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**PNG EXTRACTIVE INDUSTRIES
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30th October 2020

Dairi Vele

Secretary

Department of Treasury

P.O Box 542

WAIGANI 131

National Capital District

Attention: Acting First Assistant Secretary CSD- Ms. Aimo Sanawe
Acting Principal Legal Officer- Ms. Maristella Kewa

Dear Secretary,

**SUBJECT: INVITATION FOR DEPARTMENT OF TREASURY LEGAL TEAM TO BE PART OF THE
TECHNICAL WORKING GROUP [TWG] ON DRAFTING THE PNGEITI COMMISSION
BILL**

I write to you regarding the above subject matter.

As you are well aware, EITI implementation has matured in PNG since the establishment of the PNGEITI National Secretariat following a NEC Decision in 2013. Following the adoption of a National Policy Framework on Transparency and Accountability in 2018, it has now become necessary to ensure that the PNGEITI National Secretariat needed to have a legal basis to sustain its operations administratively for the long term.

The legislation of EITI operations is consistent with the NEC Decision 90/2013 that directed the establishment of the EITI National Secretariat at the Department of Treasury at the inception stage and to be eventually established as an independent entity. This was reiterated in the Government's 2018 National Budget Economic and Development Policies Statement [Vol1, p.115] presented to Parliament in November 2017. The Government announced that the PNGEITI Multi-Stakeholder Group (MSG) continued with its work to develop the PNGEITI National Policy Framework and subsequently, a PNGEITI Law to provide the legal avenue for PNGEITI's transformation into an independent entity.

A legal consultant was engaged last year to draft the proposed PNGEITI Commission Bill, intended as an EITI establishment law. The draft Bill went through a lengthy consultation process last year, which ensured all relevant stakeholders providing inputs on the Draft Bill. A revised draft was submitted to the State Solicitor late last year for legal clearance. The State Solicitor, after reviewing the draft Bill raised a number of concerns on various sections of the Bill [copy of letter attached] that requires further clarifications before it is finalized.

The TWG's progress on this project has been affected in the first quarter of this year due to the Covid-19 pandemic disruptions; hence, the TWG is yet to address the list of concerns raised by the State Solicitor before the draft Bill could be finalized.

In light of the above important work that needs to be progressed further, I seek your permission to allow the legal officers from your Department to be involved in the TWG and to assist where necessary in this legislative process going forward. Your support in this endeavor to ensure PNGEITI is legally established as a separate statutory entity will be greatly appreciated.

Yours sincerely,



LUCAS ALKAN

Head of National Secretariat