

**SAMOA**

**FOUNDATIONS (FEES AND FORMS)  
REGULATION 2017**

Arrangement of Provisions

- |                              |           |
|------------------------------|-----------|
| 1. Citation and commencement | 4. Forms  |
| 2. Interpretation            | Schedules |
| 3. Fees                      |           |

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**PURSUANT** to section 89 of the Foundations Act 2016 (“the Act”), **I, TUIMALEALIIFANO VAALETOA SUALAUVI II**, Head of State, acting on the advice of Cabinet, **MAKE** these Regulations:

**DATED** this 4<sup>th</sup> day of December 2017.

signed: (Tuimalealiifano Vaaletoa Sualauvi II)

**HEAD OF STATE**

**REGULATIONS**

**1. Citation and commencement** - These Regulations may be cited as the Foundations (Fees and Forms) Regulations 2017, and commence on the date of assent by the Head of State.

**2. Interpretation** - In these Regulation, unless the context otherwise requires:

“SIFA” means the Samoa International Finance Authority;

“US\$” means the unit of currency of the United States of America.

**3. Fees**-(1) The fees required to be paid under the Act are set out in Schedule 1.

(2) The fees are to be paid to the Registrar in a manner as the Registrar may direct.

**4. Forms** - The forms approved by the Registrar are set out in Schedule 2 to be used for related purposes of the Act.

**SCHEDULE 1****Regulation 3****FEES  
TABLE OF FEES TO BE PAID TO  
THE REGISTRAR OF FOUNDATIONS**

<b><u>FEE NUMBER</u></b>	<b><u>MATTERS FOR WHICH PAYABLE</u></b>	<b><u>AMOUNT US\$</u></b>
<b>I. INCORPORATION AND ANNUAL RENEWAL FEES</b>		
1.	Application for registration of a foundation by the resident agent [S 6(1) and (2)and Sch.4 clause 6 (1)]	200-00
2.	Application to renew registration of a foundation - annual fee – (Sch. 4 clause 6 (5)).	200-00
3.	For late renewal	50-00 per quarter
<b>II. CHANGES IN AND RECTIFICATION OF THE REGISTER</b>		
4.	Filing of Deed appointing a successor supervisory person or successor guardian [Sch. 3 clause 2 (2)]	10-00
5.	Submission to the Registrar by notice of a change of registered particulars of a foundation by the resident agent [Sch. 4 clause 9 (1)]	10-00
6.	Submission of an application by or on behalf of the founder or an official to rectify the Register [Sch. 4 clause 9 (4)]	10-00
7.	Filing with the Registrar of an order authorizing rectification of the Register on an application on behalf of the founder or an official [Sch. 4 clause 9 (5)]	10-00

<b>III. RESIDENT AGENT AND REGISTERED OFFICE</b>		
8.	Application to the Registrar by the resident agent to be removed as resident agent [Sch. 4 clause 21 (1)]	10-00
9.	Notice of change of resident agent and of registered office [Sch. 4 clauses 2 (2) and 9 (1)]	10-00
10.	Application by a resident agent to the Registrar for records of a foundation [S. 12 (2)(a) and (b)]	10-00
11.	Written notice by the resident agent to the Registrar of evidence of default of others to provide records, documents and information [S. 12 (2)(c)]	50-00
<b>IV. MIGRATION OF FOUNDATIONS</b>		
12.	Application to the Registrar by the resident agent of an overseas foundation to be registered as a Samoan Foundation [S. 60(1)]	125-00
13.	Application by the foundation to file with the Registrar a certificate or other document evidencing that the foundation has ceased to be registered under another law [S. 62(1)]	10-00
14.	Filing of a Court order with the Registrar for the removal of the foundation from the Register [S. 62(2) and (3)]	10-00
15.	Application by the foundation to the Registrar to remove the foundation from the Register for the purposes of being established as an overseas foundation [S. 63(1)]	200-00

16.	Application by the foundation to file with the Registrar a certificate of other document evidencing that the foundation has been established under another law [S. 69(1)]	10-00
17.	Filing of a Court order with the Registrar for the restoration of the name of the foundation to the Register [S. 69(2) and (3)]	10-00
18.	Filing of an order of the Court for cancellation of removal of or modification of a proposal for removal of a foundation from the Register [S. 70]	10-00
<b>V. NAME OF FOUNDATION</b>		
19.	Application by the resident agent to the Registrar for the use of a name [Sch. 1 clause 2(e)]	10-00
20.	Application to the Registrar by the Registered Agent for the change of name of a Foundation [Sch. 4 clause 1 (5)]	50-00
<b>VI. AMENDMENT OF THE CHARTER, RULES AND PURPOSE</b>		
21.	Filing with the Registrar of deed amending the charter or the rules [Sch. 3 clause 1(3)]	50-00
22.	Filing with the Registrar of deed amending the purpose [Sch. 3 clause 3(1)]	50-00
23.	Filing with the Registrar of a Court order with the Registrar for the amendment of the purpose [S. 7(3)]	50-00
24.	Filing of a Court order with the Registrar prohibiting a change of purpose [S. 18(1)(c)(i)]	50-00

25.	Filing of a Court order cy-pres with the Registrar [S. 8(4)]	50-00
26.	Filing of a Court order with the Registrar for the amendment of the constitution or the powers of management of the council [S. 76]	50-00
<b>VII. CHANGE OF NATURE OF BENEFICIARY</b>		
27.	Filing of a Court order as to change of the nature of a beneficiary [S. 17(5)]	10-00
<b>VIII. DISQUALIFICATION ORDERS</b>		
28.	Filing with the Registrar of a disqualification order of the Court or an order of the Court for the renewal or revocation of such an order [Sch. 4 clauses 14 and 15]	10-00
<b>IX. WINDING - UP</b>		
29.	Filing of a notice of interest by an official liquidator with the Registrar [S. 78(5)]	10-00
30.	Application by the council to the Registrar for the Registrar to appoint a liquidator on a council's liquidation [S. 79(1)(b)]	10-00
31.	Filing with the Registrar by the council of a copy of the resolution for the council's winding-up [S. 79(2)]	10-00
32.	Filing with the Registrar of the Court's winding-up order [S. 80(2)(b)(i)]	10-00
33.	Filing with the Registrar a notice of completion of winding-up [S. 81((9)(iii)(A)]	10-00
34.	Filing with the Registrar either an account of the winding-up or a certificate of solvency [S. 81(9)(iii)(B)]	50-00

35.	Filing a statement of affairs of the foundation with the Registrar [S. 82(2)]	50-00
36.	Filing with the Registrar of any information on the liquidation or a further statement of the affairs of the foundation as the Registrar may require [S. 82(7)]	50-00
37.	Appointment or removal of a liquidator by the Registrar [S. 83(1)(b)]	100-00
38.	Submission of contention to the Registrar regarding the liquidator's acts, omissions or powers [S. 83(4)(b)]	100-00
39.	Application to the Registrar to inspect the books of the liquidator and of the foundation [S. 83(7)]	10-00
40.	Application by the liquidator or the council to the Registrar for investment of excess funds [S. 83(11)]	50-00
41.	Fixing a date or extending the date by which creditors must prove where there is a council's winding-up [S. 86(6) and (7)]	50-00
42.	Application to the Registrar for removal of the foundation from the Register following the completion of the winding-up [S.87]	50-00
43.	Application to the Registrar to reinstate a foundation [S. 88]	100-00
<b>X. STRIKE OFF AND RESTORATION</b>		
44.	Application for restoration to the Register for a foundation which has been struck off and filing of and document or information in that respect S.76A(6)(a) and (d).	100-00

45.	Notice by the foundation or its agent that it does not intend to pay the prescribed annual renewal fee [S.76A(10)]	10-00
<b>XI CONSOLIDATION AND MERGER OF FOUNDATIONS</b>		
46	Application by the resident agent of the surviving entity with an approved plan for the consolidation or merger of foundations and with documents and evidence required [S.74A, 74B, 74C and 74D]	200-00
<b>XII. SEARCH OF PART A OF THE REGISTER AND PROVISION OF COPIES FROM PART A OF THAT REGISTER</b>		
47	For a search of Part A of the Register [Sch. 3 clause (2)]	15-00
48	For the provision by the Registrar of a copy of any document forming part of Part A of the Register [Sch. 3 clause (2)]  Where the Registrar is of the opinion that the request will result in volume or considerable time.	1-00 (per page) and 15-00 (minimum)  200-00 per hour



**SCHEDULE 2****Regulation 4****FORMS****FORM FFR1 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:****APPLICATION FOR REGISTRATION OF A  
FOUNDATION** (see Section 3 and

1. Name and address of resident agent (see Section 3(2) and Clause 6(3)(f) Schedule 4 of the Act):
2. Proposed name of the foundation (see Clause 1 (a) and Clause 2 Schedule 1 of the Act): Note: The name must end with the word “Foundation”:
3. Names and addresses of the proposed members of the council (see Clause 6(3)(c) Schedule 4 of the Act) – see consent to act below:
4. Name and address of the proposed supervisory person (if any) (see Clause 6(3)(d) Schedule 4 of the Act – see consent to act below):
5. Name and address of the proposed guardian (see Clause 6(3)(e) Schedule 4 of the Act – see consent to act below):  
NOTE: In the circumstances in Section 11(1)(a) of the Act, the foundation must have a guardian:
6. Confirmation that the address set out in Section 1 above is to be the registered office of the foundation (see Clause 6(3)(f) Schedule 4 of the Act):
7. Confirmation that the fee of [US\$200-00] has been paid or is provided with this application form (see below for details of payment):

**DOCUMENTS WHICH MUST ACCOMPANY THIS APPLICATION:**

- (1) The charter of the foundation (subscribed by the founder or the resident agent – see Section 3(1)(b) and Clause 6(3)(a) Schedule 4 of the Act).
- (2) The Declaration by the resident agent (see Section 3(3) of the Act, which sets out the content required, and Clause 6(3)(b) Schedule 4 of the Act).
- (3) The written consents to act from the supervisory person (if any) and from the guardian (see paras 4 and 5 above).

**NOTES:**

- (a) You may be required to provide such other documents or information as the Registrar may require (see Section 3(2)(b) and Clause 6(3)(h) Schedule 4 of the Act).
- (b) You **MUST** retain a copy of this Form FFR1 stamped by SIFA at all times at the registered office of the foundation and a copy of that Form FFR1 **MUST** accompany every annual application for renewal (see Clause 6(6) Schedule 4 of the Act).
- (c) Details for the payment of the fee for this application are as follows:

**SIGNED for the resident agent:****Print full name:**

SIFA/Form FFR1 – 24-2-2017

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**FORM FFR2 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:**

**ANNUAL APPLICATION FOR RENEWAL OF  
REGISTRATION OF A FOUNDATION** (see Clause 6(6)  
Schedule 4 of the Act):

NOTE: The application for renewal of registration is to be provided to SIFA by the resident agent with payment of the annual renewal fee [US\$200-00] not later than 31<sup>st</sup> March in each calendar year and there are quarterly penalties for late renewal.

1. Name and address of the resident agent:
2. Name and registered office address of the foundation:
3. Registered number of the foundation:
4. Changes in any particulars of registration (these will be changes to the information provided for registration in Form FFR1 (as may have been subsequently changed and notified to the Registrar)).

**NOTES:**

- (a) This Form FFR2 **MUST** be accompanied by a copy of Form FFR1 (for the original registration of the foundation and also by copies of any previous Forms FFR2 and FFR3 (which have notified to the Registrar changes of any registered particulars relating to the foundation) and any copy of Form FFR4 (which is an application by the founder or an official to rectify the Register).
- (b) If you notify changes of registered particulars to the Registrar in this Form FFR2, you **MUST** retain a copy of this Form FFR2 stamped by SIFA at all times at the registered office of the foundation and a copy of that Form FFR2 **MUST** accompany every annual application for renewal of registration of the foundation.

(c) Details for the payment of the renewal fee are as follows:

**SIGNED for the resident agent:**

**Print full name:**

SIFA/Form FFR2 – 24-2-2017

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**FORM FFR3 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:****NOTICE OF CHANGE OF REGISTERED PARTICULARS  
OF A FOUNDATION** (see Clause 9(1) Schedule 4 of the Act)

NOTE: This Notice must be accompanied by payment of the fee of [US\$10-00].

1. Name and address of the resident agent:
2. Name and registered office address of the foundation:
3. Registered number of the foundation:
4. Changes in any registered particulars of the foundation (these will be changes to the information provided for registration in Form FFR1 (as may have been subsequently changed and notified to the Registrar).

**NOTES:**

- (a) This Form FFR3 **MUST** be accompanied by a copy of Form FFR1 (for the original registration of the foundation) and also by copies of any previous Forms FFR2 and FFR3 (which have notified to the Registrar changes of any registered particulars relating to the foundation) and by any copy of Form FFR4 (being an application by the founder or an official to rectify the Register)).
- (b) If you notify changes of registered particulars to the Registrar in this Form FFR3, you **MUST** retain a copy of this Form FFR3 stamped by SIFA at all times at the registered office of the foundation and a copy of that Form FFR3 **MUST** accompany every annual application for renewal of registration of the foundation.

- (c) Details for the payment of the fee are as follows:

**SIGNED for the resident agent:**

**Print full name:**

SIFA/Form FFR3 – 24-2-2017

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**FORM FFR4 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:**

**APPLICATION TO RECTIFY THE REGISTER** (SEE Clause 9(4) Schedule 4 of the Act):

NOTE: This Notice must be accompanied by payment of the fee of [US\$10-00].

1. Name and address of the founder or of the official making the application:
2. Name and registered office address of the foundation:
3. Registered number of the foundation:
4. Details of the rectification of the Register applied for (these will be changes to the information provided for registration in Form FFR1 (as may have been subsequently changed and notified to the Registrar)).

**NOTES:**

- (a) This Form FFR4 **MUST** be accompanied by a copy of Form FFR1 (for the original registration of the foundation) and also by copies of any previous Forms FFR2 and FFR3 (which have notified to the Registrar changes of any registered particulars relating to the foundation) and by any copy of a previous Form FFR4.
- (b) If you notify changes of registered particulars to the Registrar in this Form FFR4, you **MUST** retain a copy of this Form FFR4 stamped by SIFA at all times at the registered office of the foundation and a copy of that Form FFR4 **MUST** accompany every annual application for renewal of registration of the foundation.

- (c) Details for the payment of the fee for this application are as follows:

**SIGNED by or on behalf of the founder or by the official:**

**Print full name:**

SIFA/Form FFR4 – 24-2-2017

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**FORM FFR5 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:**

**APPLICATION BY THE RESIDENT AGENT TO BE  
REMOVED AS RESIDENT AGENT** (See Clause 21(1)  
Schedule 4 of the Act)

NOTE: This Notice must be accompanied by payment of the fee  
of [US\$10-00].

1. Name and address of the resident agent making the application:
2. Name and registered office address of the foundation:
3. Registered number of the foundation:

We, the licensed and registered trustee company which is the resident agent of the above named foundation hereby apply to be removed as resident agent of that foundation.

NOTES: Details for the payment of the fee for this application are as follows:

**SIGNED for the resident agent:  
Print full name:**

SIFA/Form FFR5 – 24-2-2017

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**FORM FFR6 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:**

**NOTICE OF CHANGE OF RESIDENT AGENT AND OF  
REGISTERED OFFICE** (see Clause 2(2) and 9(1) Schedule 4  
of the Act)

NOTE: This Notice must be accompanied by payment of the fee  
of [US\$10-00].

1. Name and address of the resident agent making the  
application:
2. Name and registered office address of the foundation:
3. Registered number of the foundation:

We, the licensed and registered trustee company which is the  
resident agent of the above named foundation hereby give you  
notice as follows:

- (1) The resident agent of the above mentioned foundation  
has changed to [*Name and address of the trustee company  
which is the new resident agent of the foundation*]:
- (2) The address of the new resident agent is the new address  
of the registered office of the foundation.

NOTES: Details for the payment of the fee for this application are  
as follows:

**SIGNED for the resident agent:**

**Print full name:**

SIFA/Form FFR6 – 24-2-2017

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**FORM FFR7 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:**

**APPLICATION FOR REGISTRATION OF AN OVERSEAS  
FOUNDATION IN SAMOA** (see Section 60(1) of the Act):

1. Name and address of the proposed new resident agent in Samoa (see Section 60(4) and Clause 5 Schedule 5 of the Act), who is the applicant:
2. Proposed name of the foundation (see Clause 1 (a) and Clause 2 Schedule 1 and Clause 8 Schedule 5 of the Act):  
Note: The name must end with the word “Foundation”:

NOTE: The application must include or be accompanied by “the migration details” (see Section 60(2)(a) and Schedule 5 of the Act and the matters referred to in this Form FFR7).

3. Names and addresses of every current official of the overseas foundation (see Clause 3 Schedule 5 of the Act) and the written consent to act of every member of the council (see Clause 6(3)(c) of Schedule 4 of the Act) :
4. The address of the overseas foundation’s registered office in the country in which it is currently registered or established (see Clause 4 Schedule 5 of the Act):
5. Name and address of the proposed supervisory person (if any) (see Clause 7 Schedule 5 of the Act) and the written consent to act of that person (see Clause 6(3)(d) Schedule 4 of the Act):
6. Name and address of the proposed guardian (see Clause 6 Schedule 5 of the Act) and the written consent of that person to act (see Clause 6(3)(e) Schedule 4 of the Act):  
NOTE: In the circumstances in Section 11(1)(a) of the Act the foundation must have a guardian:

7. Confirmation that the address set out in para 1 above is to be the registered office of the foundation (see clause 6(3)(f) Schedule 4 of the Act):
8. Confirmation that the fee of [US\$125-00] has been paid or is provided with this application form (see below for details of payment):

**DOCUMENTS WHICH MUST ACCOMPANY THIS APPLICATION:**

- (1) A copy of the certificate of registration (or similar document) of the overseas foundation in the country in which it is currently registered or established (see Clause 1 Schedule 5 of the Act).
- (2) A copy of the charter and rules of the foundation (subscribed by the founder or the resident agent – see Section 3(1)(b), Clause 6(3)(a) Schedule 4 and Clause 2 Schedule 5 of the Act), which will be binding on the foundation when it has been registered in Samoa (*Note: This must comply with the requirements of the Act*).
- (3) If different in any respect, a copy of the constitution of the overseas foundation (see Clause 2 Schedule 5 of the Act).
- (4) The Declaration by the resident agent (see Section 3(3) of the Act, which sets out the content required, and Clause 6(3)(b) Schedule 4 of the Act).
- (5) Evidence acceptable to the Registrar that the foundation has complied with Sections 58 and 59 of the Act (see Clause 10(a) Schedule 5 of the Act).

**NOTES:**

- (a) You may be required to provide such other documents or information as the Registrar may require (see Clause 9 Schedule 5 of the Act).
- (b) You **MUST** retain a copy of this Form FFR7 stamped by SIFA at all times at the registered office of the foundation and a copy of that Form FFR7 **MUST** accompany every annual application for renewal (see Clause 6(6) Schedule 4 of the Act).

- (c) Details for the payment of the fee for this application are as follows:

**SIGNED for the resident agent:**

**Print full name:**

SIFA/Form FFR7 – 24-2-2017

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**FORM FFR8 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:**

**APPLICATION FOR REMOVAL OF A SAMOAN  
FOUNDATION FROM THE REGISTER FOR THE  
PURPOSE OF BECOMING ESTABLISHED AS AN  
OVERSEAS FOUNDATION** (see Section 63 of the Act):

1. Name and address of the resident agent (see Section 67(1) of the Act), who is the applicant:

The applicant hereby confirms that the constitution of the foundation provides for its removal from Samoa (see Section 64 of the Act), that no grounds exist to prevent the removal of the foundation from the Register (see Section 65 of the Act) and that the foundation has given written notice to all its creditors and participants that it intends to make his application (see Section 66 of the Act).

2. Name of the foundation:
3. Registered number of the foundation:
4. Confirmation that the fee of [US\$125-00] has been paid or is provided with this application form (see below for details of payment):

**DOCUMENTS WHICH MUST ACCOMPANY THIS  
APPLICATION:**

- (1) Written confirmation from the Attorney General that he or she has no objection to the removal of the foundation from the Register (see Section 67(2)(a) of the Act).
- (2) Declaration of compliance by the resident agent (see Section 67(2)(d) of the Act) comprising the content set out in Section 71(1) of the Act.

- (3) Evidence acceptable to the Registrar that the removal of the foundation from the Register complies with the requirements of Sections 67, 68 and 69 of the Act (see Section 67(2)(b)(i) of the Act).

**NOTES:**

- (a) You may be required to provide such other information or documents verified in a manner required by the Registrar (see Section 67(2)(c) of the Act).
- (b) Details for the payment of the fee for this application are as follows:

**SIGNED for the resident agent:  
Print full name:**

SIFA/Form FFR8 – 24-2-2017

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**FORM FFR9 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:****APPLICATION FOR THE USE OF A NAME FOR A  
FOUNDATION** (see Clauses 2(e) Schedule 1 of the Act):

NOTE: This Notice must be accompanied by payment of the fee  
of [US\$10-00].

1. Name and address of the proposed resident agent making  
the application:
2. The name for the proposed foundation which is hereby  
applied for is:

“ \_\_\_\_\_ Foundation”

NOTES: Details for the payment of the fee for this application are  
as follows:

**SIGNED for the resident agent:****Print full name:**

SIFA/Form FFR9 – 24-2-2017

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**FORM FFR10 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:****APPLICATION FOR CHANGE OF NAME OF A  
FOUNDATION** (see Clause 1(5) Schedule 4 of the Act):

NOTE: This Notice must be accompanied by payment of the fee of [US\$50-00].

1. Name and address of the proposed resident agent making the application:
2. Name and registered office address of the foundation:
3. Registered number of the foundation:

We, the licensed and registered trustee company, which is the resident agent of the above mentioned foundation, hereby apply for the change of name of the foundation to

“Foundation”

NOTES: Details for the payment of the fee for this application are as follows:

**SIGNED for the resident agent:  
Print full name:**

SIFA/Form FFR10 – 24-2-2017

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**FORM FFR11 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:**

**NOTICE OF INTEREST OF AN OFFICIAL LIQUIDATOR**  
(see Section 78(5) of the Act):

NOTE: This Notice must be accompanied by payment of the fee  
of [US\$10-00].

1. Name and address of the official liquidator of the  
foundation:
2. Name and registered office address of the foundation:
3. Registered number of the foundation:
4. Details of the interest of the official liquidator within the  
meaning set out in Section 78(5) of the Act:

NOTE:

Details for the payment of the fee for this application are as  
follows:

**SIGNED by the official liquidator:**  
**Print full name:**

SIFA/Form FFR11 – 24-2-2017

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**FORM FFR12 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:**

**APPLICATION BY THE COUNCIL FOR THE  
APPOINTMENT OF A LIQUIDATOR** (see Section 79(1)(b)  
of the Act):

NOTE: This Application must be accompanied by payment of the  
fee of [US\$10-00].

1. Name and registered office address of the foundation:
2. Registered number of the foundation:

The Council has resolved that the foundation be wound-up by  
reason of the occurrence of a council’s winding-up event and the  
council hereby applies to the Registrar for the appointment of a  
liquidator.

A copy of the resolution of the council for the winding-up is  
attached to this Application.

The reason why the council applies for the appointment of a  
liquidator is as follows:

**NOTE:**

Details for the payment of the fee for this application are as  
follows:

**SIGNED by a member of the council of the foundation:  
Print full name:**

SIFA/Form FFR12 – 24-2-2017

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**FORM FFR13**  
**FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:**

**NOTICE OF COMPLETION OF WINDING-UP** (see Section 81(9)(a)(iii) of the Act):

NOTE: This Notice must be accompanied by payment of the fee of [US\$10-00].

1. Name and registered office address of the foundation:
2. Registered number of the foundation:
3. If the liquidation is being carried out by a liquidator, the name and address of the liquidator:
4. Date of completion of the liquidation:
5. *This statement is in the alternative:*

***Either:*** We, the council of the foundation, have carried out and completed the winding-up of the foundation and hereby file with Registrar a Notice of completion of the winding-up and a Certificate of solvency of the foundation.

***Or:*** I, the liquidator of the foundation (whether appointed by the Court or by the Registrar upon the written request of the Council), have carried out and completed the winding-up of the foundation and hereby file with the Registrar a Notice of completion of the winding-up and a copy of the Account of the winding-up.

NOTE:

Details for the payment of the fee for this application are as follows:

***Either* - SIGNED by a member of the council of the foundation:**

**Print full name:**

2018/2

*Foundations (Fees and Forms)  
Regulations 2017*

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**Or – SIGNED by the liquidator of the foundation:**

**Print full name:**

SIFA/Form FFR13 – 24-2-2017

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**FORM FFR14 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:**

**APPLICATION FOR THE REMOVAL OF THE  
FOUNDATION FROM THE REGISTER FOLLOWING  
THE WINDING-UP** (see Section 87 of the Act):

NOTE: This Notice must be accompanied by payment of the fee of [US\$50-00].

1. Name and registered office address of the foundation:
2. Registered number of the foundation:
3. Name and address of the resident agent:
4. If the liquidation is being carried out by a liquidator, the name and address of the liquidator:
5. Date of completion of the liquidation (see Section 87(2)(b) of the Act):
6. The winding-up event which led to the winding-up stating whether this was a council’s winding-up event or a Court’s winding-up event (see Section 87(2)(a) of the Act):

NOTE:

Details for the payment of the fee for this application are as follows:

***Either* - SIGNED by a member of the council of the foundation:**

**Print full name:**

***Or* – SIGNED by the liquidator of the foundation:**

**Print full name:**

**Or – SIGNED by the resident agent of the foundation:**

**Print full name:**

SIFA/Form FFR14 – 24-2-2017

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**FORM FFR15 FOUNDATIONS ACT 2016 (“Act”)**

**TO BE PROVIDED TO SIFA at SIFA at Level 6,  
Development Bank of Samoa Building , P.O. Box, Apia,  
Samoa**

**Dated:**

**APPLICATION FOR THE REINSTATEMENT OF THE  
FOUNDATION TO THE REGISTER** (see Section 88 of the  
Act):

NOTE: This Notice must be accompanied by payment of the fee  
of [US\$100-00].

1. Name and former registered office address of the  
foundation:
2. Former registration number of the foundation:
3. Date of removal of the foundation from the Register (see  
Section 87(2)(b) of the Act):
4. Reason for the application for re-instatement of the  
foundation to the Register:

NOTE:

Details for the payment of the fee for this application are as  
follows:

***Either* - SIGNED by an official of the foundation:**

**Print full name:**

***Or* – SIGNED by a participant of the foundation:**

**Print full name:**

***Or* – SIGNED by a creditor of the foundation:**

**Print full name:**



**FORM FFR16****SAMOAN FOUNDATIONS ACT 2016 (“ACT”)****TO BE PROVIDED TO SIFA at Level 6, Development Bank  
of Samoa Building, P. O. Box 3265, Apia, Samoa****Dated:****APPLICATION FOR RESTORATION TO THE REGISTER  
FOR A FOUNDATION WHICH HAS BEEN STRUCK OFF  
AND FILING OF ANY DOCUMENT OR INFORMATION  
IN THAT RESPECT (see Section 76A(6)(a)(b) of the Act)**Note: This application must be accompanied by payment of the  
fee [US\$100]State the due cause why it would be just for the foundation to be  
restored to the Register (Section 92(6)(b) of the Act):**NOTES:**

- (a) You may be required to provide such document or  
information or to take such actions as the Registrar may  
direct before restoration to the Register (if the application  
is approved) can take place (Section 92(6)(d) of the Act).
- (b) Details for payment of the fee for this application are as  
follows:

***Either* – SIGNED for the foundation:****(Member of the council)****Print full name:*****Or* – SIGNED for the resident agent:****Print full name:*****Or* - SIGNED by the appointed individual:****Print full name:*****Or* - SIGNED by the guardian:****Print full name:*****Or* - SIGNED by a creditor of the foundation:****Print full name:****Print address:*****Or* - SIGNED by the liquidator of the foundation:****Print full name:**

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**FORM FFR17**

**SAMOAN FOUNDATIONS ACT 2016 (“ACT”)  
TO BE PROVIDED TO SIFA at Level 6, Development Bank  
of Samoa Building, P. O. Box 3265, Apia, Samoa**

**Dated:**

**NOTICE THAT THE FOUNDATION DOES NOT INTEND  
TO PAY THE PRESCRIBED ANNUAL RENEWAL FEE  
(see Section 76A (10) of the Act)**

Note: This notice must be accompanied by payment of the fee  
[US\$10]

Please take note that [NAME OF FOUNDATION] does not  
intend to pay its next annual renewal fee.

**NOTE:**

Details for payment of the fee for this notice are as follows:

***Either* – SIGNED for the foundation:**

**(Member of the council)**

**Print full name:**

***Or* – SIGNED for the resident agent:**

**Print full name:**

SIFA/Form FFR17 – 25-7-2017

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**FORM FFR18**

**SAMOAN FOUNDATIONS ACT 2016 (“ACT”)  
TO BE PROVIDED TO SIFA at Level 6, Development Bank  
of Samoa Building, P. O. Box 3265, Apia, Samoa**

**Dated:**

**APPLICATION BY THE RESIDENT AGENT OF THE  
SURVIVING ENTITY WITH AN APPROVED PLAN FOR  
THE CONSOLIDATION OR MERGER OF  
FOUNDATIONS (see Section 74A, 74B, 74C and 74D of the  
Act)**

Note: This application must be accompanied by payment of the  
fee [US\$200]

Names of foundations being consolidated or merged:

(1)

(2)

Name of the surviving entity:

As resident agent of the surviving entity, we hereby apply, in  
accordance with Section 96 of the Act, for a certificate of  
consolidation or merger (as the case may be)

NOTES:

- (a) You must deliver or send to the Registrar with this  
application all the documents required by Section  
96(1)(b) and (2) of the Act.
- (b) Details for payment of the fee for this application are as  
follows:

**SIGNED by the resident agent of the foundation, by its  
director:**

**Print full name:**

SIFA/Form FFR20 – 25-7-2017

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**Issued under the authority of the Regulations Ordinance  
1953.**

**Date of Commencement: 4<sup>th</sup> December 2017**

**These Regulations are administered by the Samoa  
International Finance Authority.**

**Copies of these Regulations can be purchased from  
the Office of the Clerk of the Legislative Assembly.**

**Printed by the Clerk of the Legislative Assembly,  
by authority of the Legislative Assembly.**