

**BUSINESS LICENCE AMENDMENT REGULATIONS
2018**


SAMOA

Arrangement of Provisions

- | | |
|------------------------------|--------------------------|
| 1. Citation and commencement | 5. New Schedule inserted |
| 2. Regulation 2 amended | 6. Savings |
| 3. Regulation 4 amended | |
| 4. New regulation 7 inserted | |

PURSUANT to section 6(3) and 19 of the Business Licences Act 1998, I, **TUIMALEALI'IFANO VA'ALETOA SUALAUVI 11**, Head of State of the Independent State of Samoa, acting on the advice of Cabinet, **MAKE** these Regulations—

DATED this ^{13th} day of DECEMBER 2018.


(Tuimalealiifano Va'aletoa Sualauvi II)
HEAD OF STATE

PART I PRELIMINARY

1. Citation and commencement – These Regulations may be cited as the Business Licence Amendment Regulations 2018 and commence on the date of assent.

2. Regulation 2 amended – In regulation 2 of the Business Licence Regulations 2012 (“principal Regulations”) insert in its alphabetical order the following new definition:

““beneficial owner” means any natural person who ultimately owns or controls any person on whose behalf a transaction is being conducted and includes any person who exercises ultimate control over a legal person or an arrangement.”.

3. Regulation 4 amended – After regulation 4(d) of the principal Regulations, insert:

“(e) a person that has been issued a licence under regulation 3(b), (c), (d), (f), (g) must notify the Commissioner in writing when there has been a change of ownership to the company at least 14 days before the transfer takes place.”.

4. New regulation 7 inserted – After regulation 6 of the principal Regulations, insert:

“7. Business Licence Particulars: The following particulars must be provided together with an application for a licence:

- (a) Site map of business location;
- (b) Legal form of identification with a photo of applicant, shareholders or directors where applicable;
- (c) Beneficial Owner (ultimate owner) of the business;
- (d) Bank account of business to show evidence of capital of funding of business;
- (e) Company Certificate of Incorporation (if applicable);
- (f) Partnership Agreement (if applicable);
- (g) Deed of Trust (if applicable);
- (h) Foreign Investment Certificate (if applicable);
- (i) Applicable license fees;
- (j) Health Compliance Certificate (for business involves fast – food and related activities);
- (k) Samoa Tourism Authority Confirmation (for tourist accommodations and related activities);
- (l) Qualifications/Credentials (for specialized professions);
- (m) Ministry of Finance Licence to operate Petrol station (if applicable);
- (n) bingo licence issued under the Gaming Control Act 2017 to conduct bingo (if applicable).”.

5. New Schedule inserted – After new regulation 7, insert:

**“SCHEDULE
(Business License Fees)**

Classes of license	Fees
Sole trader	\$352.00
Company	\$800.00
Special business	\$50.00” per day.

6. Savings – Any business licence fee collected by the Ministry from 1 January 2018 is validated as if it were collected under these Regulations.
