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Committee on Trade Facilitation

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**NOTIFICATION OF CATEGORY COMMITMENTS UNDER
THE AGREEMENT ON TRADE FACILITATION**

COMMUNICATION FROM SAMOA

Addendum

The following communication, dated 20 August 2019, is being circulated at the request of the delegation of Samoa for Members' information.

Following up from the notification dated 28 August 2018 (G/TFA/N/WSM/1), Samoa hereby makes the following notifications:

(1) Shifting of categories with extended definitive implementation date; and (2) definitive implementation dates for category C designations.

1. Samoa wishes to notify that, based on Articles 17 and 19 of the Agreement on Trade Facilitation, Article 8 (Border Agency Cooperation), is requested to be shifted from category B to category C with extended definitive implementation dates as, further to an internal assessment and consultation with the implementing agencies, it was recognised that Article 8 covers areas that will require capacity building and the development of new processes and procedures to enhance the cooperation of border agencies. It was also recognised that external support will be required to fully implement this provision. (See table below)

Provision	Heading/ Description	Previous category designation	New category designation	Previously notified definitive date for implementation	New definitive date for implementation requested	Technical Assistance and Capacity Building Assistance (TACB) that will be required
Article 8	Border Agency Cooperation	B	C	29 June 2019	31 December 2025	<p>Legal/Policy</p> <ul style="list-style-type: none"> • Review and identify gaps in the existing system of coordination and policies • Review/develop legal basis to enhance coordination and collaboration between border agencies <p>Procedures</p> <ul style="list-style-type: none"> • Develop Procedures and Memorandum of Understanding (MOU) to help enhance the cooperation of border agencies <p>Human Resources/Training</p> <ul style="list-style-type: none"> • Capacity building and training for Border agencies officials on a new coordinated approach

2. At the same time, Samoa hereby makes the following notifications of its definitive dates for its category C commitments in response to Article 16 of the Agreement on Trade Facilitation (WT/L/931).

Provision	Heading/Description	Definitive date for implementation
Article 1.2	Information Available through Internet	31 December 2025
Article 4	Procedures for Appeal or Review	31 December 2027
Article 6.3	Penalty Disciplines	31 December 2025
Article 7.1	Pre-arrival Processing	31 December 2025
Article 7.2	Electronic Payment	31 December 2027
Article 7.4	Risk Management	31 December 2027
Article 7.5	Post-clearance Audit	31 December 2027
Article 7.7	Trade Facilitation Measures for Authorized Operators	31 December 2026
Article 7.8	Expedited Shipments	31 December 2027
Article 10.1	Formalities and Documentation Requirements	31 December 2027
Article 10.4	Single Window	31 December 2040

For ease of reference, Samoa's full list of category commitments are summarized in the table as attached herewith.

Provision	Heading/Description	Category	Indicative date for implementation (for categories B and C)	Definitive date for implementation (for categories B and C)	Assistance and Support for Capacity Building Required for Implementation (for category C)
Article 1 Publication and Availability of Information					
Article 1.1	Publication	B	22 February 2019	31 December 2022	-
Article 1.2	Information Available through Internet	C	22 February 2021	31 December 2025	<p>Legal/Policy</p> <ul style="list-style-type: none"> Undertake study to include stocktake of all trade information available online; identify gaps and assess Samoa's readiness to have a trade information portal/ website; cost and benefit analysis. Develop policy and legislate as necessary the mandate and process of publishing information; and having this information available online <p>Procedures</p> <ul style="list-style-type: none"> Review of outdated Standard Operating Procedures <p>Human Resources/Training</p> <ul style="list-style-type: none"> Training of IT Staff to design, develop and maintain websites Training of Customs officials on the implementation of Standard Operating Procedures Relevant training of officials and private sector <p>Information and Communication Technology</p> <ul style="list-style-type: none"> Develop and maintain a Trade Information Portal system (TIP) <p>Infrastructure</p> <ul style="list-style-type: none"> Appropriate equipment and software programs for border agencies <p>Consultations/Public Awareness</p> <ul style="list-style-type: none"> Stakeholder consultations on the potential TIP
Article 1.3	Enquiry Points	B	22 February 2019	31 December 2022	-
Article 1.4	Notification	B	29 June 2021	29 June 2021	-
Article 2 Opportunity to Comment, Information before Entry into Force and Consultations					
Article 2.1	Opportunity to Comment and Information Before Entry into Force	A	-	-	-
Article 2.2	Consultations	B	22 February 2019	31 December 2022	-
Article 3 Advance Rulings					
		A	-	-	-

Provision	Heading/Description	Category	Indicative date for implementation (for categories B and C)	Definitive date for implementation (for categories B and C)	Assistance and Support for Capacity Building Required for Implementation (for category C)
Article 4 Procedures for Appeal or Review					
		C	22 February 2020	31 December 2027	Operation <ul style="list-style-type: none"> Financial (and technical support where relevant) assistance required for the initial set-up and operation of the Customs Appeal Authority for the first five years
Article 5 Other Measures to Enhance Impartiality, Non-Discrimination and Transparency					
Article 5.1	Notification for Enhanced Controls or Inspections	B	22 February 2020	29 June 2020	-
Article 5.2	Detention	B	22 February 2020	29 June 2020	-
Article 5.3	Test Procedures	A	-	-	-
Article 6 Disciplines on Fees and Charges Imposed on or in Connection with Importation and Exportation and Penalties					
Article 6.1	General Disciplines on Fees and Charges Imposed on or in Connection with Importation and Exportation	A	-	-	-
Article 6.2	Specific Disciplines on Fees and Charges for Customs Processing Imposed on or in Connection with Importation and Exportation	A	-	-	-
Article 6.3	Penalty Disciplines	C	31 December 2019	31 December 2025	Human resources/Training <ul style="list-style-type: none"> Capacity building and training for Customs officials on the implementation and application of this provision
Article 7 Release and Clearance of Goods					
Article 7.1	Pre-arrival Processing	C	30 June 2019	31 December 2025	Human Resources/Training <ul style="list-style-type: none"> Capacity building and training for Customs, Quarantine Biosecurity and Border agencies officials on the implementation and application of this provision Information and Communication Technology <ul style="list-style-type: none"> Enhance the technological capacity of Customs officials in implementing this provision Infrastructure <ul style="list-style-type: none"> Upgrade existing Customs and Border agencies systems and infrastructure to facilitate Pre-arrival processing Upgrade and improvements to existing Quarantine Biosecurity infrastructure to facilitate pre-arrival processing

Provision	Heading/Description	Category	Indicative date for implementation (for categories B and C)	Definitive date for implementation (for categories B and C)	Assistance and Support for Capacity Building Required for Implementation (for category C)
Article 7.2	Electronic Payment	C	22 February 2020	31 December 2027	<p>Legal/Policy</p> <ul style="list-style-type: none"> Review existing systems and policies. And determine feasibility and resources required to set-up and operate an electronic payment system <p>Human Resources/Training</p> <ul style="list-style-type: none"> Capacity building and training for Customs, Quarantine Biosecurity and Border agencies officials on electronic payment <p>Information and Communication Technology</p> <ul style="list-style-type: none"> Enhance technological capacity of border agencies and government agencies necessary to implement an electronic payment system <p>Infrastructure</p> <ul style="list-style-type: none"> Development, set-up and installation of appropriate technology and equipment to put in place an electronic payment system
Article 7.3	Separation of Release from Final Determination of Customs Duties, Taxes, Fees and Charges	B	22 February 2019	29 June 2020	-
Article 7.4	Risk Management	C	22 February 2023	31 December 2027	<p>Legal</p> <ul style="list-style-type: none"> Review/develop legal basis to enhance coordination and collaboration between border agencies on risk identification and application of risk management <p>Policy</p> <ul style="list-style-type: none"> Develop a risk management policy with target percentages of low/high risk cargo Develop a training plan for Customs, Quarantine Biosecurity and Border agencies officials on risk management targeting the application of risk management <p>Procedures</p> <ul style="list-style-type: none"> Review and develop necessary procedures <p>Human Resources/Training</p> <ul style="list-style-type: none"> Capacity building and training for Customs and Quarantine Biosecurity officials on risk management using transaction data from ASYCUDA system

Provision	Heading/Description	Category	Indicative date for implementation (for categories B and C)	Definitive date for implementation (for categories B and C)	Assistance and Support for Capacity Building Required for Implementation (for category C)
					<ul style="list-style-type: none"> • Training and Development for border agencies staff on risk identification and profiling <p>Information and Communication Technology</p> <ul style="list-style-type: none"> • Enhance technological capacity of Border agencies necessary to implement a proper risk management process/system <p>Infrastructure</p> <ul style="list-style-type: none"> • Provision of Non-Intrusive Inspection equipment • Provision of appropriate technology and equipment to support the implementation of a proper risk management system
Article 7.5	Post-clearance Audit	C	22 February 2023	31 December 2027	<p>Legal</p> <ul style="list-style-type: none"> • Develop/review relevant legislations and policies for Post Clearance Audit (PCA) <p>Policy</p> <ul style="list-style-type: none"> • Develop a compliance assessment policy and procedure incorporating the connectivity with risk management • Develop a training plan/module to train Customs officials and agents on the concept of 'informed compliance' and train the target groups • Develop a methodology/approach to conduct a national compliance assessment on an annual basis <p>Procedures</p> <p>Develop and update processes and procedures that incorporate these aspects of PCA:</p> <ul style="list-style-type: none"> • Draft a compliance assessment policy and procedure incorporating the connectivity with risk management • Draft a training module to train Customs and the Agents on the concept of 'informed compliance' and train the target groups • Draft a methodology/approach to conduct a compliance assessment on an annual basis for the whole of Samoa • Conduct annual compliance assessments

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					<ul style="list-style-type: none"> • Train Customs staff to conduct PCA as a compliance assessment tool <p>Human Resources/Training</p> <ul style="list-style-type: none"> • Capacity building and training for Customs officials to conduct Post Clearance Audit as a compliance assessment tool • Develop data analysis skills and knowledge for Customs and border agencies officials • Capacity building and training for Customs PCA officials on auditing techniques and methodology <p>Information and Communication Technology</p> <ul style="list-style-type: none"> • Enhance technological capacity of Border agencies necessary to implement PCA <p>Infrastructure</p> <ul style="list-style-type: none"> • Provision of appropriate technology and equipment to help implement PCA
Article 7.6	Establishment and Publication of Average Release Times	B	22 February 2019	29 June 2019	-
Article 7.7	Trade Facilitation Measures for Authorized Operators	C	22 February 2023	31 December 2026	<p>Legal</p> <ul style="list-style-type: none"> • Develop relevant legislation and policies to allow the setup of an Authorised Operators (AO) program <p>Policy</p> <ul style="list-style-type: none"> • Develop an Authorised Operators policy <p>Procedures</p> <ul style="list-style-type: none"> • Develop proper procedures and criteria for the assessment of authorised operators that meet specified criteria in the AO program <p>Human Resources/Training</p> <ul style="list-style-type: none"> • Capacity building and training for Customs and Quarantine officials on the implementation of the AO program

Provision	Heading/Description	Category	Indicative date for implementation (for categories B and C)	Definitive date for implementation (for categories B and C)	Assistance and Support for Capacity Building Required for Implementation (for category C)
Article 7.8	Expedited Shipments	C	22 February 2020	31 December 2027	<p>Legal/Policy</p> <ul style="list-style-type: none"> • Develop relevant legislation and policies <p>Procedures</p> <ul style="list-style-type: none"> • Review of outdated Standard Operating Procedures <p>Human Resources/Training</p> <ul style="list-style-type: none"> • Training of Customs and Border agencies officials on clearance of commercial cargos at the airports • Training of Customs officials on the implementation of Standard Operating Procedures <p>Infrastructure</p> <ul style="list-style-type: none"> • Appropriate equipment required such as x-rays, scanners and computers for border agencies
Article 7.9	Perishable Goods	B	31 December 2019	31 December 2019	-
Article 8 Border Agency Cooperation					
		C	22 February 2019	31 December 2025 (new date requested)	<p>Legal/Policy</p> <ul style="list-style-type: none"> • Review and identify gaps in the existing system of coordination and policies • Review/develop legal basis to enhance coordination and collaboration between border agencies <p>Procedures</p> <ul style="list-style-type: none"> • Develop Procedures and Memorandum of Understanding (MOU) to help enhance the cooperation of border agencies <p>Human Resources/Training</p> <ul style="list-style-type: none"> • Capacity building and training for Border agencies officials on a new coordinated approach
Article 9 Movement of Goods Intended for Import under Customs Control					
		B	22 February 2020	29 June 2021	-

Provision	Heading/Description	Category	Indicative date for implementation (for categories B and C)	Definitive date for implementation (for categories B and C)	Assistance and Support for Capacity Building Required for Implementation (for category C)
Article 10 Formalities Connected with Importation, Exportation and Transit					
Article 10.1	Formalities and Documentation Requirements	C	22 February 2020	31 December 2027	<p>Policy</p> <ul style="list-style-type: none"> Support to customs to expedite publication and activation of the new draft procedures under the modernization program <p>Information and Communication Technology</p> <ul style="list-style-type: none"> Enhance the technological capacity of Customs and border agencies officials to ensure full utilisation of the ASYCUDA World system <p>Infrastructure</p> <ul style="list-style-type: none"> Upgrade existing Customs system and infrastructure to implement this provision
Article 10.2	Acceptance of Copies	B	22 February 2019	29 June 2019	-
Article 10.3	Use of International Standards	A	-	-	-
Article 10.4	Single Window	C	22 February 2022	31 December 2040	<p>Legal</p> <ul style="list-style-type: none"> Review/develop relevant laws to facilitate the development of a comprehensive national single window Compliance review Develop Memorandum of Understanding (MOUs) with other agencies to enhance cooperation <p>Policy</p> <ul style="list-style-type: none"> Conduct a feasibility study to explore the viability of a national single window system Develop a strategy for the implementation of single window <p>Procedures</p> <ul style="list-style-type: none"> Develop appropriate procedures and processes to facilitate the implementation of single window <p>Human Resources/Training</p> <ul style="list-style-type: none"> Capacity building and training for Customs officials and border agencies on the implementation of single window system Capacity building for other government agencies and private sector on the implementation of single window system

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					Information and Communication Technology <ul style="list-style-type: none"> Review of national ICT policies to facilitate the implementation of single window Enhance and upgrade technological capabilities of border agencies and government agencies necessary to implement the single window Infrastructure <ul style="list-style-type: none"> Provision of appropriate technology and equipment to help implement single window
Article 10.5	Pre-shipment Inspection	A	-	-	-
Article 10.6	Use of Customs Brokers	A	-	-	-
Article 10.7	Common Border Procedures and Uniform Documentation Requirements	A	-	-	-
Article 10.8	Rejected Goods	A	-	-	-
Article 10.9	Temporary Admission of Goods and Inward and Outward Processing	B	22 February 2019	29 June 2019	-
Article 11 Freedom of Transit					
		B	29 June 2019	29 June 2019	-
Article 12 Customs Cooperation					
		A	-	-	-