

LEITI MULTI-STAKEHOLDERS STEERING GROUP
MINUTES OF THE 35TH MEETING
4TH FLOOR, MINISTRY OF FINANCE BUILDING, MONROVIA
THURSDAY, APRIL 29, 2010 AT 12:00 NOON

Attendance

Eugene H. Shannon
Christopher Neyor
Yah Kialain
Borkai Sirleaf
Fulton D. Reeves
Myer K. Jargbah
Febian N. Kieh
Helena Jackson-Thornes
Mark Richards
Betty Mends-Cole
Roosevelt K. Forh
Matenneh-Rose L. Dunbar
Eric Swen
Marcus Wleh
Jan Rabantek
Rebecca Alper
E. Musu Coleman
Esiaka B. Konneh
Philip A. Sandi
Francis K. Colee
Edward R.A Smith
Hnede L. Berrian

Institution

MLME
MOS/ Office of the President
MIA
MOA
NOCAL
FDA
FDA
GODIMWUL
BHP Billiton
BHP Billiton
AmLib
Oranto Petroleum
ArcelorMittal
ArcelorMittal
UNMIL
US Government
NTCL
Miners and Brokers Association
PWYP – Liberia
Green Advocates
LEITI Secretariat
LEITI Secretariat

Observers:

Juanita Bropleh
Sam Monbo
Tarnue Doywai
Florian Gomart

MOF
Monbo & Company
Monbo & Company
Green Advocates

1) **Adoption of the Agenda**

The meeting was chaired by the Co-chairperson of the LEITI MSG Hon. Eugene H. Shannon with calls for the adoption of the draft agenda. With no comments made, the draft agenda was adopted as the working tool to guide the meeting.

2) **Draft Minutes of the 34th Meeting: corrections, adoption and matters arising therefrom:**

The draft minute of the 34th meeting was reviewed page by page and no correction was made. It was then moved and seconded that the minutes form part of the Secretariat's archives.

Matters Arising:

Status of the recruitment of the new LEITI Head of Secretariat: Mr. Edward R. A. Smith, the Deputy Head of Secretariat reported that another copy of the report was produced by Mr. Jenard Leo Wachira of the PFMU and that contract negotiations with the candidate was ongoing. He also informed the body that a draft contract was developed and will be review for approval upon the return of the Chairperson of the LEITI MSG.

Selection of 15-person LEITI MSG: Mr. Smith reported that the Secretariat has received nomination from the private sector (Oil, Mining, Agriculture and Forestry Sectors). He said that the only group left is the nomination from the civil society. He later presented a carbon copy of a letter addressed to the LEITI Chairperson under the signature of the Chairman of Publish What You Pay, which was sent to the Secretariat, but that the Secretariat could not act on it since it was not forwarded from the office of the Chairperson instructing the Secretariat to take actions. Following much discussions, the Co-chairperson informed MSG members that now that the letter was submitted to the MSG, it will be acted upon.

Relocation of LEITI to the Bureau of the Budget Building: The issue of the relocation of the LEITI Secretariat to the Bureau of the Budget Building was discussed and the MSG requested that the Ministry of Finance guarantee the office space being provided to the LEITI Secretariat at the MOF (BOB) Capitol Hill offices for a period of at least five (5) years through a contract or Memorandum of Understanding so as to avoid future short-term relocation.

3) **28th Secretariat Report**

The Deputy Head of Secretariat, Mr. Edward R. A. Smith, submitted the 29th Report of the LEITI Secretariat. The report highlighted major activities including financial matters for the period March 23, 2010 to April 26, 2010.

Following the presentation of the draft Report, it was moved and seconded that the Report be corrected and thereafter form part of the LEITI Archives.

4) **Presentation of Revised Draft Report of Unresolved Discrepancies contained in the First LEITI Report by Monbo & Company**

The Revised Draft Report of unresolved discrepancies contained in the First LEITI Report was presented to the LEITI MSG by the Executive Director of Monbo & Company, Mr. Sam Monbo.

Mr. Monbo conducted a page by page review of taxpayers and MOF payments for the period and informed the MSG that some causes of the discrepancies was the overstatement by the Ministry of Finance of payments made by some taxpayers especially ArcelorMittal. Mr. Monbo recommended that reports from the extractive companies be reviewed on a quarterly basis instead of annually. He also appealed to the MSG to mandate the Secretariat to provide its first installation payment of 40%.

Discussion of Report:

Following the Executive Director's presentation, the Report was discussed and it was agreed that (1) it should be stated in the report what were the causes for the overstatement of some taxpayer fees by the Ministry of Finance; and (2) it be included under the reconciliation of each taxpayer analysis that the discrepancies were resolved where necessary.

Based on the above discussion and subsequent approval and acceptance of the draft report, the Secretariat was authorized by the MSG to initiate and process the payment to Monbo & Company the first 40% installment of its audit fee for the resolution of discrepancies contained in the first LEITI report.

5) **Approval of request for Expression of Interest for 3rd LEITI Report:**

A request for approval of the Request for Expression of Interest to produce the 3rd LEITI Report was presented by the Deputy Head of Secretariat. Mr. Smith asked the MSG members to review the inclusion of the column "amount due" and "amount paid" on the reporting template since some taxpayers complained that this column created problem for their reporting. Following much discussion, it was explained by the Mrs. Juanita Bropleh that since the LEITI reporting was post-dated, it will be a matter of reporting what was recorded on the taxpayers' books for the reporting period. This was unanimously agreed and the REOI was approved.

6) **Discussion and approval of draft integrated manual:** It was agreed by MSG members that due to the volume of the integrated manual, the discussion of the manual be placed as an agenda item for the next 36th meeting of the MSG. This will give MSG members ample time to review the manual and provide comments for approval.

7) **AOB**

Road map to implement the LEITI Act: It was suggested by Green Advocates that the MSG considered the road map to the implementation of the LEITI Act.

Fine imposed on delinquent companies:

Mr. Smith reported that of the six (6) delinquent companies that refuse to submit report during the preparation of the Second LEITI Report, only Fundy Minerals Mining Company paid the fine and submitted a copy to the LEITI as requested. In this regard, the representative from FDA informed the MSG that it would make sure that immediate actions are taken against the operations of these companies. Also, the LEITI Co-chairperson informed the Secretariat that actions would be taken, without delay, against the license of the companies involved.

8) **Time and date of the next meeting**

There being no other issue for discussion, the meeting was adjourned and the date and time of the next meeting was scheduled for Thursday, May 27, 2010 at 12:00 noon in the LEITI Conference Room, 4th Floor, Ministry of Finance Building.

Submitted by: _____
Hnede L. Berrian
Administrative Manager/LEITI