



## TERMS OF REFERENCE

Activity Title:	Development of the Policy Framework for Samoa’s Citizenship by Investment Program
Estimated Number of Days:	25 days
Budget:	AUD25,000
Location:	Apia, Samoa
Duration:	June - July 2025
Reporting to:	Trade in Services and Investment Lead, PPIU

### I. BACKGROUND

The Government of Samoa is committed to fostering a favourable investment climate that can attract increased foreign investment that can in turn support sustainable development for the country. This commitment is reflected in the Pathway for the Development of Samoa 2021/2022 – 2025/2026, under Key Outcome 2 “Diversified and Sustainable Economy”. The Samoa Ministry of Commerce, Industry and Labour (MCIL) recognizes that improving the investment climate and environment requires conducive policy and legislation, and has undertaken regulatory reform of the Samoa Citizenship by Investment Act.

Samoa’s Citizenship by Investment Program (hereafter referred to as the “Program”) became effective in 2017 and it is administered under the Citizenship Investment Act (CIA) 2015 and its Regulations 2016. The Program grants Samoan citizenship to an investor and family members contingent upon a qualified level of investment that meets the criteria in the CIA. A review of the CIA in August 2023 recommended the development of a comprehensive Policy Framework to guide the implementation of the Program, and to scope and support any required modifications. This assignment is to facilitate the development of the Policy Framework.

### II. OBJECTIVE & SCOPE

The primary objective of this assignment is to develop a Policy Framework for Samoa’s Citizenship Investment Program that will provide guidance for decision makers on the administration of the CIA and Program. The assignment is to:

- i. Clarify the purpose and intent of the Citizenship by Investment Program and how it aligns to Samoa’s strategic foreign investment objectives and programs
- ii. Determine the costs and benefits of the Program, noting experiences of other countries in the region and comparable examples from other regions
- iii. Assess the criteria for qualifying investments, fees and application process with due consideration of the identified costs and benefits of the Program and comparative analyses against similar programs in the region
- iv. Ensure compliance with Samoa’s obligations in international and regional agreements, including PACER Plus
- v. Provide recommendations on how the Program can be enhanced to mitigate risks and increase potential development benefits, as well as comply with Samoa’s obligations in international and regional agreements/conventions.

To achieve the objective, technical assistance is required to:

1. Undertake a desktop review of relevant legislations, policies and literature on citizenship by



- investment programs, with particular focus on the 2023 report on the review of the Samoa Citizenship by Investment Act 2015 and the internal policy assessments by MCIL
2. Conduct a comparative analysis of similar foreign investment and citizenship schemes in the region as well as similar island countries in other regions
  3. Conduct consultations of key stakeholders including government departments, private sector and relevant non-state actors.
  4. Consider gender, disability and social inclusion in the development of the Policy Framework

### III. DELIVERABLES

The Consultant will deliver the following outputs, to be approved by the Activity Supervisor according to the timelines detailed below:

1. A short Inception Report — including:
  - a. a work plan including a consultation plan of key Samoa stakeholders, dates for deliverables
  - b. a list of any secondary data to be gathered or identified, and
  - c. highlighting potential constraints to the assignment with proposed mitigation measures.
2. Draft Policy Framework — following stakeholder consultations including a validation workshop.
3. Final Policy Framework which reflects and addresses comments from the validation workshop and final comments (including endorsement) from the Citizenship by Investment Committee

All outputs shall be provided in relevant Microsoft Office formats or in the format agreed with the PPIU.

### IV. TIME AND PAYMENT SCHEDULES

The Activity shall be completed within a maximum of 25 working days over a period of 2 months according to the indicated time frames below. Exact dates of beginning and completion stages as well as scope of work may be amended in discussion with the PPIU.

Payments will be made as provided in the payment schedule below, upon the completion and approval of each deliverable.

Nr.	Deliverables	Indicative Time Frame (delivered by)	Payment Schedule (AUD)
1.	Inception Report	5 June 2025	5,000
2.	Draft Policy Framework	26 June 2025	15,000
3.	Final Policy Framework	17 July 2025	5,000

*The days are based on working days (Monday — Friday, 9am — 5pm).*

### V. REPORTING:

- The Activity will be supervised by the PPIU Trade in Services and Investment Lead and will hold responsibility for guiding progress and technical advice on delivering the activity.
- The Consultant is required to report to the Activity Lead who will ensure that the deliverables are submitted according to the indicated timeframes and quality standards.
- Regular discussions with the PPIU and MCIL will also be carried out during the consultancy period to monitor progress and constraints, support required and proposed solutions.

### VI. QUALIFICATIONS, SKILLS AND EXPERIENCE REQUIRED OF CONSULTANT(S)



# PACER Plus

IMPLEMENTATION UNIT

Preference will be given to Pacific-based consultants who possess the following qualifications, skills and experience, and personal specifications:

**1. Qualifications:**

- Postgraduate qualifications in Public Administration, Economics, Commerce, International Business, International Trade, Law, Social Sciences or in any other relevant area.

**2. Skills & Experience:**

- Advanced experience (10+ years) in undertaking legislative review and/or assessment of public policy, providing recommendations in a sensitive manner.
- Thematic expertise working in investment, foreign policy, citizenship, international trade or relevant areas.
- More than 10 years' experience working within a cross-cultural context within the Pacific, with experience in the investment legislative and policy environment in Samoa
- Excellent command of English (oral and written).
- Ability to work independently under a well-defined consultancy framework.
- Attention to detail, ability to work in teams, and under tight deadlines.