



SUBSIDIARY ARRANGEMENT BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF SAMOA RELATING TO THE SAMOA-AUSTRALIA POLICE PARTNERSHIP AND THE PACIFIC TRANSNATIONAL CRIME COORDINATION CENTRE

Pursuant to the terms of paragraph seven of the *Memorandum of Understanding between the Government of Australia and the Government of Samoa on Development Cooperation* (MOUDC) of 12 February 2009, the Government of Australia and the Government of Samoa have reached the following understanding with respect to the Samoa-Australia Police Partnership (SAPP) and the Pacific Transnational Crime Coordination Centre (PTCCC):

1. Purpose

This Subsidiary Arrangement supports the objectives of the Australia-Samoa Aid Partnership Arrangement 2016-2019 that was signed on 7 December 2016.

The terms of the MOUDC apply to this Subsidiary Arrangement.

2. Nominated Implementing Agencies

The nominated implementing agencies for the SAPP and the PTCCC will be:

For the Government of Samoa: the Samoan Police Service (SPS).

For the Government of Australia: the Australian Federal Police (AFP).

3. Activities of Australian Federal Police supported programs based in Samoa

3.1 Samoa-Australia Police Partnership

The objective of the SAPP is to improve the effectiveness of and community confidence in the SPS. Subject to consultation with the SPS and implementation priorities that support the 2016-18 SPS Corporate Plan, specific programs that are supported by SAPP include (but not be limited to) the following areas:

- Executive mentoring and technical advice
- Police training curriculum
- Investigations support and technical advice; and
- Corporate resources and Human Resource Management

3.2 Pacific Transnational Crime Coordination Centre

The Pacific Transnational Crime Network (PTCN) provides an inter-connected criminal intelligence and investigative capability across sixteen Pacific Island Nations to combat transnational crime in the Pacific.



Key objectives of the PTCCC are:

- Capacity building - enhancing the capability and professional development of participating PTCN law enforcement partners, by improving the effectiveness and intelligence skills and knowledge of PTCCC seconded officers and the SPS Transnational Crime Unit (TCU).
- Coordination – facilitating the collection, collation, analysis and dissemination of intelligence throughout the Pacific region.
- Collaboration – brokering collaboration with key law enforcement partners in the Pacific.

Activities undertaken through the SAPP and the PTCCC will be complementary to other Australian Government-funded overseas development assistance.

4. Contributions to the SAPP and the PTCCC

4.1 Contributions of the Australian Government

4.1.1 Financial

The Australian Government contributions, which will be funded by the AFP, include:

- Funding of international and domestic travel, accommodation and remuneration of the AFP SAPP Program Manager and personnel engaged by AFP under the SAPP and PTCCC, and other law enforcement officers seconded to the SAPP or PTCCC.
- Costs of office equipment, materials and supplies and communications required for implementation of SAPP and PTCCC activities.
- Vehicles used in the delivery of the SAPP and PTCCC activities by the AFP and seconded officers, including maintenance and running costs.
- SPS TCU operating costs, including vehicles, office equipment and supplies where decided between the Partners.

Additional AFP funding arrangements for the PTCCC are detailed in the *Exchange of Letters between the Australian Federal Police and the Pacific Islands Chiefs of Police Executive Leadership Team Chair of the Pacific Transnational Crime Network on continuation of funding for the Pacific Transnational Crime Network and the Pacific Transnational Crime Coordination Centre in Samoa*, signed on 29 September 2015.

On termination of this Subsidiary Arrangement, all Australian Government funded equipment, materials, supplies and vehicles not expressly transferred to the Government of Samoa will remain the property of the Government of Australia.

Disbursement of the Australian contributions will be subject to the normal Australian annual parliamentary approval of appropriations.

4.1.2 Personnel

The AFP will provide:



- An experienced AFP Advisor who will act as AFP SAPP Program Manager and Mission Commander for AFP resources in country.
- Additional AFP Technical Advisors, contracted consultants and subject matter experts may be provided in consultation with the SPS to deliver the SAPP projects.
- An experienced AFP Advisor who will contribute to capacity development within the PTCCC, in addition to appropriately managing the financial, physical and human resources attached to the PTCCC, including induction, training, development, and mentoring for the seconded staff to the PTCCC.
- Funding for five (5) PTCN law enforcement officers to staff the PTCCC for secondment periods of between three (3) to twelve (12) months, in addition to short-term attachments where required.

4.2 Contributions of the Government of Samoa

4.2.1 Financial

The Government of Samoa will fund mutually determined administrative costs for the SAPP including the salaries and local transport expenses for all Samoan Government personnel involved in SAPP and PTCCC activities.

The Government of Samoa will provide the SAPP and PTCCC premises without charge and fund the external maintenance of both premises. All SAPP occupancy arrangements will be between the SAPP Program Manager and Commissioner SPS. PTCCC occupancy arrangements will be pursuant to the terms of the *Memorandum of Understanding for the Continuation of Staffing and Occupancy Arrangements between the Government of Samoa and the Pacific Transnational Crime Co-ordination Centre (PTCCC)*, signed on 26 February 2014.

4.2.2 Personnel

The Government of Samoa will ensure appropriate counterpart staff are assigned to work on jointly determined SAPP and PTCCC activities.

The key strategic counterpart staff for the AFP SAPP Program Manager will be the Samoan Police Commissioner and the Assistant Commissioners. The AFP SAPP Program Manager and other SAPP Technical Advisors will also interact closely with other senior officers during the implementation of SAPP projects. The Government of Samoa will ensure that appropriate counterpart staff are assigned to support these activities.

The Government of Samoa will ensure the SPS TCU is appropriately staffed with law enforcement officers to undertake transnational crime investigative activities and to work jointly with the PTCCC.

Officers from the SPS TCU will undertake short-term secondments to the PTCCC when resourcing allows and in agreement with the PTCCC Team Leader and AFP Advisor.



5. Annual Plans/Budgets

SAPP activities, outputs and outcomes will be outlined in an annual project plan. The AFP SAPP Program Manager will prepare the annual project plan jointly with the SPS Commissioner and Senior Executive. Timing of the annual project plan will be aligned to the SPS corporate planning and government budget cycle. The draft annual project plans will be approved by the SAPP Program Manager and Commissioner SPS.

PTCCC activities, performance measures and other PTCN-related outcomes will be outlined in the PTCN Annual Report prepared for the Pacific Islands Chiefs of Police (PICP). Timings of delivery for the PTCN Annual Report will be aligned with the PICP Conference, to be presented to and endorsed by the PICP.

The AFP PTCN Program Manager will oversee the PTCCC annual budget and be responsible for monitoring, compliance and reporting to the PICP.

6. Monitoring, Review and Evaluation arrangements

The SPS Commissioner and SAPP Program Manager will meet bi-monthly to provide oversight of the SAPP projects supporting the SPS. These meetings will be closely aligned with SPS planning and budget processes to the best extent possible. The SPS Commissioner and SAPP Program Manager will keep the Government of Samoa informed of progress being made by the projects delivered by the AFP.

The PICP Executive Leadership Team (ELT) is the responsible oversight committee for the PTCCC which meets bi-annually to provide strategic guidance and monitoring of PTCCC activities, to ensure they align with agreed regional priorities to combat transnational crime. The SPS Commissioner is the current PTCN ELT Chairperson, entrusted in this position for a period of two (2) years before rotation to a new Chief of Police in the Pacific region. The SPS Commissioner will continue to represent the Government of Samoa interests in all development activities, strategic direction, performance measures and fiscal arrangements of the PTCCC through the PICP.

7. Amendments

This Subsidiary Arrangement may be amended at any time as mutually decided by the Government of Samoa and the Government of Australia. Amendments to the Subsidiary Arrangement will be communicated in an exchange of letters between the Government of Samoa and the Government of Australia.

8. Termination

This Subsidiary Arrangement may be terminated by either the Government of Samoa or the Government of Australia any time on three months' notice in writing to the other Government.

9. Duration of the Arrangement



This Subsidiary Arrangement will take effect from the date of its signature and be valid for a period of five (5) years. This Subsidiary Arrangement may be further extended as required by the mutual consent of the Partners.

Signed in duplicate, in Apia, on this 2nd day of February 2017.

FOR THE GOVERNMENT OF AUSTRALIA

FOR THE GOVERNMENT OF SAMOA

Printed Name:

Printed Name:

Title: High Commissioner

Title: Prime Minister and Minister of Police

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T. Mahelegaoi