



SAMOA

Arrangement of Provisions

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| 1. Short title and commencement | 4. Section 8B inserted |
| 2. Section 2 amended | 5. Section 9 amended |
| 3. Section 3 amended | 6. Transitional provision |

2015, No. 41

AN ACT to amend the Foreign Investment Act 2000
(“Principal Act”). *[02nd September 2015]*

BE IT ENACTED by the Legislative Assembly of Samoa in Parliament assembled as follows:

1. Short title and commencement-(1) This Act may be cited as the Foreign Investment Amendment Act 2015.

(2) This Act commences on the date of assent by the Head of State.

2. Section 2 amended - In section 2 of the Principal Act, for the definition of “certificate”, substitute:

““certificate” means a foreign investment registration certificate issued under section 8 and renewed under section 8B;”.

3. Section 3 amended - For section 3 of the Principal Act, subsection (2) is repealed.

4. Section 8B inserted - After section 8A of the Principal Act insert:

“8B. Renewal of certificate-(1) The holder of a certificate may apply, in the prescribed form (“renewal application”) and accompanied by the prescribed fee, to the Chief Executive Officer to renew the certificate.

(2) The renewal application is to be made at least three (3) months before the expiry of the certificate under section 9(1)(a).

(3) Despite subsection (2), the Chief Executive Officer may, with good reasons provided by the holder of the certificate, accept and determine a renewal application that is made no later than three (3) months after the expiry of certificate, otherwise the holder must apply for a new certificate.

(4) Executive Officer may:

- (a) renew the certificate, with or without conditions; or
- (b) refuse to renew the certificate on any grounds specified under section 8(1)(b) or under any other provision of this Act or other enactment.

(5) If the renewal application is refused, the Chief Executive Officer must give the reasons and the grounds for refusal.

(6) Section 8(2) to (6) applies to this section with necessary modifications and adaptations.”.

5. Section 9 amended - In section 9(1) of the Principal Act, for paragraph (a) substitute:

“(a) is valid for 12 months from the date of the certificate unless otherwise renewed or terminated under this Act or by operation of any other enactment; but”.

6. Transitional provision-(1) Any current certificate issued before the commencement of this Act continues for a period of 12 months from the commencement of this Act until renewed.

(2) At the commencement of this Act and despite the repeal of section 3(2) of the Principal Act, any work permit issued under the relevant laws of Samoa as specified under that section continues to apply until it expires or is revoked.

**The Foreign Investment Amendment Act 2015 is administered
by the Ministry of Commerce, Industry and Labour.**

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