

## DRAFT Malawi's Extractive Industries Transparency Initiative (MW EITI)

### National Secretariat

#### TERMS OF REFERENCE

##### 1. Malawi and the Extractive Industries Transparency Initiative

The purpose of these Terms of Reference is to define the structure, responsibilities and functions of the Malawi Extractive Industries Transparency Initiative (**MWEITI**) Secretariat.

The extraction of Malawi's natural resources and its associated revenue should underpin broad-based sustainable growth and socio-economic development of all Malawi's citizens. Greater transparency and accountability must be in place to make this a reality. Recognising this, the government found it fit to commit to the **Extractive Industries Transparency Initiative (EITI) Standard** in 2014. This global standard promotes open and accountable management of natural resources by requiring the full disclosure of taxes and other payments made by companies to governments. This data is reconciled with government receipts and published in a report which is aimed to enhance trust and to stimulate public debate on how the country's resource wealth should be managed.

Malawi's EITI (MWEITI) seeks to introduce and institutionalise transparency and accountability along the extractive industries value chain in accordance with the EITI Standard and Principles. This is expected to be achieved through open dialogue among stakeholders. The ministry responsible for Finance, through the Revenue Policy Division, is coordinating the MWEITI in coalition with other government institutions, civil society organisations and extractive industry companies. The Revenue Policy Division will house the National Secretariat that will be organised and sustained by national government.

The National Secretariat will support the Multi-Stakeholder Group (MSG) which sets the direction, programmes and activities of the MWEITI.

1. The Secretariat shall be headed by the Coordinator who shall be appointed by the Minister on such terms as recommended by the MSG and in consultation with the Civil Service Commission and when the MSG considers such consultations as necessary.
2. The Secretariat shall
  - 2.1 Be responsible for carrying out and managing day-to-day operations of the MWEITI and subject to the overall and control of the MSG;
  - 2.2 Make preparations for MSG meetings and keep minutes;
  - 2.3 Under the direction of the MSG, develop and maintain policies and procedures required for effective and transparent implementation of the EITI;
  - 2.4 Organise EITI workshops;
  - 2.5 Disseminate EITI information;

- 2.6 Prepare costed work plans and budgets for MWEITI for approval by the MSG;
  - 2.7 Prepare reports on the implementation of EITI;
  - 2.8 Authorise the solicitation of external financial and other assistance on behalf of MWEITI;
  - 2.9 Subject to the approval of the MSG, procure the services of the Independent Administrator/Reconciler for the purpose of undertaking reconciliation, audit and investigation;
  - 2.10 Assist the Validator obtain required information;
  - 2.11 Prepare financial reports for MWEITI;
  - 2.12 Advise MSG on MWEITI issues;
  - 2.13 Recommend to MSG on action to be taken on EITI issues;
  - 2.14 Attend workshops and meetings as approved by MSG;
  - 2.15 Draft speeches, statements and presentations on MWEITI; and
  - 2.16 Take any other actions necessary for achieving the objectives of MWEITI.
3. The Secretariat shall be assisted in the discharge of its functions by such persons as may be assigned to it by the responsible ministry on the recommendation of the MSG.
  4. Staff assigned to the Secretariat may be removed from the Secretariat upon the recommendation of the MSG in accordance with rules governing staff and officials of the Civil Service.
  5. The Coordinator shall not be removed from office except for just cause and in accordance with the conditions of service.