Transparency template

**Module: Licenses, contracts and ownership**

**Covering requirements Contract and license allocations (#2.2), Register of licenses (#2.3), Contract and license disclosure (#2.4), legal and beneficial ownership (#2.5)**

**Sector covered by this template**: ☐ Oil and gas OR ☒Mining and quarrying

**Period under review:** *What is the period that this template covers?*Month and year to month and year: April 2021-October 2025

*Note: for Validation, it is the day of commencement of the previous Validation which marks the beginning of the period under review until the date of commencement of the upcoming Validation.*

This form is submitted for ☒ International Secretariat feedback as part of implementation support   
  
 OR ☐ Validation as part of final submission for assessment

**Introduction**

This module addresses the key disclosure areas related issuers (government) and holders (companies) of licenses. While the payment disclosures and disclosures on other requirements, such as on state participation or revenue collection, may exclude some companies and government entities based on considerations of materiality[[1]](#footnote-1), **requirements 2.2, 2.3, 2.4 and 2.5 apply to *all* licenses, contracts and license holders**.[[2]](#footnote-2) The attribution or transfer of licenses can be a source of governance risks. Understanding how licenses are allocated and transferred, what the terms of the licenses and contracts are, and the ownership structure and ultimate identity of the license holder are key for good governance. For example, it allows to understand if the licensing authority is running robust registers and licensing processes, and if it knows its business counterpart. For companies, understanding of the license allocation process, and terms associated to, it can support an investment decision. For civil society, the disclosures and analysis thereof are key to understand under what conditions licenses are attributed and transferred, under what terms those companies operate, and who ultimately benefits from the operations.

**What is the purpose of this template?**

The purpose of this template (C3) is for the MSG to conduct a self-assessment on meeting the requirements of the component “licenses, contracts and ownership”, which covers Requirements 2.2-2.5.Given that the information is assessed *per sector [if the country has two sectors],* the self-assessment allows to uncover further areas of improvement particular to the sector, as the challenges and opportunities are often very different.

The form is structured according to the requirements. Each requirement section contains:

1. A box with additional resources
2. Corrective actions from the previous Validation, where applicable
3. A self-assessment. This is divided between an assessment of the holders of information and the availability of systematic disclosures, complemented by EITI reporting and an assessment against the technical aspects and underlying objectives of the requirement in questions & response format
4. Comments from the Secretariat

**When should this template be completed?**

The template should be used as a tool for implementation. MSGs are encouraged to use this template regularly and ahead of Validation, for example to inform reporting and identify areas where disclosures need to be strengthened. Before commencement of Validation, the templates could be updated regularly. In such instances, you may get support from your country lead and indicate that this form is for International Secretariat feedback.

**The templates should be finalised and published by the commencement of Validation.** For Validation, this form serves as basis for assessing the country under this component. The form must be reviewed and [signed off](#_1qyvs9xautv) by the multi-stakeholder group and submitted latest on the day of the commencement of Validation and be published on the country’s website. At this stage, it should be indicated on the form that the template is submitted for Validation.

**Who should fill this template?**

The **national secretariat** should fill up this template with support from government agencies and constituency members outside of the MSG. The International Secretariat can provide guidance. The MSG should review, discuss and give the final sign-off on the content of the template.

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# Requirement 2.2: Contract and license allocations

## Resources

|  |
| --- |
| * [Requirement in full](https://eiti.org/eiti-requirements#_2-contract-and-license-allocations--17287), [Validation guide](https://eiti.org/guidance-notes/validation-guide-2023-eiti-standard#requirement-22-contract-and-license-allocations-18983). * Guidance note: [Contract and license allocations](https://eiti.org/guidance-notes/contract-and-license-allocations) |

## Corrective actions / recommendations from previous Validation

ⓘ To inform the work on this module, stakeholders should be aware of corrective actions from previous Validation. In line with Requirement 7.3, the MSG should consider recommendations from EITI implementation such as those arising from EITI reporting related to this requirement of from other studies undertaken.

|  |
| --- |
| Strategic recommendation from the 2021 Validation of Zambia.  In order to strengthen systematic disclosures, Zambia EITI is strongly encouraged to work with the Mining Cadastre (MCO) Office to explore how license certificates and all their appendixes can be made publicly accessible through the existing cadastre system, and to ensure that information is further interlinked with the MOSES system and other government portals. Zambia EITI is recommended to complete its on-going study on contract transparency and use its findings and recommendations to overcome the barriers to disclosures. Zambia may also wish to ensure that the draft Extractive Transparency and Accountability Initiative Bill progresses and includes adequate provisions that enable contract and license transparency. Additional improvements could also be made in data accessibility, by incorporating opportunities for downloading the full lists of licenses and license holders in open data formats. This feature is currently held within the internal systems, and it may be possible to provide it to external audiences as well. To this end, Zambia EITI and the MCO could work together to identify sources for funding to ensure that the necessary revisions and changes to the system are made.    Status  Appendixes: While ZEITI has collaborated with MCO, license certificates and all their appendixes are not yet made publicly accessible through the existing cadastre system and are not interlinked with the MOSES system and other government portals  The publication of the findings by the Mining License Committee (MLC) <https://www.mmmd.gov.zm/> |

## Self-assessment

ⓘ The self-assessment allows the MSG to understand the aspects of the requirement and estimate its progress towards meeting it. Diverging views within the constituency or between constituencies can be documented in the form.

### Holders of information

ⓘ The purpose of this mapping is to identify holders of information that are responsible for collecting, storing, processing and ultimately publishing information related to this requirement. It allows to clearly identify who is the information steward that needs to provide the information for EITI reporting: either through reporting or systematic disclosures.

|  |  |  |
| --- | --- | --- |
|  | **Question** | **Response** |
| **Overview of awards and transfers 2.2.a** | Which **government entity(ies)** is responsible for managing licenses of the Mining and quarying sector and holds information on the process for license awards and transfers, including the technical and financial criteria and requirements related to free, prior and informed consent? | Ministry of Mines and Minerals Development Zambia, Mining Cadastre Department.  The recently established Minerals Regulation Commission is expected to be responsible for licensing in the coming years  The provision is found in Part III of the MRC act of 2024 |
| **Recipients of awards and transfers 2.2.a.iii, 2.2.b** | Which government entity(ies) holds the information on list of applicants (in case of bidding) and license recipients ? | Ministry of Mines and Minerals Development Zambia, Mining Cadastre Department |
| **Deviations (2.2.a.iv)** | Which government entity or department reviews material deviations from the applicable legal and regulatory framework governing license transfers and awards? | Ministry of Mines and Minerals Development Zambia, Mining Cadastre Department  Office of the Auditor General Zambia  The National Assembly of Zambia. |
| **Beneficial ownership**  **2.2.c** | Which entity holds/is responsible for collecting beneficial ownership information? | Patents and Companies Registration Agency (PACRA)  Ministry of Mines and Minerals Development Zambia, Mining Cadastre Department |
| **Additional information**  **2.2.d** | Which entity could provide or support on a commentary on the efficiency and effectiveness of licensing procedures; a description of procedures, actual practices and grounds for renewing, suspending or revoking a contract or license; and information regarding changes in majority ownership of license holding companies. | Competent entity: *please specify*:  Mining Cadastre Department |

*Choose an item.*

### Technical requirements

#### General questions on licensing policy and practice

Which type of agreement does the country issue for the sector covered by this template?

☒ Licenses, i.e. a standard license is issued and the terms and obligations are prescribed by law

☒ Contracts i.e., terms and obligations for each agreement vary depending on negotiations between parties

☐ Others. Please explain […].

**According to the legal framework, what are the possible license allocation methods for the** Mining and quarying **sector?**   
Multiple selection is possible.

☒ First-come- first-served

☒ Competitive bidding

☒ Direct negotiation

☒ Fast-tracked

☐ Other. Please explain […].

**In the period under review, which license allocation methods were exercised?**Multiple selection is possible.

☐ No licenses were allocated in the period under review (relevant for Validation in particular)

☒ First-come- first-served

☐ Competitive bidding

☒ Direct negotiation

☐ Fast-tracked

☐ Other, Please explain […].

**When is public information made available on the award or transfers of licenses or contracts?**

☒ In real time or within one week of the award or transfer

☐ Within a month

☐ Through EITI reporting only (i.e., up to 24 months)

☐ Other: please specify:

|  |  |
| --- | --- |
| **Required** | **#2.2.a – Contract and license awards and transfers** |
| *Process for license and contracts* ***awards*** *(2.1.a.i-ii)* | **Is there a publicly available description of the process for** Choose an item. license and contract awards**?**   * A description of the process for license and/or contract **awards**   ☒ Yes ☐ No  ***Where to find this (source):***  Systematic disclosures:  [MMMD (Mining Rights](https://www.mmmd.gov.zm/?page_id=1097) ) [Exploration License – Ministry of Mines and Mineral Development](https://www.mmmd.gov.zm/?page_id=1097) <https://zambiaeiti.org/zeiti-reports-annexes/>  AND / OR  Other sources: EITI Report (year and page number), EITI website etc  <https://www.mmmd.gov.zm/?page_id=1097>   * The technical and financial criteria used for **awarding** the license(s) and/or contracts   ☒ Yes ☐ No ☐ There are no financial and technical criteria for the award of licenses and/or contracts  ***Where to find this (source):***  Systematic disclosures:  [MMMD (Mining Cadastre](about:blank) ) <https://www.mmmd.gov.zm/?page_id=1857> AND / OR  Other sources: EITI Report (year and page number), EITI website etc |
| *Identity of license* ***award*** *recipients (2.1.a.iii)* | **Are the recipient**(s) to whom the license has been awarded to, including consortium member(s), disclosed publicly?  Note: this requirement covers all companies, not only material companies-  ☒ Yes ☐ No ☐ No licenses have been awarded in the period under review.  ***Where to find this (source):***  Systematic disclosures: Mining Cadastre <https://portals.landfolio.com/zambia/>    Other sources: Page 52 of the 2023 ZEITI Report |
| *Process of* ***transfer*** *of licenses (2.2.a.i-ii)* | **Is there a publicly available description of the mining and quarrying** industry **contract and license transfers for the period under review?** Please note that information should cover companies falling below the materiality threshold, e.g. non-EITI reporting companies.   * A **description of the process for transferring** a license(s) / contracts   ☒ Yes ☐ No  ***Where to find this (source):***  Systematic disclosures:  [MMMD (Mining Rights](https://www.mmmd.gov.zm/?page_id=1097) ) <https://www.mmmd.gov.zm/?page_id=1857>  **If transfers are not allowed under the law**, please specify: …   * The **technical and financial criteria** used for transferring the license(s)   ☒ Yes ☐ No ☐ There are no financial and technical criteria for companies to whom the license is transferred to  ***Where to find this (source):***  *Systematic disclosures:* Mining and Mineral Processing Rights Licence Transfer  [*https://mmmdui.gsb.gov.zm/services/99*](https://mmmdui.gsb.gov.zm/services/99)   * **Information on consultation and free prior informed consent** (FPIC) processes with impacted communities (where applicable)   ☒ Yes ☐ No  ***Where to find this (source):***  Environmental Impact Statements  [*https://www.zema.org.zm/docs-category/environmental-impact-statements/*](https://www.zema.org.zm/docs-category/environmental-impact-statements/) |
| *Identity of license or contract* ***transferees*** *(2.1.a.iii)* | **Are the recipient**(**s) to whom the contract or license has been transferred to, including consortium member(s), disclosed publicly?**  Note: this requirement covers all companies, not only material companies-  ☒ Yes ☐ No ☐ No licenses and contracts have been transferred in the period under review.  ***Where to find recipient list (source):***  *Systematic disclosures: MMMD Website* [*https://www.mmmd.gov.zm/?p=5836*](https://www.mmmd.gov.zm/?p=5836)  *Other sources:Zambia EITI Portal* [*https://portal.zambiaeiti.org/home*](https://portal.zambiaeiti.org/home) |
| *Deviations*  *(2.2.a.iv)* | **If licenses were allocated or transferred in the period under review**, the implementing country must check if there were any deviations from the legal and regulatory framework, i.e. deviation from process, criteria, timeline, etc.  **Has the implementing country assessed if there were any deviations?**  ☒ Yes ☐ No  **If yes: where is that assessment available?**  *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc*  **If yes, what methodology was used to assess for deviations?**  Describe or provide reference where the methodology is described. This can include the authority’s own internal assessment, an assessment by a government oversight body or by the Independent Administrator.  The scoping process for identifying 15 companies involved three phases: (1) obtaining a full list of issued mining licences from the Mining Cadastre, (2) narrowing the scope to 2024 licences to capture the highest issuance year and covering multiple licence types (large-scale mining, large-scale exploration, mineral processing, and small-scale), and (3) applying additional selection criteria, including number and combination of licences, prominence in Zambia’s mining sector, mineral type, and public interest issues. This was followed by cross-checking licence data with the Ministry of Mines’ Landfolio portal and verifying beneficial ownership (BO) compliance through the PACRA online registry.  **Were there any deviations in** **the awards of license and/or contracts?**  ☒ Yes ☐ No  Were those material?[[3]](#footnote-3)  ☒ Yes ☐ No  **Were there any deviations in the transfer of licenses or contracts?**  ☐ Yes ☒ No  Were those material?  ☐ Yes ☒ No  **If any of the above were responded with yes, where are those deviations described?**  *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc* |
| *Assessment on comprehensiveness, reliability and timeliness of information* | **Do you or any stakeholders or MSG members have any concerns regarding the completeness, reliability or timeliness of the following:**  **Information on the process for awarding and transferring licenses and contracts**  ☒ Yes ☐ No  If yes, please elaborate: Information on the criteria for the transferring of licenses needs to be disclosed beyond the current disclosures.  **Information on** **the recipients of license and contract awards**  ☐ Yes ☒ No  If yes, please elaborate: ie information on recipients is incomplete, not trustworthy or incorrect  **If any of the questions were responded with yes, have those gaps been clearly identified, for example through EITI reporting?**  ☐ Yes ☒ No  Describe  **Are there gaps on information on licenses that are due to legal or practical barriers?**  ☐ Yes ☒ No  If yes, explain plans to overcome barriers to disclosure of all of the above information:  Explain: *can include a reference to work plan activities, MSG meeting minutes etc.* |
| **Required if applicable** | **2.2.c - Licenses awarded through a bidding process** |
| *Applicability 2.2.c - Licenses awarded through a bidding process -* | This section pertains to instances where Choose an item. **bidding processes occurred during the EITI reporting cycle** ([see question above](#_u00yh3fl0mrj)). If bidding is not applicable to your country, you can note “not applicable” and move on to the next section.  **Were any licenses awarded through a bidding process?**  ☐ Yes ☒ No ☐ Not applicable  Elaborate, In accordance with the MRC Act of 2024, auctioning shall be undertaken in areas where known mineral resources exist. According to the Cadastre Department, no bidding has taken place to date since the enactment of the law. |
| *Available information on bidders* | **If yes, was any of this information publicly disclosed?**   * **The full list of applicants** ☐ Yes ☐No   ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc*   * **Beneficial owners of all applicants** ☐ Yes ☐No   ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc*   * **The bid criteria** ☐ Yes ☐No   ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc* |
| *Assessment on comprehensiveness, reliability and timeliness of information* | **Do any stakeholders (including, but not limited to MSG members) consider the information on the following to be incomplete, unreliable or outdated?**   * Bidding round applicants ☐ Yes ☒ No   If yes, please elaborate: *For example, the information on applicants is incomplete / not reliable / outdated because…*   * Beneficial ownership of all applicants ☐ Yes ☒ No   If yes, please elaborate: *For example, the information on beneficial owners of applicants is incomplete / not reliable / outdated because…*   * Bid criteria ☐ Yes ☒ No   If yes, please elaborate: *For example, the information on bid criteria is incomplete / not reliable / outdated because…*  If any of the questions were responded with ‘yes’, **have those gaps been clearly identified, for example through EITI reporting?**  ☐ Yes ☐ No  Explain:  **Are the gaps due to legal or practical barriers?**  ☐ Yes ☐ No  **If yes, explain plans to overcome barriers to disclosure information on bidding rounds**:  Explain: *can include a reference to work plan activities, MSG meeting minutes etc.* |
| **Encouraged** | **2.2.a - Selection of methods for contract/license award or transfer** |
| *Availability* | In some countries, government can select **different methods for awarding a contract or license** ([see section above](#_u00yh3fl0mrj)). If this is the case in your country, the MSG is encouraged to publish an explanation of the rules that determine which procedure should be used and why a particular procedure was selected.  ***If this is not applicable to your country, you can skip this question.***  ***If this is applicable to your country, respond to the following*:**  **Has the MSG included:**   * A clear explanation of the rules determining which award method should be used ☒ Yes ☐No   ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc*   * The **rationale** for using a particular method ☒ Yes ☐No   ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc*   * The award or transfer processes to which these methods applied   ☒ Yes ☐No  ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc*   * The **procedures** and **criteria** followed ☒ Yes ☐No   ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc*   * The **institutions** involved ☒ Yes ☐No   ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc*   * The **outcomes** of the award or transfers process(es) ☒ Yes ☐No   ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc*   * Did the process entail fast-tracking of applications? ☐ Yes ☐ No   If yes, was there an explanation for fast-tracking? ☐ Yes ☐No  ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc* |
| *Assessment on comprehensiveness, reliability and timeliness of information* | **Do you or any stakeholder (including, but not limited to MSG members) have concerns regarding the method used for awarding the licenses, or any specific license?** ☐ Yes ☐ No  If yes, please elaborate: *For example, the fast-tracked method was used for commodities that do not fall under the category for fast-tracked license grant* |
| **Encouraged** | **2.2.b – Licenses allocated prior to period covered by EITI implementation** |
| *Availability* | Does your country publish historical information on the process of license and contract award and transfer, as well as the identity of all companies who have received a license or contract, for the period prior to what is covered in this form?  ☐ Yes ☐No  ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc* |
| **Encouraged** | **2.2.d – Additional information on the allocation of licenses** |
|  | Is there additional information on the allocation of license(s) as part of the EITI disclosures including? If yes, please indicate the place where this information can be found:   * Commentary on the efficiency and effectives of license procedures   ☐ Yes ☐No  ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc*   * A description of procedures for renewing, suspending, or revoking contracts or licenses   ☒ Yes ☐No  ***Source:*** *Systematic disclosures: Minerals Regulation Commission Act No.14 of 2024 in Part V.*   * Information on changes in majority ownership of license-holding companies   ☒ Yes ☐No  ***Source:*** *Systematic disclosures: website or routine publication by the* [*holders of information*](#_477g29hrriq6)  *AND / OR*  *Other sources: EITI Report (year and page number), EITI website etc* |

The MSG is invited to provide additional comments and observations, for example any possible gaps, ways to improve data quality, importance for implementation with regards to country priorities, barriers to disclosures and how stakeholders (MSG, government, companies) are addressing those:

|  |
| --- |
| Add any further comments: |

### Underlying objective

*The objective of this requirement is to provide a public overview of awards and transfers of oil, gas and mining licenses, the statutory procedures for license awards and transfers, and whether these procedures are followed in practice.*

**Use of information**

1. Have there been any significant issues or controversy, or ongoing reforms related to the extractive sector contracts, license awards or transfers during the period covered by the latest EITI disclosures?

Examples could include delays in contract awards, allegations of mismanagement, legal changes. If yes, please elaborate.

|  |
| --- |
| ☒ Yes ☐No  *Elaborate The government launched a new cadastre system (ZIMIS) before reverting to the old one due to technical challenges. The old cadastre system is now in use. More details here:* ***[Zambia’s Mining Cadastre System Crisis: What Went Wrong in 2025](https://discoveryalert.com.au/news/mining-cadastre-system-zambia-crisis-2025/)*** |

1. Has the MSG engaged with these issues using EITI data or EITI processes?

|  |
| --- |
| ☒ Yes ☐No  *If yes, please describe how the MSG has leveraged EITI data or processes to address these challenges. Provided support and input to the process to establish a new cadastre system and in efforts to link the mining cadastre with other government systems including the beneficial ownership register.* |

1. Is any of the information as set out above available in open format, for example as excel work sheet?

|  |
| --- |
| ☒ Yes ☐No  *Describe the data set(s) available, including in what format*  *All license related data, include award data, duration, applicant information and coordinates can be accessed on the Mining Cadastre Porta.* |

1. Has the MSG conducted any analysis of license information)? This can include data of license allocations, transfers, backlogs in applications?

|  |
| --- |
| ☐ Yes ☒No  *If yes, sources of where this analysis can be found and key findings:* |

1. Is the MSG aware of stakeholders using this information?

|  |
| --- |
| ☒ Yes ☐ No  *If yes, sources of where this analysis can be found: The Data on licenses is publicly disclosed on the ZEITI Portal.-* [*https://portal.zambiaeiti.org/home*](https://portal.zambiaeiti.org/home)  *An article by African Tax Administration Forum-* [*https://ataftax.org/news/impact-story-boosting-zambias-mining-revenue-through-tax-audits-transfer-pricing-legislation-and-license-valuation/*](https://ataftax.org/news/impact-story-boosting-zambias-mining-revenue-through-tax-audits-transfer-pricing-legislation-and-license-valuation/) |

### Conclusion

Based on the above, what is the MSG’s self-assessments towards fulfilling both the [objective](#_lgtbjpt2ox) and [technical requirements](#_u00yh3fl0mrj)?

Score is:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **☐** | ☐ | ☐ |  | ☐ | ☐ |
| very poor (0) | poor (25) | limited (50) | good (70) | very good (90) | leading (100) |
|  |  |  |  |  |  |

**Or**

☐ not applicable

|  |
| --- |
| Explain |

## International Secretariat feedback

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *To be filled in by the International Secretariat*  *Observations of comprehensiveness of addressing the aspects, any gaps identified and further clarification needed.*   |  |  | | --- | --- | | 2.2.a Contract and license allocations  *Required* | * *Process for license and contracts* ***awards*** *(2.1.a.i-ii)* * *Identity of license award recipients (2.1.a.iii)* * *Process of transfer of licenses (2.2.a.i-ii)* * *Identity of license or contract transferees (2.1.a.iii)* * *Deviations (2.2.a.iv)* * *Assessment on comprehensiveness, reliability and timeliness of information* | | 2.2.b Licenses allocated prior to period covered by EITI implementation  *Encouraged* |  | | 2.2.c Licenses awarded through a bidding process  *Required if applicable* |  | | 2.2.d Additional information on the allocation of licenses  *Encouraged* |  | | Underlying objective |  | | Relevance of data when linked to ongoing issues/reforms in the country |  | | Any other observations |  | | On availability of systematic disclosures |  | | On the timeliness of disclosures |  | | On open format of disclosures |  | | On the use of data |  | |
|  |

# Requirement 2.3: Register of licenses

## Resources

|  |
| --- |
| Resources**:** [Requirement in full](https://eiti.org/eiti-requirements#_3-register-of-licenses--17289), [Validation guide](https://eiti.org/guidance-notes/validation-guide-2023-eiti-standard#requirement-23-license-register-18985)  Relevant guidance notes: [Register of licenses](https://eiti.org/guidance-notes/register-licenses) |

## Corrective actions / recommendations from previous Validation

ⓘ To inform the work on this module, stakeholders should be aware of corrective actions from previous Validation. In line with Requirement 7.3, the MSG should consider recommendations from EITI implementation such as those arising from EITI reporting related to this requirement of from other studies undertaken.

|  |
| --- |
| Insert recommendation and or corrective action from previous Validation or targeted assessment, if applicable. Indicate the status of addressing the corrective actions, if applicable. If this is a first Validation, this section can be left blank. |

## Self-assessment

ⓘ The self-assessment allows the MSG to understand the aspects of the requirement and estimate its progress towards meeting it. Diverging views within the constituency or between constituencies can be documented in the form.

### Holders of information

ⓘ The purpose of this mapping is to identify the entity or entities that are responsible for collecting, storing, processing and ultimately publishing information related to this requirement. It allows to clearly identify who is the information steward that needs to provide the information for EITI reporting: either through reporting or systematic disclosures. This section can also be used for informing the EITI Report.

|  |  |  |
| --- | --- | --- |
|  | **Question** | **Response** |
| **Register or cadastre system(s) 2.3.b.** | Which government entity holds/ is responsible for maintaining a publicly available register or cadaster system(s) with information about property rights of the Choose an item. industry within the agreed scope of EITI implementation? | Mining Cadastre- <https://portals.landfolio.com/zambia/> |

### Technical requirements

|  |  |
| --- | --- |
| **Required** | **#2.3.b. Publicly available register or cadastre system(s)** |
| *Availability* | **Is the register or cadastre system publicly available for** Choose an item.**?**  ☒ Yes ☐ No  ***Where to find this (source):***  Systematic disclosures:Mining Cadastre- <https://portals.landfolio.com/zambia/>  AND / OR  Other sources: EITI Report (year and page number), EITI website etc  **If yes, does this register/cadastre discloses the following information for licenses held by all companies** of the sector within the agreed scope of EITI implementation?   * Identification /name of each license holders (2.3.a.i); ☒ Yes ☐ No * Coordinates of the licensed areas (2.3.a.ii); ☒ Yes ☐ No * Where coordinates are not available, information about the size and location of the licensed areas ☒ Yes ☐ No * Coordinates/location information is accessible without unreasonable fees and restrictions ☒ Yes ☐ No * Dates of application of the license (2.3.iii); ☒ Yes ☐ No * Dates of award of the license (2.3.iii); ☒ Yes ☐ No * Duration of the license (2.3.iii); ☒ Yes ☐ No * The commodity being produced (2.3.iv); ☒ Yes ☐ No   **How timely is public information available on license holders, contract holders and license transfers?**  ☒ In real time or within one week of the attribution or transfer  ☐ Within a month  ☐ Through EITI reporting only (ie delay of up to 24 months)  ☐ Other: please specify: |
| *Assessment on comprehensiveness, reliability and timeliness of information* | **Do you or any stakeholders (including, but not limited to MSG members) have concerns regarding the completeness, reliability and timeliness of the following information?**[[4]](#footnote-4)   * + Identification /name of each license holder:  ☐ Yes ☒ No   If yes, please elaborate:   * + Coordinates/location information of the licensed areas: ☐ Yes ☒ No   If yes, Please elaborate: *for example, not all licenses contain information on coordinates*   * + Dates of application of the license:  ☐ Yes ☒ No   If yes, please elaborate: *for example, 13 licenses are missing application dates.* Or  *Application dates are the same as the launch of the bidding round for the case of [type] of licenses.*   * + Dates of award of the license   ☐ Yes ☒ No  If yes, please elaborate:   * Duration of the license   ☐ Yes ☒ No  If yes, please elaborate:   * The commodity being produced:   ☐ Yes ☒ No  If yes, please elaborate:  If any of the questions were responded with ‘yes’, **have those gaps been clearly identified, for example through EITI reporting?**  ☐ Yes ☐ No  Explain:  ***Where to find this (source):***  Systematic disclosures: website www. or routine publication by the [holders of information](#_477g29hrriq6). *This could include an assessment of the supreme audit institution or other oversight entity.*  AND / OR  Other sources: EITI Report (year and page number), EITI website etc |
| **Expected** | **#2.3.b.iv – Scope of the register/cadastre system** |
| *Availability* | Does the register or cadastre include information about licenses held *all companies*, including non-material companies (where their payments fall below the agreed materiality threshold)?   * ☒ Yes ☐ No   **If ‘No’ – is the lack of comprehensive publication due to legal or practical barriers?**  ☐ Yes ☐ No  If yes, explain the MSG’s plans to overcome barriers to disclosure of all of the above information:  Explain: *can include a reference to work plan activities, MSG meeting minutes etc. if this is documented elsewhere through EITI implementation, or an explanation why* |
| **Required** | **#2.3.c. Disclosure of gaps** |
| *Publication of missing information* | If there is no publicly accessible register or cadastre system ([see question #2.3.b. Publicly available register or cadastre system(s)](#_pf5j14w9w8cb)),  **or**  if the publicly available information contains significant gaps[[5]](#footnote-5):  **Does the MSG disclose the missing information on licenses?**  ☐ Yes ☐ No ☒ Not applicable  Did the MSG document efforts to strengthen these systems to either make the data publicly available in the first place?  ☐ Yes ☐ No ☒ Not applicable  ***Where to find this (source):***  Systematic disclosures: website www. or routine publication by the [holders of information](#_477g29hrriq6). *This could include an assessment of the supreme audit institution or other oversight entity.*  AND / OR  Other sources: EITI Report (year and page number), EITI website etc |
| **Encouraged** | **#2.3.d. Licenses registers and beneficial ownership** |
| *Availability* | Is the register linked to other government platforms that disclose information in accordance with Requirement 2.5 on the legal and beneficial owners of Choose an item. **companies**?   * ☐ Yes ☒ No   If yes, elaborate: |

### Underlying objective

The objective of this requirement is to ensure the public accessibility of comprehensive information on property rights related to extractive deposits and projects.

**Use of information**

1. Have there been any issues, reforms or developments related to the extractive sector register or cadastre system in your country? Has the MSG engaged with these issues using EITI data or EITI processes? Examples of issues could include technical problems or outages, integration with other systems, regulatory reforms.

|  |
| --- |
| ☒ Yes ☐No  Please elaborate: The |

2. Is any of the information as set out above available in open format, for example as excel work sheet, to facilitate its use?

|  |
| --- |
| ☒ Yes ☐No  *Describe the data set(s) available, including in what format:* |

3. Has the MSG conducted any analysis using any of the information of this requirement?

|  |
| --- |
| ☒ Yes ☐ No  *If yes, sources to where this analysis can be found.* |

4. Is the MSG aware of stakeholders using this information?

|  |
| --- |
| ☒ Yes ☐ No  *If applicable, sources to where this analysis can be found* |

### Conclusion

Based on the review of the [technical aspects](#_mgrwt34vpvky) and [underlying objective](#_9sy8oj1vv9sf), what is the MSG’s overall assessment towards meeting the requirement?

Score is:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **☐** | ☐ | ☐ | ☒ | ☐ | ☐ |
| very poor (0) | poor (25) | limited (50) | good (70) | very good (90) | leading (100) |
|  |  |  |  |  |  |

**Or**

☐ not applicable

|  |
| --- |
| Please explain |

## International Secretariat feedback

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| *To be filled in by the International Secretariat*  *Observations of comprehensiveness of addressing the aspects, any gaps identified and further clarification needed.*   |  |  | | --- | --- | | 2.3.b – Publicly available register or cadastre system(s)  *Required* |  | | 2.3.c – Disclosure of gaps  *Required* |  | | 2.3.d – Licenses register and beneficial ownership  *Encouraged* |  | | Underlying objective |  | | Relevance of data when linked to ongoing issues/reforms in the country |  | | Any other observations |  | | On availability of systematic disclosures |  | | On the timeliness of disclosures |  | | On open format of disclosures |  | |

# **Requirement 2.4:** **Contracts and licenses**

## Resources

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| --- |
| * [Requirement in full](https://eiti.org/eiti-requirements#_4-contracts-and-licenses--17292), [Validation guide](https://eiti.org/guidance-notes/validation-guide-2023-eiti-standard#requirement-24-contract-and-license-disclosures-18979) * Relevant guidance notes: [Contracts](https://eiti.org/guidance-notes/contracts-archived) |

## Corrective actions / recommendations from previous Validation

ⓘ To inform the work on this module, stakeholders should be aware of corrective actions from previous Validation. In line with Requirement 7.3, the MSG should also consider recommendations from EITI implementation such as those arising from EITI reporting related to this requirement or from other studies undertaken.

|  |
| --- |
| Insert recommendation and or corrective action from previous Validation or targeted assessment, if applicable. Indicate the status of addressing the corrective actions, if applicable. If this is a first Validation, this section can be left blank. |

## Self-assessment

ⓘ The self-assessment allows the MSG to understand the aspects of the requirement and estimate its progress towards meeting it. Diverging views within the constituency or between constituencies can be documented in the form.

### Holders of information

ⓘ The purpose of identifying the holders of information is to identify the entity or entities that are responsible for collecting, storing, processing and ultimately publishing information related to this requirement. It allows to clearly identify who is the information steward that needs to provide the information for EITI reporting: either through reporting or systematic disclosures.

|  |  |  |
| --- | --- | --- |
|  | **Question** | **Response** |
| **Contract and license disclosure (2.4.a)** | Which **government entity(ies)** holds the information on all contracts and licenses in the oil and gas / mining and quarrying Choose an item. sector? | Ministry of Mines (Cadastre Department)- <https://www.mmmd.gov.zm/> |
| **Government’s policy on contract and license disclosure (2.4.c)** | Which **government entity(ies)** is responsible for the government’s policy on contract and license disclosure in the oil and gas / mining and quarrying Choose an item. sector? | Ministry of Mines (Cadastre Department)- <https://www.mmmd.gov.zm/> |

### Technical requirements

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| --- | --- |
| **Required** | **#2.4.c.ii – Overview of publicly available contracts and licenses** |
| *Availability* | **Has the MSG published a list of all active production and exploration contracts and licenses?**  ☒ Yes ☐ No  Does the list indicate which contracts and licenses are publicly available and which are not?  ☒ Yes ☐ No  For all published contracts and licenses, does the overview provide a reference or link to the location where the contract or license is published?  ☐ Yes ☒ No  Are legal or practical barriers to the publication of any contract or license documented and explained?  ☒ Yes ☐ No  Explain the barriers, if any: |
| *Availability of systematic disclosures* | **Provide source(s) where the list of all active exploitation and exploration contracts and licenses can be accessed:** Ministry of Mines (Cadastre Department)- <https://www.mmmd.gov.zm/>  *Source, website* |
| *Other sources* | **Provide other source(s) where information can be accessed:**  Where this information is not systematically disclosed (see above) or complemented, this may be in an EITI Report, a study, an industry publication  *Source, section of EITI Report (page nr), EITI website* |
| *Assessment on comprehensiveness, reliability and timeliness of information* | **Do you or any stakeholders (including, but not limited to MSG members) have concerns regarding the completeness, reliability and timeliness of information on the list of all active production and exploration contracts?**  ☒ Yes ☐ No  If yes, please elaborate: *For example, the inventory list/ overview does not correspond to the license register. The list of contracts is incomplete – there are some missing.*  H**ave those gaps been clearly identified, for example through EITI reporting?**  ☐ Yes ☐ No  Explain:  **Are the gaps due to legal or practical barriers?**  ☒ Yes ☐ No  If yes, explain the barriers: *Barriers are…*  If yes, explain what the plans are to overcome barriers to disclosure of all of the above information: *can include a reference to work plan activities, MSG meeting minutes etc.* |
| **Required** | **#2.4.a – Disclosure of all extractive contracts and licenses that are granted, entered into or amended from 1 January 2021** |
| *Availability* | **Are all contracts, including their annexes, riders and annexes, that are granted or entered into from 1 January 2021 publicly disclosed[[6]](#footnote-6)?**  ☐ Yes ☐ No ☒ Partially  ***Where to find the published contracts (source):***  Systematic disclosures: website www. or routine publication by the [holders of information](#_477g29hrriq6), (government)  AND / OR  Other sources: EITI Report (year and page number), EITI website or repository on lincenses etc  **Are all licenses, including their annexes, riders and annexes that are granted or entered into from 1 January 2021 publicly disclosed[[7]](#footnote-7)?**  ☒ Yes ☐ No ☐ Partially  ***Where to find the published licenses (source):***  Systematic disclosures: website www. or routine publication by the [holders of information](#_477g29hrriq6), or by the official journal  <https://portals.landfolio.com/zambia/>  AND / OR  Other sources: EITI Report (year and page number), EITI website or repository on licenses etc |
| *Availability* | **Are all existing contracts that were amended since 1 January 2021 publicly disclosed?**  ☐ Yes ☐ No ☐ Partially ☒ Not applicable[[8]](#footnote-8)  If yes or partially, are they available in the same place as the other contracts (see section above)? ☐ Yes ☐ No  **Are all existing licenses that were amended since 1 January 2021 publicly disclosed?**  ☐ Yes ☐ No ☒Partially ☐Not applicable[[9]](#footnote-9)  If yes or partially, are they available in the same place as the other licenses (see section above)? ☐ Yes ☒ No  Does the disclosure include both the amended provision and the entire amended license?  ☐ Yes ☐ No |
| *Assessment on comprehensiveness, reliability and timeliness of information* | **Do you or any stakeholders (including, but not limited to MSG members) consider that the disclosure of on the following is incomplete, unreliable or outdated?** [[10]](#footnote-10)   * + Contracts and/or or licenses granted from 1 January 2021 ☐ Yes ☒ No   If yes, please elaborate*: for example: The overview lists the link to the contract but since the website was updated the documents are no longer available*   * + Annexes, riders and addendum of contracts and/or licenses granted, entered from 1 January 2021:☒ Yes ☐ No   If yes, please elaborate: The government has signed several MoUs with mining companies. These MoUs are not disclosed.   * + Licenses and/or contracts amended from 1 January 2021   ☐ Yes ☒ No  If yes, please elaborate: …  **Have those gaps been clearly identified, for example through EITI reporting?**  ☐ Yes ☐ No  Explain:  **Are the gaps in disclosures due to legal or practical barriers?**  ☐ Yes ☐ No  If yes, explain the barriers: *Barriers are…*  Explain the plans to overcome barriers to disclosure of all of the above information: *can include a reference to work plan activities, MSG meeting minutes etc.* |
| **Encouraged** | **#2.4.a – Disclosure of contracts and licenses prior to January 2021** |
| *Availability* | **Are contracts that provide the terms attached to the exploitation concluded prior to January 2021 publicly disclosed?**  ☐ Yes ☐ No ☐Partially  **Are licenses that provide the terms attached to the exploitation concluded prior to January 2021 publicly disclosed?**  ☒ Yes ☐ No ☐Partially  **Are material exploration contracts sector publicly disclosed?**  ☒ Yes ☐ No ☐Partially  If yes or partially, are they available in the same place as the other contracts and licenses (see section above)? ☒ Yes ☐ No |
| **Required** | **#2.4.d – Definition of scope** |
| *Applicability* | **#2.4.d.i. – Has the MSG determined which exploration contracts to disclose based on materiality and practicality?**  ​​☐ Yes ☒ No  Explain:  *can include reference and link to MSG meeting minutes or other documentation to demonstrate the MSG’s considerations, or explain why it has not considered this aspect*  **#2.4.d.ii. – Has the MSG agreed and documented what should be considered an annexe, addendum or rider?**  ​​☒ Yes ☐ No  Explain:  *can include reference and link to MSG meeting minutes or other documentation to demonstrate the MSG’s considerations, or explain why it has not considered this aspect*  The MSG considered that MoUs that the government has signed with some mining companies holding licenses are annexe or addendums to mining licences. The MSG has officially written to the Ministry and relevant departments to get more information on the MoUs.  In addition, ZEITI commissioned a study on contract mapping that identified several licence annexes that would be material in terms of licence disclosures. This includes the programme of operation, proposal for employment and training of citizens; proposal for promotion of local business development, environmental commitment; and environmental impact assessments.  **#2.4.d.ii. – Has the taken into account demand from national stakeholders and the country context?**  ☒ Yes ☐ No  Explain:  *can include reference and link to MSG meeting minutes or other documentation to demonstrate the MSG’s considerations, or explain why it has not considered this aspect*  The MSG in determining the need for follow up on the MoUs referred to above, took into account national demand and public interest for full disclosures related to terms agreed to by mining companies. In addition, ZEITI commissioned a study on contract mapping that identified several licence annexes that would be material in terms of licence disclosures. This includes the programme of operation, proposal for employment and training of citizens; proposal for promotion of local business development, environmental commitment; and environmental impact assessments. |
| **Expected** | **#2.4.b - MSG plan for contract disclosure** |
| *Availability* | **Has the MSG agreed and published a plan for disclosing contracts?**  ☐ Yes ☒ No  **If yes, does the plan:**   * Include a clear time frame for implementation:   ☐ Yes ☐ No   * Address any barriers to comprehensive disclosure:   ☐ Yes ☐ No   * Has been integrated into the work plans since 2020:   ☐ Yes ☐ No  ***Where to find the contract publication plan (source):***  Systematic disclosures: website www. or routine publication by the [holders of information](#_477g29hrriq6)  AND / OR  Other sources: EITI Report (year and page number), EITI website etc |
| **Required** | **#2.4.c.i – Government’s policy on contract and license disclosures** |
| *Availability* | **Has the MSG documented the government’s policy on disclosure of contracts and licenses that govern the exploration and exploitation including:**   * A description of whether legislation or government policy addresses the issue of disclosure of contracts and licenses?   ☒ Yes ☐ No  If **yes**, does this include whether the legislation or government policy requires or prohibits disclosure of contracts?  ☒ Yes ☐ No  If there is **no** existing legislation   * Does the description include an explanation of where the government policy is embodied?   ☐ Yes ☐ No   * Has the MSG documented its discussion on what constitutes government policy on disclosure of contracts and licenses?   ☐ Yes ☐ No   * Information on any reforms relevant to disclosure of contracts and licenses planned or underway:   ☐ Yes ☒ No  Explain: There are no documented planned reforms on the disclosure of contracts and licences.  ***Where to find the government’s policy on contract disclosure:***  Systematic disclosures: website www. or routine publication by the [holders of information](#_477g29hrriq6)  AND / OR  Other sources: EITI Report (year and page number), EITI website etc  ***Where to find information on any reforms relevant to disclosure of contracts and licenses, planned or underway:***  Systematic disclosures: website www. or routine publication by the [holders of information](#_477g29hrriq6)  AND / OR  Other sources: EITI Report (year and page number), EITI website etc |
| **Required** | **#2.4.c.iii – Disclosure practice** |
| *Availability* | **Are there any deviations between disclosure practice and the legislation or government policy requirements concerning the disclosure of contracts and licenses?**  ☒ Yes ☐ No  If yes, has the MSG provided an explanation for the deviation?  ☒ Yes ☐ No  Explain: While license certificates and the major terms of licenses are disclosed, the government has recently signed MoUs with some companies. The MoUs are not publicly disclosed, and this represents a deviation from government legislation.  ***Where is the assessment of a deviation (if applicable) between practice and policy documented?***  Systematic disclosures: website www. or routine publication by the [holders of information](#_477g29hrriq6)  AND / OR  Other sources: EITI Report (year and page number), EITI website etc |

**Additional comments and observations on this requirement, including any possible gaps, barriers to disclosures and how stakeholders (MSG, government, companies) are addressing those**

|  |
| --- |
| *Add any further comments:* |

### Underlying objective

*The objective of this requirement is to ensure the public accessibility of all licenses and contracts underpinning extractive activities (at least from 2021 onwards) as a basis for the public’s understanding of the contractual rights and obligations of companies operating in the country’s extractive industries. The requirement further aims to ensure that contract disclosure is contributing to stakeholders’ ability to monitor compliance with contractual obligations.*

**Access to information**

1. Do MSG members consider that licenses and contracts are accessible, allowing for citizens to understand the contractual rights and obligations of companies operating in the country’s sector?

|  |
| --- |
| ☐ Yes ☒No  *Elaborate There is access to license information through the Mining Cadastre Office. However, MoUs that the MSG considers to be annexes to licenses are not publicly accessible.* |

1. Do MSG members consider that contract disclosure is contributing to stakeholders’ ability to monitor compliance with contractual obligations? Views from key audiences, such as journalists, civil society members engaged in the analysis of contracts or companies interested in investing could be considered in the MSG’s assessment.

|  |
| --- |
| ☒ Yes ☐No  *Elaborate: MSG members consider that disclosure of license information, though not comprehensive has provided for stakeholders to monitor compliance. There is evidence of civil society leveraging license data to do analysis including cross referencing with beneficial ownership data and production data. Civil society has also leveraged license disclosures and the disclosure of environmental impact assessments to monitor contractual obligations of companies involved in a massive environmental spill in the Kafue river.* |

1. Do any stakeholders on the MSG or broader constituency consider that a significant contract is missing, including prior to January 2021?

☒ Yes ☐No

*Elaborate: All licenses are disclosed. However, there are some annexes that are not publicly available. This includes MoUs signed with FQM for gold purchases and geophysical surveys; Ivanhoe Mines on exploration, and Barrick Gold on exploration among others.*

1. Has the MSG discussed if disclosing contracts that predate 1 January 2021 is a priority? If yes, what was the outcome of that discussion?

☒ Yes ☐No

*Elaborate: All the licenses are disclosed.*

1. Has the MSG conducted any analysis of the terms of the contracts with a view to monitoring compliance?

☐ Yes ☒No

*If yes, sources of where this analysis can be found: However, civil society has done some analysis that has leveraged contract disclosures to monitor compliance.*

1. Is the MSG aware of stakeholders using contract stipulations? Such as projects, studies or communications aimed at informing revenue projections, strengthening domestic resources mobilisation, supporting other national reforms or explaining contract terms to the public?

☐ Yes ☒No

*If yes, sources of where this analysis can be found:*

1. Has the MSG conducted any capacity-building activities to support stakeholders in analyzing contracts and monitoring contractual rights and obligations?

☒ Yes ☐No

*Elaborate: As part of the contract mapping study that was conducted in 2021-2022, the MSG held a capacity building workshop for the consultants to share findings of the report.*

1. Is understanding of the contractual rights and obligations of companies operating in the country relevant to the country’s national priorities?

☒ Yes ☐No

*If yes, how so? The main contractual rights of obligations of companies are set out in law. Annexes such as EIAs are publicly available. However, as aforementioned, the government has recently signed MoUs with mining companies and these are not available. In addition, some annexes to licenses such as work programmes and commitments related to local content and employment are not publicly available.*

### Conclusion

Based on the above, what is the MSG’s self-assessments towards fulfilling both the [objective](#_ty8bfel7ijje) and [technical requirements](#_1foc5dykcg6g)?

Score is:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **☐** | ☐ | ☐ | ☐ | ☒ | ☐ |
| very poor (0) | poor (25) | limited (50) | good (70) | very good (90) | leading (100) |
|  |  |  |  |  |  |

**Or**

**☐** not applicable

|  |
| --- |
| Explain why |

## International Secretariat feedback

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *To be filled in by the International Secretariat*  *Observations of comprehensiveness of addressing the aspects, any gaps identified and further clarification needed.*   |  |  | | --- | --- | | Overview of which contracts and license are publicly available (2.4.c.ii)  *Required* |  | | Contract disclosure (2.4.a)  *Required* |  | | License disclosure (2.4.a)  *Encouraged* |  | | Material exploration contracts (2.4.a)  *Required* |  | | Definition of scope (2.4.d)  *Required* |  | | Contracts and licenses and material exploration contracts prior to 2021 (2.4.a)  *Encouraged* |  | | MSG plan for disclosing contracts and licenses (2.4.b)  *Expected* |  | | Government’s policy or legislation (2.4.c.i)  *Required* |  | | Deviations from legislative or government policy (2.4.c.iii)  *Required* |  | | Systematic disclosures |  | | Underlying objectives |  | | Any other observations |  | |
|  |

# Requirement 2.5: Legal and beneficial ownership

## Resources

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| --- |
| * [Requirement in full](https://eiti.org/eiti-requirements#_5-beneficial-ownership-17296), [Validation guide](https://eiti.org/guidance-notes/validation-guide-2023-eiti-standard#module-ownership-18987) * Guidance notes on [Beneficial ownership model declaration form](https://eiti.org/guidance-notes/beneficial-ownership-model-declaration-form), [Building an auditable record of beneficial ownership](https://eiti.org/guidance-notes/building-auditable-record-beneficial-ownership), [Defining and capturing data on the ownership and control of state-owned enterprises](https://eiti.org/guidance-notes/defining-and-capturing-data-ownership-and-control-state-owned-enterprises), [MSG oversight of beneficial ownership disclosures](https://eiti.org/guidance-notes/msg-oversight-beneficial-ownership-disclosures) |

## Corrective actions / recommendations from previous Validation

ⓘ To inform the work on this module, stakeholders should be aware of corrective actions from previous Validation. In line with Requirement 7.3, the MSG should also consider recommendations from EITI implementation such as those arising from EITI reporting related to this requirement or from other studies undertaken.

|  |
| --- |
| Insert recommendation and or corrective action from previous Validation or targeted assessment, if applicable. Indicate the status of addressing the corrective actions, if applicable. If this is a first Validation, this section can be left blank. |

## Self-assessment

ⓘ The self-assessment allows the MSG to understand the aspects of the requirement and estimate its progress towards meeting it. Diverging views within the constituency or between constituencies can be documented in the form.

### Holders of information

ⓘ The purpose of identifying the holders of information is to identify the entity or entities that are responsible for collecting, storing, processing and ultimately publishing information related to this requirement. It allows to clearly identify who is the information steward that needs to provide the information for EITI reporting: either through reporting or systematic disclosures.

|  |  |  |
| --- | --- | --- |
|  | **Question** | **Response** |
| **Register of legal owners (2.5.g)** | Which **government entity(ies)** is responsible for maintaining a **company register** or collecting and holding information on legal owners of companies operating in the Choose an item. sector? | Holder(s) of information: *please specify*: The Patents and Companies Registration Agency (PACRA) |
| **Government’s policy on beneficial ownership disclosure (2.5.b)** | Which **government entity(ies)** is responsible for government’s **policy** on beneficial ownership disclosure in the Choose an item. sector? | Holder(s) of information: *please specify*: PACRA |
| **Public register of beneficial owners (2.5.a)** | Which **government entity(ies)** is responsible for maintaining a register of the beneficial owners in the Choose an item. sector? | Holder(s) of information: *please specify*: PACRA |
| **Beneficial ownership information (2.5.c)** | Which **government entity(ies)** is responsible for requesting and collecting beneficial ownership information from companies? | Holder(s) of information: *please specify*: PACRA |
| **Publicly listed companies (2.5.f.iii)** | Which **stock exchanges** hold information on publicly listed companies operating in the country? | Holder(s) of information: *please specify, this can be foreign stock exchanges*: TSX, NYSE, ADX, LSE, Lusaka Stock Echange, HKSE |
| **State-owned companies (2.5.f.v)** | Which states/jurisdictions have information on ownership and control of foreign SOEs operating in the country? | Holder(s) of information: *please specify*: China is a jurisdiction that holds information on ownership and control of China Nonferrous Metal Mining Group (CNMC). |

### Technical requirements

|  |  |
| --- | --- |
| **Required** | **#2.5.g – Legal ownership** |
| *Availability* | **Are the legal owners of all the corporate entities that apply for, or hold, exploration and extraction licenses publicly disclosed?**  ☐ Yes No  **Does the information on legal owners include information on their share of ownership of the corporate entity?**  ☐ Yes No  ***Where to find legal owners of all companies (source):***  Systematic disclosures: website www. or routine publication by the [holders of information](#_477g29hrriq6) https://search.pacra.org.zm/  AND / OR  Other sources: EITI Report (year and page number), EITI website etc |
| **Required** | **#2.5.f.ii – Definition of beneficial ownership** |
| *Definition* | **Has the MSG agreed an appropriate definition of the term “beneficial owner”:**  Is the definition in line with #2.5.f.i?  ☒ Yes ☐No  Does the definition take into account international norms and relevant national laws?  ☐ Yes ☒ No  Does the definition include ownership threshold(s)?  ☐ Yes ☒ No  Was the threshold informed by the country context and the type and level of risk that the country aims to address?  ☐ Yes ☒ No  ***Provide the source to find the MSG’s adoption and definition of beneficial ownership:***  Systematic disclosures: website www. by the [holders of information](#_477g29hrriq6) or reference to national legislation that defines the beneficial owner, where the legal basis exists and serves as basis. <https://zambiaeiti.org/beneficial-ownership/>  chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.zambialaws.com/Zambia2019Pdfsi/SI%2014%20of%202019.pdf  AND  Other sources: EITI Report (year and page number), MSG meeting minutes documenting the adoption of the definition.  **Does the definition specify reporting obligations for politically exposed persons (PEPs)?**  ☒ Yes ☐No  **Are PEPs required to disclose their beneficial ownership information regardless of their level of ownership (no threshold)?**  ☒ Yes ☐No  ***Provide source(s) where the reporting obligations of PEPs can be accessed:***  Systematic disclosures: website www. by the [holders of information](#_477g29hrriq6) or reference to national legislation that defines PEPS and their reporting obligations, where the legal basis exists and serves as basis.  <https://zambiaeiti.org/beneficial-ownership/>  chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.zambialaws.com/Zambia2019Pdfsi/SI%2014%20of%202019.pdf  AND / OR  Other sources: EITI Report (year and page number), MSG meeting minutes documenting the adoption of the definition and reporting obligations. |
| **Required** | **#2.5.b – Government’s policy on beneficial ownership disclosure** |
| *Availability* | **Has the MSG documented the government’s policy on beneficial ownership disclosure?**  ☐ Yes ☒ ☐No  **Has the MSG documented its discussion on beneficial ownership disclosure?**  ☒ Yes ☐No  **Does it include the following elements:**   * details on the relevant legal provisions:   ☒ Yes ☐ No   * actual disclosure practices:   ☐ Yes ☒ No   * any reforms that are planned or underway related to beneficial ownership disclosure:   ☐ Yes ☒ No  ***If applicable, name and link to government policy on the publication of beneficial owners***  Systematic disclosures: website www. by the [holders of information](#_477g29hrriq6) or publisher of laws and regulation  <https://zambiaeiti.org/beneficial-ownership/>  chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.zambialaws.com/Zambia2019Pdfsi/SI%2014%20of%202019.pdf  ***Where to find the MSG’s documentation on the government’s policy and discussion on beneficial ownership disclosure to date:***  Other sources: EITI Report (year and page number), EITI website etc, MSG meeting minutes (date and link to the minutes) |
| **Required** | **#2.5.c-d – Disclosure of beneficial ownership information** |
| *Availability* | **Is beneficial ownership information available from the following corporate entities:**   |  |  |  | | --- | --- | --- | | **Type of companies** | **Has the government requested BO information?** | **Have companies publicly disclosed BO information?** | | **Applying** for a **production** license or contract | ☒ Yes ☐No | ☐ Yes ☒No | | **Holding** a participating interest in a **production** license or contract | ☒ Yes ☐No | ☐ Yes ☒No | | **Applying** for an **exploration** license or contract | ☒ Yes ☐No | ☐ Yes ☒No | | **Holding** a participating interest in an **exploration** license or contract | ☒ Yes ☐No | ☐ Yes ☒No |   **Do the beneficial ownership disclosures include:**   |  |  |  | | --- | --- | --- | | **Information** | **Has the government requested the information (ie in a template)?** | **Have companies publicly disclosed the information? (if partial, choose ‘no)** | | Identity(ies)/name of the beneficial owner(s) | ☒ Yes ☐No | ☐ Yes ☒☐No | | Level of ownership | ☒ Yes ☐No | ☐ Yes ☒☐No | | Details about how the control is exerted | ☒ Yes ☐No | ☐ Yes ☒No | | The nationality of the beneficial owner | ☒ Yes ☐No | ☐ Yes ☒No | | The country of residence | ☒ Yes ☐No | ☐ Yes ☒No | | Whether it is a politically exposed person | ☒ Yes ☐No | ☐ Yes ☒No |   ***Where to find beneficial owners of companies holding licenses:***  Systematic disclosures: website www. or routine publication, typically by the [holders of information](#_477g29hrriq6)  AND / OR  Other sources: EITI Report (year and page number), EITI hosted website, etc |
| *Assessment of comprehensiveness, reliability and timeliness* | **Are there entities that failed to submit all or some beneficial ownership information?**  ☒ Yes ☐No  **If yes, has the MSG disclosed the names of the entities that failed to disclose all or parts of the beneficial ownership information?**  ☒ Yes ☐No  Explain: This is disclosed through the PACRA website https://search.pacra.org.zmc  **Has the MSG assessed:**   * the **materiality** of the omissions: ☒ Yes ☐No * the overall **reliability** of beneficial ownership information ☒ Yes ☐No   **Do you or any stakeholders (including, but not limited to MSG members) consider that the beneficial ownership information is outdated?** [[11]](#footnote-11)  ☐ Yes ☒ No  If yes, what is the reason for not considering the information being up to date, and hence possibly not accurate?  Elaborate:  **Has the MSG published an assessment on the comprehensiveness, reliability and timeliness of beneficial ownership disclosures where gaps and weaknesses are clearly identified, for example through EITI reporting?**  ☒☐ Yes ☐ No  Explain:  ***Where to find the assessment and identification of gaps and weaknesses for the period under review***  Systematic disclosures: website www. or routine publication, typically by the [holders of information](#_477g29hrriq6) –  AND / OR  Other sources: EITI Report (year and page number), MSG meeting minutes (www. ), beneficial ownership report…  **Has the government or MSG agreed and documented plans to overcome the identified challenges and barriers**? ☒ Yes ☐No  ***Where to find the plan how to overcome gaps and weaknesses***  Systematic disclosures: website www. or routine publication, typically by the [holders of information](#_477g29hrriq6) –  AND / OR  Other sources: EITI Report (year and page number), MSG meeting minutes (www. ), beneficial ownership report…  **Are the gaps due to legal or practical barriers?**  ☐ Yes ☒ No  If yes, note plans to overcome barriers to disclosure of all of the above information:  Explain: can include a reference to work plan activities, MSG meeting minutes etc. |
| **Required** | **#2.5.e – Assessment of the mechanism to ensure reliability of beneficial ownership information** |
| *Assessment of mechanism for assuring reliability* | **Has the MSG assessed any mechanisms in place for assuring the reliability of beneficial ownership information?**  ☒ Yes ☐No  **Has the MSG agreed an approach for corporate entities to assure the accuracy of beneficial ownership information?**  ☒ Yes ☐No  **Has the MSG required companies to attest the beneficial ownership declaration form through sign-off by a member of the senior management team or legal counsel?**  ☒ Yes ☐No  **Has the MSG required companies to submit supporting documentation?**  ☐ Yes ☒No  ***Where to find the assessment of the mechanism:***  Systematic disclosures: website www. or routine publication, typically by the [holders of information](#_477g29hrriq6)  AND / OR  Other sources: EITI Report (year and page number), EITI hosted website, etc |
| **Required** | **#2.5.f.iii – Publicly listed companies** |
| *Availability* | **Are the names of the stock exchange of publicly listed companies available?**  ☒ Yes ☐No  Does this include wholly owned subsidiaries?[[12]](#footnote-12)  ☒ Yes ☐No  Are the **links** to the stock exchange filings available for all publicly listed companies in the country?  ☒ Yes ☐No  ***Where to find information on listed companies:***  Systematic disclosures: website www. or routine publication, typically by the [holders of information](#_477g29hrriq6) or urls to stock exchange filings TSX, NYSE, ADX, LSE, Lusaka Stock Exchange, HKSE, EURONEXT.  AND / OR  Other sources: EITI Report (year and page number), EITI hosted website, etc  **Is the information on the listed companies correct and comprehensive?**  ☐ Yes ☐No  Explain: *For example, there are links missing to some of the listed companies, or they are incorrect.* |
| **Encouraged** | **#2.5.f.iii – Review of quality of stock exchange filings of publicly listed companies** |
| *Comprehensiveness and reliability* | **Has the MSG reviewed the comprehensiveness and reliability of ownership information disclosed in the stock exchange fillings?**  ☒ Yes ☐No  ***Where can the result of that review be found?***  Systematic disclosures: website www. or routine publication, typically by the [holders of information](#_477g29hrriq6), oversight institutions  AND / OR  Other sources: EITI Report (year and page number), study undertaken by experts, etc |
| **Required** | **#2.5.f.iv – Joint ventures** |
| *Availability* | **Are the beneficial owners of each entity of the joint ventures[[13]](#footnote-13) disclosed (unless publicly listed or wholly-owned subsidiary of a publicly listed company)?**  ☐ Yes  ☐ No ☐No joint ventures – not applicable |
| **Required** | **#2.5.f.v – Ownership of SOEs** |
| *Availability* | **If there are SOEs that hold any interest in extractive licenses, are the name(s) of the state(s) owning or controlling the SOE(s) available?**  ☒ Yes ☐No  **Does that include the level of ownership and details about how ownership or control is exerted?**  ☒ Yes ☐No  **For SOEs not fully owned by the state, is the beneficial ownership information of the SOE available in line with 2.5.c?**  ☒ Yes ☐No |
| **Encouraged** | **#2.5.a – Public register of beneficial owners** |
| *Availability* | **Are there laws, regulations or policies in place to support back establishing and maintaining a public register of beneficial owners in the** Choose an item. **sector?**  ☒ Yes ☐No  **Is your country maintaining a publicly available register of the beneficial owners?**  ☒ Yes ☐No  **Provide source(s) where this register can be accessed:** *website: www.* ***https://search.pacra.org.zmc***  **Does this register include the beneficial owners of the corporate identities that:**   * apply for a participating interest in an exploration license or contract   ☒ Yes ☐No   * hold a participating interest in an exploration license or contract   ☒ Yes ☐No   * apply for a participating interest ina production license or contract   ☒ Yes ☐No   * hold a participating interest in a production license or contract   ☒ Yes ☐No  **Does the register include the following information:**   * Identity(ies) of the beneficial owner(s)   ☒ Yes ☐No   * Level of ownership   ☐ Yes ☒ No   * Details about how the control is exerted   ☐ Yes ☒ No |
| **Required if applicable** | **#2.5.a – Guidance on access to disclosure of existing public beneficial ownership information** |
| *Availability* | **If beneficial ownership information is already available through a publicly available register** (see question above - existing fillings by companies to corporate regulators, stock exchanges or regulatory agencies – see question above) **does the EITI reporting include guidance on how to access it?**  ☒ Yes ☐No  **Does that include the name of the stock exchange and a link to the stock exchange filings?**  ☒ Yes ☐No  ***Provide source(s) where the guidance can be accessed:***  Systematic disclosures: website www. by the [holders of information](#_477g29hrriq6) or reference to national legislation that defines PEPS and their reporting obligations, where the legal basis exists and serves as basis.  AND / OR  Other sources: EITI Report (year and page number), EITI website etc |
| **Encouraged** | **#2.5.a –Incorporating beneficial ownership in existing company filings** |
| *Availability* | **Is beneficial ownership information included in existing filings by companies to corporate regulators, stock exchanges or regulatory agencies?**  ☒ Yes ☐No  If not, is there any plans to incorporate beneficial ownership information in the filings?  ☒ Yes ☐No  If yes, elaborate: |
| **Encouraged** | **#2.5.f.ii – 10% Threshold** |
| *Applicability* | **Has your country adopted a threshold of 10% or lower?**  ☒ Yes ☐No  *Adopted threshold and rationale for the threshold: you may also refer to documentation , ie MSG meeting minutes This is document in the Companies Act No.10 of 2017 as amended by the Companies (Amendment) Act No.4 of 2020.* |
| **Encouraged** | **#2.5.d – additional information on the beneficial owners** |
| *Availability* | **Does the information about the beneficial owner include:**   * National identity number   ☒ Yes ☐No   * Date of birth   ☒ Yes ☐No   * Residential or service address   ☒ Yes ☐No   * Contact information   ☒ Yes ☐No |
| **Encouraged** | **#2.5.g - Ownership structure** |
| *Availability* | **Have companies disclosed their ownership structure?**  ☒ Yes ☐No  **Does that include the full chain of legal entities leading to the beneficial owner?**  ☐ Yes ☒ No  **Where can the company structures be found?**  Systematic disclosures: corporate filings, beneficial ownership registry, typically by the [holders of information](#_477g29hrriq6) Corporate files and through the beneficial ownership registry https://search.pacra.org.zmc  AND / OR  Other sources: EITI Report (year and page number), EITI hosted website, etc |
|  |  |

**Additional comments and observations on this requirement, including any possible gaps, barriers to disclosures and how stakeholders (MSG, government, companies) are addressing those**

|  |
| --- |
| *Add any further comments:* |

### Underlying objective

The objective of this requirement is to enable the public to know who ultimately owns and controls the companies operating in the country’s extractive industries, particularly those identified by the multi-stakeholder group as high-risk, to help deter improper and corrupt practices in the management of extractive resources and to help monitor the ownership of politically exposed persons.

**Gathering of information**

1. Has the MSG encountered any particular obstacles or reluctance to disclose beneficial ownership information? If yes, what strategy has been adopted to overcome them?

☐ Yes ☒No

*If yes, elaborate*

1. Has the MSG prioritised outreach efforts, for example to target companies that hold or apply for licenses for high-value or corruption-prone commodities?

☐ Yes ☒No

*If yes, elaborate and provide sources However, as part of the OEP, the MSG has conducted targeted outreach to companies though the Chamber of Mines of Zambia, professional service firms and xxxx*

**Use of information**

1. Do MSG members consider that information on legal and beneficial owners is accessible, enabling the public to know who ultimately owns and controls the companies operating in the country’s extractive industries?

☒ Yes ☐No

*Elaborate: However, the compliance rate in terms of BO filings is still relatively low.*

1. Is any of the information as set out above available in open format, for example as excel work sheet or format compatible with the BODS, to facilitate its use?

|  |
| --- |
| ☐ Yes ☒No  *Describe the data set(s) available, including in what format: Information is presented as printouts for individual company requests. Zambia EITI, however has access to data presented in open format (excel).* |

1. Has the MSG conducted any analysis using any of the information of this requirement?

|  |
| --- |
| ☒ Yes ☐ No  *If yes, sources to where this analysis can be found.* |

1. Is the MSG aware of stakeholders using this information?

|  |
| --- |
| ☒ Yes ☐ No  *If applicable, sources to where this analysis can be found* |

1. Has the MSG undertaken any training activities aimed at strengthening stakeholder’s capacity to use beneficial ownership information?

☒ Yes ☐ No

*Openownership-*[*https://www.openownership.org/en/blog/empowering-citizens-to-use-corporate-ownership-data-in-zambia/*](https://www.openownership.org/en/blog/empowering-citizens-to-use-corporate-ownership-data-in-zambia/)

1. Have efforts made in the extractive sector prompted discussions about the opportunity for beneficial ownership transparency in other sectors of the economy?

☒ Yes ☐No

*If yes, elaborate*

### Conclusion

Based on the review of the [technical aspects](#_x7sipx1pid03) and [underlying objective](#_jliilq2ae2d9), what is the MSG’s overall assessment towards meeting the requirement?

Score is:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **☐** | ☐ | ☐ | ☐ | ☒ | ☐ |
| very poor (0) | poor (25) | limited (50) | good (70) | very good (90) | leading (100) |
|  |  |  |  |  |  |

**Or**

☐ not applicable

|  |
| --- |
| Explain |

## International Secretariat feedback

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *To be filled in by the International Secretariat*  *Observations of comprehensiveness of addressing the aspects, any gaps identified and further clarification needed.*   |  |  | | --- | --- | | 2.5.g Legal owners  *Required* |  | | 2.5.f.ii Definition of beneficial owner  *Required* |  | | 2.5.b Government’s policy on BO  *Required* |  | | 2.5.c BO Disclosure  *Required* |  | | 2.5.d Information on BO  *Required* |  | | 2.5.e Reliability  *Required* |  | | 2.5.f.iii Publicly listed companies  *Required* |  | | 2.5.f.iii – Review of quality of stock exchange filings of publicly listed companies  *Encouraged* |  | | 2.5.f.iv – Joint ventures  *Required* |  | | 2.5.f.v – Ownership of SOEs  *Required* |  | | 2.5.a Public BO register  *Encouraged* |  | | 2.5.f.ii – 10% Threshold  *Encouraged* |  | | 2.5.d – additional information on the beneficial owners  *Encouraged* |  | | 2.5.g - Ownership structure  *Encouraged* |  | | Any other observations |  | | Relevance of data when linked to ongoing issues/reforms in the country |  | | On availability of systematic disclosures |  | | On the timeliness of disclosures |  | | On open format of disclosures |  | |

# For Validation: MSG sign-off

**Please include below the names and contact details of the constituency leads who submit this information on behalf of their constituency. Add rows as needed.**

|  |  |  |
| --- | --- | --- |
| **Name** | **On behalf of** | **Email address or telephone number** |
|  | **Government** |  |
|  | **Companies** |  |
|  | **Civil society** |  |

**Date of MSG sign-off**

Click or tap to enter a date.

\*\*\* Form ends

1. Materiality relates to a threshold amount or percentage to determine if a company or a payment is significant to an outcome. Multi-stakeholder groups in EITI implementing countries often set materiality levels based on company or payment size. It reduces the detailed disclosures needed to be able to focus on the ‘important’ streams and entities. [↑](#footnote-ref-1)
2. Requirement 2.3 for the license register applies to all companies within the agreed scope of EITI implementation, but it is *expected* that all companies are contained in the license register, regardless of their materiality. [↑](#footnote-ref-2)
3. The MSG is free to identify what a material deviation would be. As a general rule, a material deviation applies if the transfer or award relates to a company that is material (and required to report). [↑](#footnote-ref-3)
4. Meaning that the information is not comprehensive, that important information is not disclosed. [↑](#footnote-ref-4)
5. if any of the questions on comprehensiveness, timeliness and reliability were responded to with ‘yes’, the missing information must be disclosed by the MSG. [↑](#footnote-ref-5)
6. According to 2.4.d, The term “contract” in Requirement 2.4(a) means:

   i. The full text of any contract, concession, production-sharing agreement or other agreement granted by, or entered into by, the government which provides the terms attached to the exploitation of oil, gas and mineral resources.

   ii. The full text of any annexe, addendum or rider which establishes details relevant to the exploitation rights, and any material exploration rights, described in Requirement 2.4(d)(i) or the execution thereof.

   iii. The full text of any alteration or amendment to these documents  [↑](#footnote-ref-6)
7. According to 2.4.d, The term “license” in Requirement 2.4(a) means:

   i. The full text of any license, lease, title or permit by which a government confers on a company(ies) or individual(s) rights to exploit oil, gas and/or mineral resources.

   ii. The full text of any annexe, addendum or rider that establishes details relevant to the exploitation rights, and any material exploration rights, described in Requirement 2.4(e)(i) or the execution thereof.

   iii. The full text of any alteration or amendment to the documents  [↑](#footnote-ref-7)
8. If no contracts have been amended since 1 January 2021 [↑](#footnote-ref-8)
9. no amended licenses were amended since Jan 2021 [↑](#footnote-ref-9)
10. Meaning that the information is not comprehensive, that important information is not disclosed. [↑](#footnote-ref-10)
11. Outdated means it is not timely. Is it clear to the reader when the information was published, for example through an indication of “last modified as of [date]” or does it reference clearly the timeframe the information relates to? If not, how can the reader ascertain if the information is up to date? [↑](#footnote-ref-11)
12. Meaning that if a company is fully owned by a publicly listed company, the stock exchange information of that publicly listed parent company is available. [↑](#footnote-ref-12)
13. A joint venture (JV) is a business entity created by two or more parties, generally characterised by shared ownership, shared returns and risks, and shared governance [↑](#footnote-ref-13)