



EMPLOYMENT SPONSORSHIP FORM

Information Sheet

WHO SHOULD USE THIS FORM

This form is to be completed by an employer who wishes to sponsor as an employee a person who is not a citizen or permanent resident of Samoa.

THE LAW

A person who is not a citizen or permanent resident of Samoa cannot work in Samoa without approval. Part 8 of the Immigration Act 2004 sets out the requirements.

An employer who sponsors an overseas worker must undertake to be liable for all costs and expenses associated with the presence of the person in Samoa and all costs associated with travel out of Samoa. The requirements are set out in Section 11 of the Immigration Act 2004.

WHO NEEDS PERMISSION TO WORK IN SAMOA?

Any person who is not a citizen of Samoa, or a permanent resident of Samoa, is required to have a Temporary Resident Permit that permits work before undertaking employment in Samoa.

Employment is defined as any work, whether permanent, temporary or casual, either for another person, or on a self-employed basis.

The only exemption to the requirement for gaining permission to work applies to employment concerning Samoa's diplomatic and international or regional obligations and relationships.

THE PROCESS

There are two parts to the process:

1. The employee must apply for a Temporary Resident Permit for employment purposes on form MPMC100.
2. The employer must apply as the sponsor of the employee and accept liability for all costs associated with the presence of the employer in Samoa by completing the Employer Sponsorship Form MPMC101.

Please note that the law changed with the introduction of the Immigration Act 2004. Both the Permit application form and the Employer Sponsorship forms are to be lodged at the Immigration Office.

The Immigration Office will pass copies of the forms to the Ministry of Commerce, Industry and Labour who will assess the merits of the employment of an overseas worker and advise the Immigration Office of their decision.

WHEN TO APPLY

In all cases, the application process should be completed BEFORE the employee arrives in the country.

An overseas worker who tries to travel to Samoa without a Temporary Resident Permit will not be allowed to board the flight.

An overseas employee who arrives in the country before the grant of a Temporary Resident Permit is NOT permitted to work while the application is processed. The penalty for working in Samoa without a permit is WST\$10,000.

The standard processing time is four weeks.

Forms are available in Adobe PDF format for sending by e-mail to the overseas worker.

EMPLOYER'S RESPONSIBILITIES

An employer who sponsors an overseas worker undertakes to take full responsibility for the worker and any family members included in the Sponsorship Form.

The employer will be responsible for ensuring that the employer, and any dependents, leave the country at the end of the employment, and must meet the costs of that travel.

While in the country, the employer must cover the costs of any medical treatment for the employee and any dependents.

The employer must ensure that the Government of Samoa does not incur any costs as a result of the presence in the country of the employee and their dependents, and undertakes to refund to the Government any costs that are incurred.

FEES

There is no charge for the processing of an Employment Sponsorship form.

The processing fee for an application for a Temporary Resident Permit is WST\$600 for the main applicant and WST\$300 for each dependent.

If granted, the permit will normally cover the full period of employment and incorporate multiple re-entry powers.



EMPLOYMENT SPONSORSHIP FORM

To be completed by an employer who wishes to employ an overseas worker.

SECTION 1. DETAILS OF EMPLOYER

1. Business name

2. Name of principal of the business first last

3. Samoan passport number of principal

4. Position held by principal

5. Postal address of business

6. Business location

7. Contact telephones

8. E-mail address @
 @

SECTION 2. DETAILS OF EMPLOYMENT

9. Title of position to be filled

10. Main responsibilities (List 3 main areas of responsibility)

11. Qualifications and skills required (List 3 main quals or skills)

12. Planned date of commencement

13. Planned duration of employment months years

SECTION 3. DETAILS OF OVERSEAS WORKER

14. Name of worker (as in passport)

15. Date of birth (dd/mm/yyyy)

16. Place of birth City Country

17. Most recent employment position Company Position

18. Qualifications

19. Passport number and citizenship

20. Name of spouse included in sponsorship

21. DOB of spouse included in sponsorship

22. Names and DOBs of children included in sponsorship

SECTION 4. EMPLOYER'S DECLARATION AND SPONSORSHIP

In consideration of the Government of Samoa at my request granting to the above named permission to enter and remain in Samoa, I do hereby agree with the said government that:

1. I undertake to comply with the provisions of the Labour and Employment Act 1972, and Labour and Employment Regulations 1973, and abide with the laws of Samoa in connection with the employment of above-mentioned worker. I also agree to make available to the Officers of the Ministry of Commerce, Industry and Labour any contract, record or any other information required by them in connection with this matter.
2. As sponsor, I shall be liable for all costs and expenses incurred by the Government during the stay in Samoa, and travel out of Samoa, of the applicant and the dependants noted in this sponsorship form.
3. In the event of early termination I will notify the Immigration and Labour Authorities.

Dated at this day of 200

Signature of sponsor

Name and Designation

This information is required for the purpose of the Labour and Employment (Employment of Expatriates) Amendment Act 1999 and the Immigration Act 2004.