

Re: Tanzania EITI Multi-Stakeholders Working Group

Minutes of the 80th MSG Meeting Held at the Petroleum Bulk Procurement Agency (PBPA) office, 11th Floor. Conference Room, Dar es Salaam. 21st October, 2019

TEITI-MSG MEMBERS

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|-----|-------------------------|-------------------------------------------------|
| 1. | Mr. Ludovick Utouh | MSG-Chairperson |
| 2. | Ms. Blandina Sembu | MSG-Member-CSOs (SHIVYAWATA) |
| 3. | Ms. Philothea Ruvumbagu | MSG-Member-CSOs (Trade Unions) |
| 4. | Mr. Donald Kasongi | Alt. Amani Mhinda –MSG Member CSOs(Haki Madini) |
| 5. | Mr. Gerald Mturi | MSG-Member-Industry-(TCME) |
| 6. | Mr. Petro Ahham | MSG-Member-CSOs(PWYP-TZ/MESO) |
| 7. | Mr. Furia Felichismo | MSG-Member-Industry-(OGAT) |
| 8. | Eng. Chiku Juma | Alt. David Mlabwa, Ministry of Minerals |
| 9. | Mr. Ezamo S. Maponde | MSG-Member-Government-(PMO) |
| 10. | Mr. Alfred Mwaswenya | MSG Member- Industry-(ASM) |
| 11. | Mr. Godvictor Lyimo | MSG-Member-Industry- (TCME) |
| 12. | Mr. Halfani Halfani | MSG Member-Industry (OGAT) |
| 13. | Mr. Laurent Kadashi | Alt. Mr. Mregi - MSG Member Government (TRA) |
| 14. | Mr. Josephat Shigela | Alt. Sudi Abdallah MSG Member Government(TPDC) |

ABSENT WITH APOLOGY

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| 1. | John Kinuno | MSG Member-Government |
| 2. | Dr. Camillus Kassala | MSG-Member-CSOs(Interfaith Committee) |

INVITED GUESTS

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| 1. | Ms. Ines Schjolberg Marques | Policy Director - EITI Secretariat |
| 2. | Ms. Lyidia Kilpi | Validation Manager – EITI Secretariat |
| 3. | Mr. Alloyce Maziku | Mzumbe University |
| 4. | Dr. George Mafulu | Mzumbe University |
| 5. | Dr. Gabriel Komba | Mzumbe University |
| 6. | Dr. Joshua Mwakujonga | Mzumbe University |
| 7. | Mr. Stemberger Anton | Program Manager- EU delegation to Tanzania |

1. OPENING OF THE MEETING.

The meeting was opened at 09.30am.

2. ADOPTION OF AGENDA.

The agenda was reviewed and adopted.

3. APPROVAL OF THE MINUTES OF THE 78th and 79th MSG MEETINGS.

Draft minutes of the 78th and 79th MSG Meetings was reviewed and approved subject to minor corrections.

4. APPROVAL OF THE MATTERS ARISING FROM 78TH AND 79TH MSG MEETINGS.

Matters arising from 78th and 79th meetings were reviewed and approved.

5. UPDATE ON THE RECRUITMENT OF THE INDEPENDENT ADMINISTRATOR FOR PREPARATION OF 2016/17 AND 2017/18 TEITI REPORTS.

Members were informed that, the tender for production of the 2016/17 and 2017/18 were cancelled due to expiring of the tender bid validity period. Following this cancellation, on 26th August 2019, the Ministry of Minerals Tender Board issued Request for Proposals to nine (9) shortlisted Consultants (Academic Institutions) for which the closing submission date was Monday 16th September 2019. The Consultants who Received Request for Proposal are 1. M/s Institute of Accountancy Arusha; 2. M/s Mzumbe University; 3. M/s

College of Business Education; 4. M/s University of Dar es Salaam; 5. The Institute of Finance Management (IFM); 6. M/s Moshi Cooperative University; 7. The Institute of Rural Development; 8. M/s Tanzania Institute of Accountancy; 9. M/s University of Dodoma. It was further reported that only three (1. M/s Institute of Accountancy Arusha; 2. M/s Mzumbe University; and 3. M/s College of Business Education) among nine (9) shortlisted consultants who received RFP submitted technical and financial proposals on Monday, 16th September 2019 at 10.00 hours. Following the evaluation result, M/S Mzumbe University won the tender for which the contract was signed on 17 October 2019. Members reviewed the guideline and procedures used in appointing the Independent Administrator which detailed the procurement process, evaluation criteria and contract price. Members discussed and approved the appointment of M/s MZUMBE UNIVERSITY as the Independent Administrator for the production of the two reports for the fiscal year 2016/17 and 2017/18. In addition, the representatives from Mzumbe University who had been invited to the meeting were called upon to speak on their appointment to this important national assignment. The head of the Mzumbe University delegation thanked the Ministry of Minerals Tender Board and the MSG for the trust they placed on them. He went to further explain that they were aware of the urgency and importance of the assignment for which they committed themselves in doing all that is in their power to do a truly professional job within the expected period of two months.

Furthermore, the EITI Secretariat presented the Tanzania 2017 validation recommendations and advised the MSG to work on the remaining unmet requirements in preparation for the second validation expected to start in January 2020. The EITI Secretariat promised to extend full support in the course of production of the 2016/17 and 2017/18 reports.

Members insisted on immediately starting the preparation for the two reports, for which it was agreed that a subcommittee comprising of Mr. Gerald Mturi, Mr. Camillus Kassala, Chiku Juma and Laurent Kadashi be constituted to assist the Independent Administrator in the production of the reports.

Members requested the Independent Administrator to expedite the production of the 2016/17 report in order to meet the deadline of the report by 1st January 2020.

6. UPDATE ON REQUEST FOR EXTENSION OF PUBLICATION OF THE 2016/17 TEITI REPORT

Members were informed that the EITI Board in its 45th Board meeting granted extension of the requested deadline for publication of the 2016/17 to January 2020. However, it was reported that TEITI was yet to receive the official notification.

7. AMENDMENTS OF THE TEITA ACT, 2015 AND PREPARATION OF REGULATIONS

It was reported that, the Ministry of Minerals is working on the amendments which will then be submitted to the Office of the Attorney General for further action.

8. UPDATED TEITI ORGANISATION STRUCTURE.

It was reported that, on 23rd July, 2019 TEITI Secretariat communicated with the Office of the Treasury Registrar about the MSG concern on the TEITI organization structure who recommended that, the proposed changes will be incorporated during the meeting between TEITI and Utumishi Office.

9. UPDATE ON THE INVESTIGATION ON THE TEITI REPORT DISCREPANCIES INVESTIGATION ON THE 8TH TEITI REPORT DISCREPANCIES

It was reported that, during the 79th MSG meeting, CAG officer admitted that there was a Clerical error in the investigation report especially on the details of the reported discrepancy of the Ministry of Minerals. It was further reported that, the MSG requested CAG office to rework on the investigation report. Members were informed that the CAG office was still working on the report.

10. CONTRACT DISCLOSURE

Members were informed that, the Ministry of Minerals agreed to provide Minerals Development Agreements to the Committee for publication.

However, the Ministry recommended that MSG should first review and understand those contracts before publishing them.

11. SECOND VALIDATION FROM 1st JULY, 2019

It was reported that, in June 2019, TEITI committee submitted a request for extension of the second validation to the EITI Board. Members were informed that the matter was discussed in the 45 Board meeting which took place in Addis Ababa on 16th to 17th October, 2019 and Tanzania second validation was extended to start in January 2020.

12. NOMINATION OF NEW MSG MEMBERS (2019-2022)

It was reported that, the current tenure of the MSG members will expire on 26th October 2019. On July 26, the Ministry of Minerals issued public notice informing each constituency to elect its representatives to the 4th TEITI MSG committee for the period of 2019 - 2022. It was also reported that the Industry constituency has submitted its representatives. It was further reported that, the Government constituency had submitted three names and therefore there are two names pending which are from Attorney General's Office and President Office - Regional Administration and Local Government (PO-RALG). On the CSOs constituency, it was informed that there is contradiction of the names submitted by two different umbrella NGOs all purporting to represent the interests of the extractive industry from the CSOs point of view where one group submitted five names while the second group submitted three names making a total of eight names.

13. DISCUSSION ON THE PERFORMANCE REPORT

Members discussed the performance report of the current committee (2016-2019). Members agreed to further review the draft and provide their comments by 05th November 2019. Secretariat were directed to improve the document.

14. DISCUSSION ON THE DRAFT FRAMEWORK FOR TRANSPARENCY AND ACCOUNTABILITY IN REPORTING AND DISCLOSURE

The draft framework for transparency and accountability in reporting and disclosure of extractive revenues was presented for discussion. However, Members discussed the draft framework and agreed to get more time to further review the draft and provide their comments by 05th November 2019. The Secretariat was directed to improve the document.

15.AOB.

-Members agreed that progress report to be provided to the MSG out going members

- Members agreed that if the new MSG members will not be announced by 26th October, 2019 the TEITI Secretariat should request the Hon. Minister for Minerals to extend the lifespan of the current MSG up to when the new appointed MSG will be formally announced. This extension will contribute to the MSG being in a position of dully overseeing the successful preparation of the production of two reports for fiscal year 2016/17 and 2017/18.

16.DATE FOR THE NEXT MEETING.

To be communicated by Secretariat.

17.CLOSING.

The meeting was adjourned at 14:55.



Mr. Ludovick Utouh
Chairperson – TEITI



Ms. Mariam Mgya.
Acting Executive Secretary – TE