019	Parent's Removal of Children Against MOH Orders	<i>Hon. Prime Minister</i>	Completed – 12/12/2019	<i>No further action required</i>
10	14/1/2020	Criminal Nuisance Legislation	<i>Hon. Prime Minister</i>	Completed – 22/1/2020	<i>No further action required</i>
11	12/02/20	Government Reform Policy – Additional Cabinet Ministers	<i>Office of the Attorney General</i>	Completed – 19/02/2020	<i>No further action required</i>
12	3/3/2020	Interpretation Of The Lawyers & Legal Practice Act 2014	<i>President of the Samoa Law Society</i>	Completed – 10/3/2020	<i>No further action required</i>
13	25/03/2020	Penalties for Breach of SOE Orders	<i>Memo provided to ED to assist the Cabinet in making SOE Orders</i>	Completed 25/03/2020	<i>No further action required</i>
14	25/03/2020	State Of Emergency Coronavirus 2019	<i>Cabinet</i>	Completed 30/6/2020	<i>Office of the Attorney General still continues</i>
15	24/3/2020	Draft Police and Prisons Merge Bill	<i>Cabinet</i>	Completed – 3/4/2020	<i>Bill was discussed in an urgent Parliament Meeting 7/04/20</i>

4.2 ONGOING INQUIRIES FROM FY17/18 & FY18/19

4.2.1 Exchange of Information in the Public Sector (EOI)

DATE INQUIRY RECEIVED	DATE PRE-RESEARCH & CONSULTATION COMPLETED	DATE DISCUSSION PAPER TO CABINET	DATE DISCUSSION PAPER APPROVED BY CABINET	PUBLIC CONSULTATION	NUMBER OF SUBMISSIONS RECEIVED	DATE FINAL REPORT TO CABINET	DATE FINAL REPORT APPROVED BY CABINET	NUMBER OF RECOMMENDATIONS	FINAL REPORT TO OCLA FOR TABELING ON	DISCUSSED BY PARLIAMENT COMMITTEE ON:	DATE DISCUSSED IN PARLIAMENT	REPORT RESULTED IN BILLS
March 2017	Sep-18	04-May-18	30 May 2018 FK(18) 18	Stakeholder Consultation ONLY	17	22-Feb-19	06 Mar 2019 FK(19) 8	3	10-Jun-19	15-Aug-19	to be pass	when FR is passed

This review project was recommended by the Commission to the Office of the Attorney General in March 2017, to consider and assess whether there is a need to regulate information sharing in Samoa, and whether a Freedom of Information (**FOI**) would be appropriate to address the issues highlighted below. The progress of this review was reported in FY17/18 and FY18/19 and again included as a performance indicator in FY19/20 to await further action on this review when the final report is passed by Parliament.

Following the Commission's preliminary research and consultations, findings reveal that a FOI Framework will apply to information sharing of Government's information to the public and the media. However, this was not the intention behind this proposed review. As such, the scope of the Terms of Reference (TOR) for this review was narrowed down to consider the Exchange of Information (EOI) or sharing of information within and amongst the offices of the Public Sector.

In January 2018, the revised TOR approved by the Attorney General's Office (AGO) required the Commission to:

- i. Consider and assess the issues on 'exchange of information' in Samoa between Government Ministries and agencies;
- ii. Look at what laws and policies are in place that govern the 'exchange of information' in Samoa between Government Ministries and agencies;
- iii. Consider similar laws and policies in other countries on 'exchange of information' between Government Ministries and agencies; and
- iv. Provide suitable options for Samoa.

The Commission formulated a Discussion Paper (DP) and was submitted in May 2018 for Cabinet's endorsement. On the 6 July 2018, the Commission received a Cabinet Directive (FK(18)18) dated 30 May 2018 endorsing the EOI DP.

Given the nature and scope of this review, consultations were only sought submissions from the Ministries and Corporations in the public sector. 17 submissions were received and the responses and discussions with participants have assisted the Commission's recommendations in the Final Report.

The Final Report presented three (3) options (recommendations) for reform and was submitted to Cabinet on the 22 February 2019 which was approved on the 27 February 2019. Following approval from Cabinet, the Final Report was translated into Samoan language and eighty (80) copies were printed and bound and submitted to OCLA for tabling in Parliament on 10 June 2019.

4.3 INQUIRIES REFERRED TO OTHER MINISTRIES

4.3.1 Update Consultations on Outstanding Projects (UCOP)

DATE INQUIRY RECEIVED	DATE PRE-RESEARCH & CONSULTATION COMPLETED	DATE DISCUSSION PAPER TO CABINET	DATE DISCUSSION PAPER APPROVED BY CABINET	PUBLIC CONSULTATION	SUBMISSIONS RECEIVED	DATE FINAL REPORT TO CABINET	DATE FINAL REPORT APPROVED BY CABINET	NUMBER OF RECOMMENDATION	DATE FINAL REPORT SUBMITTED TO OCLA FOR TABLING	DATE DISCUSSED BY THE PARLIAMENT COMMITTEE	DATE DISCUSSED IN PARLIAMENT	REPORT RESULTED IN BILLS
31-Oct-18	14-Feb-19					25-Mar-19	26/04/19 FK(19) 14					

The Updated Consultations on Outstanding Projects (UCOP) was instigated during the course of advice given to the Honourable Prime Minister (refer PM letter 31 October 2018). The purpose of this review was to track the progress of some outstanding projects by the Commission since its establishment in 2008.

The Commission worked on reaffirming the status of its past Law Reform Projects in the past 10 years since its establishment. As there were no records on some 4 Final Reports of the Commission tabled in Parliament, the Commission sought confirmation from the Office of the Clerk of the Legislative (OCLA) on the status of those Final Reports namely:

- i. Review of the Commissions of Inquiry Act 1964;
- ii. Review of the Judicature Ordinance 1961;
- iii. Protection of Samoa's Traditional Knowledge (TK) Final Report; and
- iv. The National Heritage Board (NHB) Final Report.

On the 12 November 2018, the OCLA confirmed that ALL 4 Final Report in question have been approved by Parliament.

Draft and amendment laws have already been done following the first 2 Reports, the Reviews of the Commissions of Inquiry Act 1964 and the Judicature Ordinance 1961. Thus, there was no need to pursue their recommendations further.

Therefore the Commission focuses their Consultation Report on the last 2 approved Projects, the Protection of Samoa's Traditional Knowledge (TK) Final Report and the National Heritage Board (NHB), as there has been no movement on the recommendations made to these Projects since they were approved by Parliament.

For the above reason, the Commission recommended to its Minister, the Honourable Prime Minister on 15 November 2018, that discussions be re-opened with the relevant stakeholders in Government with the aim of seeing that the Parliament approved Final Recommendations in these Reports are realised.

Further consultations with the relevant stakeholders were carried out from the 6 – 14 February 2019.

On the 25 March 2019, the Commission submitted its Consultation Report for Cabinet's approval of its recommendations on the way forward for the 2 Projects by the Commission. On the 26 April 2019, Cabinet endorsed the Commission's Consultation Report and is now referred to Ministry of Education, Sports and Culture and the Office of the Attorney General.

The Commission's work on this project is completed.

4.4 INQUIRIES PLANNED FOR FY 19-20

4.4.1 Review of the Family Laws of Samoa

DATE INQUIRY RECEIVED	DATE PRE-RESEARCH & AWARENESS SEMINARS COMPLETED	DATE DISCUSSION PAPER TO CABINET	DATE DISCUSSION PAPER APPROVED BY CABINET	PUBLIC/CONSULTATIONS	SUBMISSIONS RECEIVED	DATE FINAL REPORT TO CABINET	DATE FINAL REPORT APPROVED BY CABINET	NUMBER OF RECOMMENDATIONS	DATE FINAL REPORT SUBMITTED TO OCLAF FOR TABLING	DATE DISCUSSED BY THE PARLIAMENT COMMITTEE	DATE DISCUSSED IN PARLIAMENT	REPORT RESULTED IN BILLS
2-Oct-18	Sept -Oct 2019 - 15 Awareness Seminars 6 Savaii, 7 Upolu, 2 Ministries & SOEs (1,138 recorded attendance) research completed in October 2019	24-Dec-19	05 Feb 20 FK(20) 4	planned	ongoing	ongoing	ongoing	ongoing	ongoing	ongoing	ongoing	ongoing

The Commission's review of the Fabric of Laws of Samoa from 2017-2018 initiated the Review of the Family Laws of Samoa when the Commission recommended to the Ministry of Justice and Courts Administration (administrator of the Family Laws of Samoa) to consider the review of the outdated Family Laws of Samoa. Consequently, in an Awareness Session on the Fabric of Laws project with the Judiciary in June 2018, it was strongly highlighted by the Judiciary that the Family Laws of Samoa, in particular the Infants Ordinance 1961, Marriage Ordinance 1961, Divorce and Matrimonial Causes Ordinance 1961, Maintenance and Affiliation Act 1967, were in dire need of review and updating, given their out-datedness.

Following a meeting in July 2018, MJCA approved for the Commission to lead the review in close collaboration with the Judiciary, Office of the Attorney General (OAG), Ministry of Women, Community and Social Development (MWCSO), and the MJCA. Consequently, the Commission proposed a Terms of Reference (TOR) by letter dated 26 September to the OAG for the review of the following 6 core Family Laws:

- 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.

On the 2nd October 2018, OAG approved the TOR as follows:

- i. To review the effectiveness of the existing family laws of Samoa;
- ii. To research relevant local, regional and international best principles and practices, review and consult with the stakeholders/public on the same; and
- iii. To make recommendations on an appropriate legal framework on family laws that serve the needs of Samoa.

In October 2018, discussions were conducted with the Hon. Prime Minister and former Chief Justice to discuss priority issues to be addressed in this review. As a result, it was decided that the most practical approach to take is to review all the 6 Family laws concurrently, with each law given individual attention, research and analysis.

The Commission carried out preliminary consultations with some members of the Judiciary in the months of February and March 2019. Because of the nature of this review, the Commission in the

first time, carried out public awareness seminars. The purpose of these public awareness seminars was to explain to the public the family laws under review. The Commission believes that it is very crucial for the public to be well informed of the 6 Family laws before providing their input when consultation commences in 2020. Additionally, these Public Awareness Seminars were held from the months of July, September and October 2019 for both Savaii and Upolu, and with Government Ministries and State Owned Enterprises. The total number of public awareness held were 11 and stakeholders awareness seminars were 2.

On the 24 December 2019, the Commission submitted its Discussion Paper for the review of the Family Laws of Samoa to Cabinet for approval. On the 5 February 2020, the Commission received Cabinet's endorsement of the Discussion Paper as per FK (20) 4.

Currently the Commission is planning for its public consultations to be carried out in mid-2020.

4.4.2 Judgement Summonses Act 1965

DATE INQUIRY RECEIVED	DATE PRE-RESEARCH & CONSULTATION COMPLETED	DATE DISCUSSION PAPER TO CABINET	DATE DISCUSSION PAPER APPROVED BY CABINET	PUBLIC CONSULTATION	SUBMISSIONS RECEIVED	DATE FINAL REPORT TO CABINET	DATE FINAL REPORT APPROVED BY CABINET	NUMBER OF RECOMMENDATION	REPORT SUBMITTED TO OCLA FOR TABLING	DATE DISCUSSED BY THE PARLIAMENT COMMITTEE	DATE DISCUSSED IN PARLIAMENT	REPORT RESULTED IN BILLS
20-Nov-18	22 Nov 2018 to 28 Feb 2019	08-Apr-19	17 Apr 19 FK(19) 14	21	17	09-Oct-19	16 Oct 19 FK(19) 36	13	17-Dec-19	20-Apr-19	to be pass	if FR passed

On the 20 November 2018, the Commission received a reference from the Office of the Attorney General to review the Judgement Summonses Act 1965. The call for the reform of the JSA followed an article published in the Samoa Observer in March 2017 regarding a mother and her 2 months old baby who were held in custody at the Tafaigata Prison for the non-payment of a debt to a lender. The presence of an infant in this scenario raised concerns by the public and also the President of the Samoa Law Society who all shared the same view for legislative reform to remove the term of imprisonment as a means of punishment for non-payment of a debt. The JSA was viewed an archaic law and it must be removed. The Terms of Reference (TOR) require the Commission to:

- a) Review the appropriateness of the current JSA 1965 in particular, the placement in custody of citizens for non-performance of a civil contract;
- b) consult with stakeholders and the public on the current practice of the JSA 1965;
- c) research relevant regional and international legislation that provide for alternative methods for debt repayments and consider adopting similar practices, only if applicable to the context of Samoa;
- d) to make recommendations on an appropriate legal framework:
 - i. whether to reform the JSA 1965 (i.e. remove the terms of imprisonment as a punishment for non-payment of debts);
 - ii. introduce new alternative methods of debt repayments under the JSA; or
 - iii. remove government (by repeal of JSA) from any role in civil contracts for breach of debts.

The findings from the preliminary research and consultations informed a Discussion Paper which was approved by Cabinet on the 17 April 2019 for consultations. Following approval of the Discussion Paper, the Commission carried out 21 consultations from May – June 2019. As a result, 17 submissions were received by the Commission.

The Final Report presented 13 recommendations for reform and was submitted to Cabinet on the 9 October 2019 which was approved on the 16 October 2019. Following approval from Cabinet, the Final Report was translated into Samoan language and eighty (80) copies were printed and bound and submitted for tabling in Parliament on the 17 December 2019.

The Commission were summoned before the Standing Order, Electoral, Petitions and Constitutional Offices Parliamentary Committee on the 11 February 2020 to explain more on the research and the Final Report. The Committee supported the recommendations raised by the Commission and approved the Final Report in their letter dated 20 April 2020. On the 8 July 2020, the Commission sent the responses to recommendations made by the Committee in their letter dated 20 April 2020.

4.5 NEW REFERENCES

4.5.1 Prohibiting Abhorrent Violent Material Bill 2019

The Hon. Prime Minister in his letter of 28 March 2019 directed the Commission and the Office of the Attorney General to look into:

- (a) laws enacted by Australia and NZ against Facebook due to terrorist attacks in Christchurch; and
- (b) enacting similar laws to protect Samoa from defamatory articles.

The Commission carried out preliminary research and analysis on this matter and in its letter of response to the Hon. Prime Minister dated 7 August 2019 recommended for Samoa to consider a proposed legal framework similar to Australia's law that criminalises the sharing of abhorrent violent material on the internet.

A draft Bill was developed by the Commission subsequent to PM's confirmation of SLRC recommendations and research. Consultations were then carried out by the Commission in the months of August – September 2019 to discuss the draft Bill with the relevant Government and private stakeholders, with the hope of receiving comments and feedback that can assist with the implementation of this proposed framework. Following extensive consultations and further review on the Bill, the updated draft Bill was referred to the Office of the Attorney General on 5 January 2020, for final vetting before tabling in Parliament. The Bill is now with the Office of the Attorney General for the next steps.

4.5.2 Traffic Laws of Samoa

Upon the Commission's proposal, the Honourable 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. This review stems from a number of concerns around the increase number of traffic related incidents over the years.

As per its law reform process, the Commission completed its preliminary research and consultations in September 2019. The Commission will now progress towards formulating the Discussion Paper that will raise questions to seek stakeholders and public submissions.

4.5.3 Arms Ordinance 1960

On the 4 October 2019, the Ministry of Police (MOP) sought the Commission's assistance to review the Arms Ordinance 1960, a pre-independence legislation. MOP has noted deficiencies and loopholes in the implementation of this old law including its outdatedness, issues in the licenses control and weaknesses in controlling of arms.

This is in the current work plan of the Commission. However due to Government priorities needing urgent attention by the Commission, MOP has been informed by the Commission through letter dated 16 October 2019 that this project will be deferred to the latter half of 2020.

On the 30 June 2020 the Commission informed MOP that preliminary research and analysis have commenced since May 2020 for this project.

4.5.4 Alienation of Freehold Land Review

The Ministry of Natural Resources and Environment (MNRE) in its letter dated 16 May 2019 requested the Commission to review the Alienation of Freehold Land Act 1972 (AFLA).

In light of MNRE's letter, the Commission (in its letter of 28 May 2019) proposed a Terms of Reference to the Attorney General's Office for this review and sought any relevant information that would assist this Review. The Attorney General endorsed the TOR in its letter 7 June 2019. Following the endorsement of the TOR, the Commission liaised and carried out a number of meetings with MNRE (from June to October 2019). Due to urgency of the Fetuunai Muniao Project, work on this Review were put on hold in October (MNRE was informed in the Commission's letter dated 16 October 2019). In January 2020, works on this Review were reconvened.

Following further discussions between the Commission and MNRE, it was agreed that the Alienation of the Freehold Land Act 1972 does not require a full review (following the Commission's law reform process). Rather, the concerns and challenges raised by MNRE can be addressed by revising and amending the relevant parts/provisions of the law.

In light of this way forward, the Commission developed a Draft Alienation of Freehold Land Amendment Bill 2020 ("Draft Bill") to address and respond to the challenges raised by MNRE accordingly. In addition to this, the Commission also prepared a Draft Sale of Freehold Land to Foreigners Regulations 2020 ("Draft Regulations") to address other matters in the Draft Bill. The Draft Bill and Draft Regulations have been sent to the MNRE, and the Attorney General's Office was copied for their information and assistance in further review and finalisation of the said Draft Bill and Draft Regulations.

4.6 SPECIAL PROJECT

4.6.1 Fetuunai Muniao

On the 20 September 2019 the Team of 3 Offices including the Ministry of Justice and Courts Administration (MJCA), the Office of the Attorney General (OAG) and the Samoa Law Reform Commission (SLRC) or the Fetuunai Muniao Team (FM Team) were tasked by Cabinet as per Cabinet Directive FK (19) 31 to research on communal rights.

A complete description of this special project is the main discourse of this Annual Report as indicated in the Executive Director’s Note above.

Given the nature of this Special Project and the strict timeframes, the Commission directed all its attention in the completion of this special project. The Commission played a significant role in researching, developing the draft laws and assisting the Special Parliament Committee in carrying out public consultations. In addition, all of the Legal Staff were involved and have been working long and after hours to meet the timeframes of this special project. The Corporate Service Unit (CSU) staff are always on stand-by to provide high quality administrative support needed by the FM Team. Not only the human resources has been utilised but also the Commission assisted in financing some of the expenses including accommodations and meals, as well as catering. SLRC vehicles were also used to transport SLRC staff, MJCA and OAG staff in accompanying the Parliamentary Committee from time to time in both Upolu and Savaii.

This project benefits the young lawyers in terms of building their capacity in conducting high level research and analysis as well as building and maintaining relationships with high level politicians, stakeholders as well as the public.

From September 2019 to June 2020 (end of the FY19/20) the following are results accomplished by the FM Team:

- 2 Research Reports were submitted to Cabinet on 3rd March 2020;
- 3 Draft Bills namely the Constitution Amendment Bill 2020, Land and Titles Bill 2020 and the Judicature Bill 2020 were submitted for tabling in Parliament for 1st and 2nd Reading on 17 March 2020; and
- The FM Team assisted the Parliament Committee in carrying out individual and public consultations on the 3 Bills from May – June 2020 (end of FY19/20) and still continues.

Public consultations still continues and submissions from these consultations will inform a way forward for the 3 Bills before tabling in Parliament for the 3rd Reading in December 2020.

5. REPORT ON PERFORMANCE

5.1 ANNUAL PERFORMANCE STATEMENT FY19-20

As the accountable authority of the Samoa Law Reform Commission (SLRC), 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 2019-2020 financial year and accurately presents SLRC performance in compliance with the said Act.

5.2 MINISTRY LEVEL OUTCOME

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 to achieve 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.

5.3 ENVIRONMENT

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

Within the current budget, the SLRC seeks to maintain 17 staff led by the Executive Director, 9 lawyers and 7 corporate support staff. The legal staffing of 9 lawyers led by the Assistant Executive Director has the capacity to work on 2-3 inquiries at any one time. The SLRC is reliant on Government for referrals and accordingly the extent to which the SLRC can meet its performance targets is influenced from year to year by the number of references and inquiries referred to the SLRC, the prescribed timeframes for these references and the resources made available to conduct them.

In light of this, the SLRC will continue to work closely with the Attorney General's Office and Law and Justice Sectoral stakeholders to ensure appropriate lead time for planning and sharing resources when new references are referred to the SLRC.

5.4 APPROVED PERFORMANCE FRAMEWORK FY2019/2020

Provided in the Table 5.4.1 are results depicting the Commissions achievements.

TABLE 5.4.1 RESULTS AGAINST KPI PERFORMANCE FY 2019-2020

Performance Measure	2019-2020 target	2019-2020 actual	
1. Ad-hoc References/Projects administered by the Honourable Prime Minister, the Attorney General and Cabinet	100%	100%	<ul style="list-style-type: none"> All 15 Ad-hoc received for advice were completed
2. Ad-hoc advices provided as requested by the Government. Ad-hoc Public & Stakeholders consultations and awareness sessions as required under KPI 1	100%	100%	<ul style="list-style-type: none"> All 15 ad hoc – research, consultations completed and submit advices accordingly refer to Section 4.4.1 of this report.
3. Referrals from Prime Minister February 2019 i. Citizenship Revocation ii. Access to Information (Tax Laws) iii. Composition of Court of Appeal review	100% Recommendation & advice	100%	<ul style="list-style-type: none"> 24 May 2019 - Advise submitted to the Prime Minister 5 June 2019 - Advise submitted to the Prime Minister 26 March 2019 - SLRC submitted advise to AG
4. Referrals from the Attorney General January 2019 REVIEW OF JSA 1965 1. Preliminary Research and Consultations 2. Discussion Paper 3. Stakeholder Consultations 4. Final Report	100%	100%	<ul style="list-style-type: none"> March 2019 - Preliminary Research completed Discussion paper approved by Cabinet in April 2019 Consultations Completed June 2019 16 October 2019 - Final Report approved by Cabinet (FK(19) 36 17 Dec 2019 - 80 Copies of the Final Report (English & Samoa)

			submitted to OCLA for tabling in Parliament 20 April 2020 – Receive Parliamentary Committee response/comments on the final report.	
5	EXCHANGE OF INFORMATION IN THE PUBLIC SECTOR STAGE 4 1. Final Report to be submitted to Cabinet for endorsement 2. Translation of Approved Report by July 2019 3. Table Approved Report with Parliament within FY1920 *further action by SLRC beyond 5.3 depends on endorsement by Parliament	5.2 to be completed by September 2019	100%	<ul style="list-style-type: none"> 06 March 2019 – FK(19)8 Final report approved by Cabinet 10 June 2019 – Final Report submitted to OCLA for tabling in Parliament 26 June 2019 – Final Report tabled in Parliament 15 August 2020 – Approved by Standing Orders, Electoral, Petitions & Constitutional Offices Committee
6	NEW MEASURE – REVIEW OF THE FAMILY LAWS OF SAMOA – STAGE 1 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 6. Family Court Act 2014	100% preliminary research and consultations to be completed by July 2019	100%	<ul style="list-style-type: none"> Oct 2019 – Preliminary research on all six laws completed.
7	REVIEW OF THE FAMILY LAWS OF SAMOA – STAGE 2 Write up Discussion Paper	Discussion paper by January 2020	100%	<ul style="list-style-type: none"> 24 Dec 2019 – Discussion Paper submitted to Cabinet 5 Feb 2020 - Discussion Paper approved by Cabinet FK(20) 4
8	REVIEW OF THE FAMILY LAWS OF SAMOA – STAGE 3 Public and Stakeholder Consultations on the 6 core Family Law Acts: 6. Infants Ordinance 1961 (Upolu & Savaii – subject to changes depending on how the project progresses) 7. Marriage Ordinance 1961 (as above) 8. Divorce and Matrimonial Causes Ordinance 1961 (as above) 9. Maintenance and Affiliation Act 1967 (as above) 10. Family Safety Act	50% Public Consultations	100%	<ul style="list-style-type: none"> Sept-Oct 2019 - 15 Public awareness seminars completed: Savaii x 5 Upolu x 8 SOE's x 1 Government Ministries x 1 Total Attendees 1,138 The Commission anticipated its first round of public consultations in the month of November 2019. However, because of the Measles Epidemic on the same month, all the public notices that announced for the proposed public consultations were cancelled. Again the Commission planned to carry out public consultations in the first quarter of 2020. However, because of the SOEs for COVID 19 that put a red light on public gatherings, the Commission also cancelled its plans until the SOE is lifted and public gatherings are permitted.

2013 (as above) 11. Family Court Act 2014 (as above)			
9 UCOP – INFORMATION PAPER (CONSULTATION REPORT) 1. National Heritage Board 2. Protection of Samoa’s Traditional Knowledge These consultations are for the Commission confirm progress and implementation of any or all of its recommendations that were provided in its FRs.	Consultation Report by August 2019	100%	Research & Consultation completed by LRC.
10 UCOP – Proposed Draft Legislation following the 2 Final Reports 1. National Heritage Board 2. Protection of Samoa’s Traditional Knowledge	100% assist legislative development/drafting of proposed laws	100%	Consultation report approved by Cabinet and Directive per FK(19) 14 to refer report with recommendations to MESC for further actions.
NEW MEASURES RECEIVED IN FY2019/2020 11. Prohibiting Abhorrent Violent Material Bill 2019	2019/2020	100%	<ul style="list-style-type: none"> Received from Prime Minister on 28 March 2019 Research and analysis completed in July 2019 Recommendation submitted to Prime Minister on 7 August 2019
12. Traffic Laws of Samoa	NEW	In progress	<ul style="list-style-type: none"> Triggered from Bus Review (ad hoc) Recommendation. TOR approved 29 July 2019 by Prime Minister Preliminary research and consultations completed in September 2019 Formulation of Discussion Paper in progress
13. Arms Ordinance	NEW	In progress	<ul style="list-style-type: none"> Approved 4 October 2019 Preliminary research and analysis commenced from May 2020 16 Oct 2019 – Advised Ministry of Police to defer this review to a later date due to Fetuunai Muniao Urgent Research.
14. Alienation of Freehold Land	NEW	In progress	<ul style="list-style-type: none"> Referred from MNRE on 16 May 2019 Onhold to prioritise Fetuunai Muniao Research.
SPECIAL PROJECT 15. FETUUNAI MUNIAO 1.. Constitution Amendment Bill 2020, 2. Land and Titles Bill 2020 3. Judicature Bill 2020	URGENT	In progress	<ul style="list-style-type: none"> Approved by FK(19) 31 20 Sept 2019 AG, SLRC, MJCA to coordinate and collaborate this review In progress

5.5 COMMISSION ACHIEVEMENTS - FY2019/2020

FY2019/2020 was a very challenging year for the Commission in terms of implementation of planned activities to achieve performance indicators approved in FY2019/2020 appropriations. In the wake of the measles epidemic in late 2019, major consultations of core review on Family Laws were deferred because of the State of Emergency Orders for measles. At this point in late 2019, a directive from Cabinet for the Fetuunai Muniao project with strict timelines was received for the Commission to initiate research alongside Attorney General's Office and Ministry of Justice. Due to competing priorities at this stage, the Commission re-adjusted its initial plans and reallocate financial and human resources to accommodate Fetuunai Muniao research activities and defer most of its planned activities to be implemented in the beginning of 2020. Unfortunately, State of Emergency Order on Covid-19 was announced in March 2020, again the Commission was tasked to review its planned activities and resolved to further defer of other activities to be implemented in the next Financial Year, as a result the Commission's rate of achievement compared to previous year decreased by -3%. Provided in the Table below is a snapshot of overall achievement by the Commission in this period.

TABLE 5.5.1

PLANNED & UN-PLANNED MEASURES	KPIs		
	FY2018/2019	FY2019/2020	AVERAGE
Number of Approved KPIs	9	10	9.5
New Measures Received	2	4	3
Ad hoc Received	19	15	17
Special Project (Fetuunai Muniao)	-	1	1
TOTAL PLANNED & UNPLANNED	30	30	30
Number of Achieved KPIs	8	10	9
New Measures Achieved	-	1	1
Number of ad hoc achieved	19	15	17
Total Number of Achieved KPI	27	26	26.5
% of Achieved KPI's	90%	87%	88%
Movement of achieved rate		-3%	
Report Refer to Other Ministries	3	-	
Work in Progress	-	4	

6. CHALLENGES

1. Information ascertained from various stakeholders for the different projects carried out by the Commission are inconsistent and incomplete. The Commission has had to carry out time consuming research and analysis due to lack of basic baseline data. Case Law Court decisions are not always available when needed during the course of our research, and it is a time consuming costly task to physically follow up on these decisions.
2. The most critical important aspect of law review is research i.e. legal, doctrinal, literature social, philosophical etc. Legal search engines such as Lexis Nexis, NZLii and Austlii are vital for informed law reform. Subscription to these legal research engines is needed for access. The challenge is affordability. The Commission's research is limited without access to these useful databases.

3. Human resource management has changed over the years. There is still substantial turnover rate but not as frequent as previous years. Attracting lawyers/ staff continues to be a challenge to the Commission, especially experienced staff. The three (3) vacant positions in this financial year have been advertised on numerous times without success in attracting interested lawyers to initiate the recruitment process for replacements. The Commission continues to continue to seek suitable qualified and experienced staff members for the Office.
4. Given the importance of data and research information collected from review to reform activities already completed, the Commission is task to develop a database to save and store these important information s for ease of access in the future review based on its core functions. The challenge for the Commission is to develop and design a Management Database that align with specific needs of the Commission.

7. HUMAN RESOURCE MANAGEMENT

7.1 STAFF MOVEMENT

7.1.1 Resignations

- a. Mrs. Ysatis Leafa was recruited as Legal Analyst on the 18th March 2019, unfortunately due to medical complications, she resigned from the post effective on 9th August 2019.
- b. Tofa Tapuala Ulupale Fuimaono was with the Commission for 10 years since he was recruited as a Principal Legal Analyst on 2 September 2009. He was promoted to the Assistant Executive Director (AED) position on 3 July 2013 and held the AED position up to 26 February 2020, when he resigned from the Commission to pursue other opportunities in the private sector.
- c. Mrs. Taunese Misa Lene served the Commission for 8 years since her appointment as a Principal Accounts and Administration Officer in September 2012. She resigned from the Principal position on 7 February 2020 to accompany her husband and family on official duties in Fiji.
- d. Ms. Ruta Masinalupe commenced employment with the Commission as a Legal Analyst in July 2017, unfortunately she resigned on 20 April 2020 to take up another job with higher remuneration.

7.1.2 New Appointments

- e. Ms. Elena Tielu was recruited to fill in the Principal Accounts and Administration Officer on 6 April 2020.
- f. Appointment of Ms. Sheliza Tapuai to the position of Assistant Executive Director on 22 June 2020. Ms. Tapuai is not new to the Commission; she previously held the Executive Legal Officer position since joining the Commission in July 2017.

7.1.3 Internship

- The SLRC occasionally hosts interns from Universities around the Pacific Region and abroad. It is to not only assist upcoming lawyers from those Institutions who hope to join the legal profession but more importantly allows the Commission to build working relationships/networks with these Institutions. The following is a list of interns the Commission has accommodated for Financial Year 2019/2020;
 1. Tomea Ryan
 2. Sarah Hibbert

- On the 27 January – 21 February 2020 the Commission was privileged through its Internship Program to host two final year students from the TC Beirne School of Law, University of Queensland, Australia. Tomea Ryan and Sarah Hibbert assisted the Commission in carrying out a comparative analysis of the Traffic Laws of Samoa, Victoria (Australia), Queensland (Australia), New Zealand and Fiji.

- All interns have learnt and contributed in the research carried out in the SLRC. The Internship Programme is an excellent learning experience as it assists the interns understand the disparity between their well-resourced jurisdictions and the limited resourced Law Reform Commission of Samoa and other developing countries. It is hoped that as future practitioners in their own countries, they will be able to understand and assist Samoa and developing countries in the future, on the **challenges of law reform faced by plural societies**.

8 INTERNATIONAL CONFERENCES AND FORUMS

The Commission has attended the following international Conferences

NAME OF INTERNATIONAL CONFERENCE	SPONSOR	DATES	VENUE	SLRC ATTENDED	DESIGNATION
Commonwealth Asia High-Level Regional Dialogue	Sisters for Change	18 – 20 November 2019	Kuala Lumpur	Telei'ai Dr. Lalotoa Mulitalo	Executive Director

9 TRAINING AND CAPACITY BUILDING

The Commission has attended the following trainings and workshops.

9.1 LEGAL

TRAINING/ COURSE TITLE	PROVIDER	DATE	LOCATION	SLRC EMPLOYEE
Hotspot Session: SLRC Review of the Judgement Summons Act	Samoa Law Society SLRC presented on the Review of	26/6/2019	Samoa Conference Centre, Cafeteria Room TATTE	SLRC Legal Staff & the Law Society

1965	the JSA			
SLRC Legal Staff Training – Research & Methodology- Analysis of data in Legal Research	Executive Director, SLRC	28/6/2019	SLRC Conference Room	SLRC Legal Staff
SLRC Legal Training: 1) Advice on President of the LTC; 2) Translation of the Miscellaneous Repeal Bill 2019	Executive Director, SLRC	26/7/2019	SLRC Conference Room	SLRC Legal Staff
Samoa and NZ Women Peace and Security Summit	MFAT	22-23/08/2019	Sheraton Ball Room	Hana Gauta & Ruta Masinalupe
SLRC Legal Staff Training – Revocation of Proclamation under the Samoan Village Regulations 1938	Executive Director, SLRC	29/08/2019	SLRC Conference Room	SLRC Legal Staff
SLRC Legal Staff Training with MNRE – Revocation of Proclamation under the Samoan Village Regulations 1938	Executive Director, SLRC	18/09/2019	Post Office	SLRC Legal Staff & MNRE Land and Legal Divisions
SLRC Legal Training – Samoan Customs in Samoa’s Constitution – Research Preliminaries & What to Look For	Executive Director, SLRC	04/10/2019	SLRC Conference Room	SLRC Legal Staff
Legal Training at MJCA, for FM staff – Constitution Amendments to Date	Executive Director, SLRC	25/10/2019	MJCA Fetuunai Muniao Room	SLRC Legal Staff, AGO Staff and MJCA Staff
84 th Session of the Committee of the Rights of the Child	MFAT	2 – 6 March 2020	Taumeasina Island Resort	Ruta Masinalupe & Faapale Lemalu
Inherent Jurisdictions and Powers of the Court	Mareva Betham-Annandale	17 April 2020	SLRC Conference Room	SLRC Legal Staff

9.2 CORPORATE UNIT

TRAINING/ COURSE TITLE	PROVIDER	DURATION	LOCATION	SLRC EMPLOYEE	EMPLOYEE DESIGNATION
Performance Management System	PSC	19 – 20 July 2019	PSC Conference Room	Masinamua Maselusi Ah Poe	Manager Corporate Service Unit
Performance Appraisal Training	PSC	16/08/2019	SLRC Conference Room	All Staff	SLRC
Government Procurement	MOF	17 – 21/03/2020	TATTE Conference Centre	Florita Tupai	Principal Project Coordinator
Refresher People One Training	PSC	18/02/2020	PSC Conference Room	Fugalaau Siaki	Senior Administrator/Accounts Clerk

10 FINANCIAL AND ACCOUNTS

The approved estimate for the Commission for FY19/20 was \$1,478,629, appropriated for Personnel, Operating Expenditure and Transactions on Behalf of the States.

The overall spending of the approved estimate for FY2019/2020 was within the approved budget but not fully utilized by 11% or \$157,925.75 given the contributing factors addressed in the table below.

COST BREAKDOWN						
LEGAL RESEARCH AND ANALYSIS AND RECOMMENDATIONS						
Cost Pools	Actual	% of Utilization	Estimates	Variance	Original Budget	Comments
Personnel	614,779	97%	635,641	20,862	697,229	Three Legal Staff resigned during the financial year to take up other job offers at higher salaries. These two positions are yet to be filled despite numerous advertisement. Our Assistant Executive Director resigned in February 2020 and was replaced in May 2020. Savings from this Budget Line Item of about \$52,555 was vired to procure replacement computers and laptops as reflected in the Capital Budget Line.
Operating	56,751	37%	154,888	98,137	153,738	The bulk of the approved Operating Budget was earmarked for a major Review and Refrom of 6 Family laws of Samoa to implement Public Conslutations. However, financial assistance received from a Non Profit Organization namely Sisters for Change based in London to finance Awareness Seminars and Public Consultations activites resulted in a high % of unutilised approved budget. The Commission response to the MOF CM No. 8 Immediate cease on all virements request resulted in the savings remained untouched.
Capital	52,555	87%	60,438	7,883	-	Funds vired from personnel budget were used to procure new computers and laptop and 1 semi heavy duty printer.
Total - Legal	724,085		850,967	126,882	850,967	
CORPORATE SERVICE UNIT						
Personnel	302,427	99%	305,544	3,117	305,544	Unutilized amount was due to the resignation of the Principal Accounts Officer in February 20, the position was later filled in April 2020.
Operating	75,941	82%	92,150	16,209	92,150	The unutilized funds was also an impact of Financial assistance form Sisters for Change in which printer donners and stationeries were facilitated under donor funds. Internet and Vehicle Lease Invoices for June were received in July 2020 and paid in the same month.
Total - CSU	378,368	95%	397,694	19,326	397,694	
TOTAL	1,102,453		1,248,661	146,208	1,248,661	

STATEMENT OF MINISTRY RECEIPTS BY REPORTING CATEGORY AND EXPENDITURE BY OUTPUT APPROPRIATION ACCOUNT							
<i>for the financial year ended 30 June 2020</i>							
			2020	Original Estimate	Final Estimate	(Over)/Un der	2019
SAMOA LAW REFORM COMMISSION							
PAYMENTS							
Output:							
	1.0	Legal Research and Analysis and Recommendations	1,102,453	1,248,661	1,248,661	146,208	1,112,684
Total Outputs			1,102,453	1,248,661	1,248,661	146,208	1,112,684
Transactions on Behalf of State							
		Rent and Lease (Government Building)	167,900	167,900	167,900	-	167,900
		VAGST Output Tax	50,350	62,068	62,068	11,718	63,900
			218,250	229,968	229,968	11,718	231,800
TOTAL PAYMENTS-LAW REFORM			1,320,703	1,478,629	1,478,629	157,926	1,344,484
GRANTS -GDP							
			2019 Receipts	Original Estimate	Receipts	Payments	Opening Balance
		Technical Assistance Sisters for Change (Family Law Seminars and Consultations)	249,517	-	-	159,702	89,815
			249,517	-	-	159,702	89,815

GOVERNMENT OF SAMOA				
LRC EXPENDITURE REPORT				
FOR PERIOD ENDING 30-June-2020				
OUTPUTS PROVIDED BY MINISTRY	BUDGET	ACTUALS	FUNDS REMAIN.	UTL %
4610 - Legal Research Analysis and Recommendations				
<i>Personnel</i>				
703100 - Salaries	516,653.00	516,579.00	74.00	100%
703300 - Employer Contribution	57,278.04	50,211.03	7,067.01	88%
703401 - Telephone Allowance	3,600.00	3,600.00	-	100%
705200 - End of Term Contracts	37,439.66	23,790.11	13,649.55	64%
705500 - Resignation Benefits	4,691.38	4,690.14	1.24	100%
706100 - Salaries Overtime	970.00	968.58	1.42	100%
707103 - Local Travelling Allowance	1,075.00	1,125.00	- 50.00	105%
707109 - Higher Duty Allowance	13,933.96	13,815.24	118.72	99%
TOTAL Personnel Output 1	635,641.04	614,779.10	20,861.94	97%
<i>Operating</i>				
722601 - Repairs & Maintenance	2,499.96	-	2,499.96	0%
722701 - Repairs & Maintenance- Office Equipments	3,649.96	1,000.00	2,649.96	27%
725401 - Financing Lease	30,978.00	26,727.84	4,250.16	86%
725501 - Facility Hire	6,600.00	700.00	5,900.00	11%
728101 - Subscriptions to Publications	900.00	721.74	178.26	80%
728201 - Personnel Membership Fees & Subs.	9,999.96	5,400.00	4,599.96	54%
734302 - Legal	20,000.04	-	20,000.04	0%
734307 - Technician	20,000.04	-	20,000.04	0%
734309 - Other	-	3,720.00	- 3,720.00	0%
740101 - DSA/Transit Allowances	1,800.00	-	1,800.00	0%
740102 - Incidental Allowances	1,800.00	250.00	1,550.00	14%
740104 - Clothing Allowances	1,800.00	1,000.00	800.00	56%
740201 - Accommodation	6,999.96	6,291.31	708.65	90%
740202 - Meals	3,500.04	3,098.85	401.19	89%
740301 - Passports	339.96	-	339.96	0%
740302 - Permits & Visas	500.04	-	500.04	0%
740401 - Air Fares	4,500.00	-	4,500.00	0%
740402 - Taxi/Bus Fares	2,000.04	-	2,000.04	0%
740403 - Boat Fares	1,350.00	590.00	760.00	44%
746302 - Freight	270.00	-	270.00	0%
746303 - Handling	450.00	-	450.00	0%
746304 - Wharfage	450.00	-	450.00	0%
746401 - Postage	90.00	100.00	- 10.00	111%
746402 - Courier	180.00	-	180.00	0%
752101 - Medical Consumable Supplies	450.00	-	450.00	0%
755101 - Other Fuel	270.00	-	270.00	0%
758101 - Stationery	2,700.00	432.00	2,268.00	16%
758102 - Bulk Paper Supplies	-	906.52	- 906.52	0%
758201 - Advertisements(Media)	13,460.04	1,191.00	12,269.04	9%
758300 - Printing & Publications	9,999.96	-	9,999.96	0%
758302 - Printing & Publication(Min to Min)	-	2,130.44	- 2,130.44	0%
761101 - Catering & Refreshments	6,000.00	1,666.19	4,333.81	28%
761103 - Beverage & Water	-	76.09	- 76.09	0%
764101 - General Supplies	1,350.00	748.71	601.29	55%
TOTAL Operating Output 1	154,888.00	56,750.69	98,137.31	37%
<i>Capital</i>				
788103 - Printers	7,993.00	6,950.44	1,042.56	87%
788108 - Other	1,040.00	904.35	135.65	87%
788201 - Computer	26,400.00	22,956.53	3,443.47	87%
788204 - Tablets/lpads	13,797.00	11,997.39	1,799.61	87%
788205 - Servers	11,208.00	9,746.09	1,461.91	87%
TOTAL Capital	60,438.00	52,554.80	7,883.20	87%
Sub Total Output 1	850,967.04	724,084.59	126,882.45	85%

4691 - Central Service Unit				
Personnel				
703100 - Salaries	270,824.04	273,042.74	- 2,218.70	101%
703300 - Employer Contribution	25,233.00	25,959.35	- 726.35	103%
707103 - Local Travelling Allowance	1,050.00	950.00	100.00	90%
707108 - Transport Allowance	4,437.00	-	4,437.00	0%
707109 - Higher Duty Allowance	3,999.96	2,475.13	1,524.83	62%
TOTAL Personnel CSU	305,544.00	302,427.22	3,116.78	99%
Operating				
722401 - Plant & Equipment - Repairs & Maintenance	-	1,389.13	- 1,389.13	0%
722402 - Spare Parts/ Consumables	-	260.87	- 260.87	0%
722501 - Repairs & Maintenance	3,000.00	771.96	2,228.04	26%
722502 - Spare Parts	2,400.00	820.63	1,579.37	34%
722503 - Fuel (Min to Min)	15,000.00	5,581.34	9,418.66	37%
722504 - Fuel(Third Parties)	-	100.00	- 100.00	0%
722505 - Vehicle Fluids	-	428.81	- 428.81	0%
722701 - Repairs & Maintenance- Office Equipment	1,800.00	903.22	896.78	50%
722702 - Consumables/Peripherals	5,000.04	437.79	4,562.25	9%
723103 - Other	-	918.44	- 918.44	0%
725902 - Water Coolers - Rents & Leases	2,000.04	1,856.52	143.52	93%
728201 - Personnel Membership Fees & Subs.	-	18.00	- 18.00	0%
734102 - Vehicle Insurance	7,389.96	5,719.31	1,670.65	77%
734201 - Fees & Registrations	1,500.00	1,036.53	463.47	69%
734202 - Licences	4,500.00	4,394.35	105.65	98%
734402 - Fees	-	176.00	- 176.00	0%
740402 - Taxi/Bus Fares	-	202.00	- 202.00	0%
740403 - Boat Fares	-	48.00	- 48.00	0%
746101 - Telephone	5,400.00	5,149.13	250.87	95%
746103 - Cellphones	-	90.00	- 90.00	0%
746201 - Internet, Broadband & Email	18,960.00	20,400.00	- 1,440.00	108%
750103 - Registration fees	-	400.00	- 400.00	0%
752101 - Medical Consumable Supplies	150.00	191.31	- 41.31	128%
758101 - Stationery	2,700.00	1,977.00	723.00	73%
758102 - Bulk Paper Supplies	999.96	906.52	93.44	91%
758103 - Printers/Photocopiers Supplies	9,000.00	12,525.27	- 3,525.27	139%
758201 - Advertisements(Media)	3,000.00	897.60	2,102.40	30%
758300 - Printing & Publications	5,000.04	-	5,000.04	0%
758302 - Printing & Publication(Min to Min)	-	2,730.44	- 2,730.44	0%
761102 - Tea Supplies	2,000.04	3,061.10	- 1,061.06	153%
764101 - General Supplies	1,350.00	2,091.05	- 741.05	155%
764102 - General Services	-	459.00	- 459.00	0%
773100 - Petty Cash	999.96	-	999.96	0%
TOTAL Operating CSU	92,150.04	75,941.32	16,208.72	82%
Sub Total CSU Support	397,694.04	378,368.54	19,325.50	95%
Total Output Provided by Ministry	1,248,661.08	1,102,453.13	146,207.95	88%
TRANSACTION ON BEHALF OF THE STATE				
G01 - Government Building	167,900.04	167,900.00	0.04	100%
Q01 - VAGST Output Tax	62,067.96	50,350.20	11,717.76	81%
Total Transaction on Behalf of the State	229,968.00	218,250.20	11,717.80	95%
Total Payments	1,478,629.08	1,320,703.33	157,925.75	89%

10.1 FINANCIAL ASSISTANCE (GRANT) FROM SISTERS FOR CHANGE

The Commission was fortunate to receive a financial assistance from a non-profit organization namely Sisters for Change based in London to finance its major review of six core Family Laws of Samoa to be implemented from 2019 to 2022. The funds were received on 28 June 2019 in the Central Bank Designated Account to the amount of 74,875 Great Britain Pound (GBP) translated to \$249,517 Samoan Tala. At the end of FY2019/2020, about 64% of funds received have been utilized for implementation of the Family Law Review, on awareness seminars and materials held in Upolu and Savaii.