



REPUBLIC OF ZAMBIA

REPORT

OF THE

COMMITTEE ON NATIONAL ECONOMY, TRADE AND LABOUR MATTERS

ON THE

REPORT OF THE AUDITOR GENERAL

ON THE

**THE COMPLIANCE AUDIT ON THE AWARDING AND MONITORING OF MINING
RIGHTS FOR 2017 ACCOUNTS**

FOR THE FOURTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

Printed by the National Assembly of Zambia

REPORT

OF THE

COMMITTEE ON NATIONAL ECONOMY, TRADE AND LABOUR MATTERS

ON THE

REPORT OF THE AUDITOR GENERAL

ON THE

**THE COMPLIANCE AUDIT ON THE AWARDING AND MONITORING OF MINING
RIGHTS FOR 2017 ACCOUNTS**

FOR THE FOURTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

TABLE OF CONTENTS

ITEM	PAGE NO
1.0 Membership of the Committee	1
2.0 Functions of the Committee	1
3.0 Meetings of the Committee	1
4.0 Procedure adopted by the Committee	1
5.0 Standards used in Carrying out the Audit	1
5.1 Background to the Audit	2
5.2 Subject Matter and Scope	2
5.3 Risk Assessment that Led to the Selection of Identified Subject Matter	2
5.4 Audit Objective	3
5.5 Audit Questions	3
5.6 Methodology	3
5.7 Sources of Assessment Criteria	4
6.0 Consideration of Submissions on the Audit	4
Findings and Observations	
6.1 Lack of representation by some stakeholders on the Mining Licence	4
6.2 Submission of the necessary documents when Applying for mining rights	7
6.3 Processing of application by the Mining Cadastre Office and consideration of applications by the Mining Licencing Committee before awarding the Mining Rights	8
6.4 Inspections and monitoring to ensure compliance by mining right	10
6.5 Exercise of punitive powers against non-compliant mining right holders	16
7.0 Conclusion	21
Appendix I – Officials of the National Assembly	22
Appendix II – List of Witnesses	23

REPORT OF THE COMMITTEE ON NATIONAL ECONOMY, TRADE AND LABOUR MATTERS ON THE REPORT OF THE AUDITOR GENERAL ON THE COMPLIANCE AUDIT ON THE AWARDING AND MONITORING OF THE MINING RIGHTS FOR 2017 ACCOUNTS FOR THE FOURTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

Membership of the Committee

1.0 Dr S Musokotwane, MP (Chairperson); Ms M Miti MP, (Vice-Chairperson); Mr G G Nkombo, MP; Mr E M Mwila, MP; Mr C Chali, MP; Mr D Chisopa, MP; Dr S C Kopulande, MP; Mr D Livune, MP; Mr E Kamondo, MP; and Mr M Mubika, MP.

The Honourable Mr Speaker
National Assembly
Parliament Buildings
LUSAKA

Sir

The Committee has the honour to present its Report on the Report of the Auditor General on the Compliance Audit on the Awarding and Monitoring of Mining Rights for 2017 Accounts for the Fourth Session of the Twelfth National Assembly.

Functions of the Committee

2.0 The functions of the Committee are set out under Standing Order No. 157 (2). Among other functions, the Committee is mandated to consider special audit reports that may be referred to it by the House.

Meetings of the Committee

3.0 The Committee held ten meetings to consider the Report of the Auditor General on the Compliance Audit on the Awarding and Monitoring of Mining Rights for 2017 Accounts.

Procedure Adopted by the Committee

4.0 The Committee requested written and oral submissions from the stakeholders listed at Appendix II.

Standards Used in Carrying out the Audit

5.0 The Committee was informed that the audit was conducted in accordance with the provisions of Article 250 (c) and (d) of the *Constitution of Zambia as amended by Act No.2 of 2016*, and the *Public Audit Act, No.13 of 1994*. The audit was based on ISSAI 400, Fundamental Principles of Compliance Auditing and ISSAI 4000 – Compliance Audit Guidelines.

Background to the Audit

5.1 The Auditor General's Report stated that the extractive industry had been in existence for almost a century and remained the country's dominant industry. The industry was the largest contributor to development and growth of the economy through taxes, social-economic development, infrastructure, creation of employment, provision of education and health services, among others. The main mineral resource extracted by mining companies was copper with other known mineral reserves being cobalt, zinc, lead, uranium, coal, limestone, gold, emeralds and diamonds. In addition, Zambia had engaged in oil and gas exploration. During the last decade, several new mines had been opened, which had raised considerable interest as regards their potential to contribute towards economic growth and poverty alleviation.

The Committee was informed that the Ministry of Mines and Minerals Development was responsible for the development and management of mineral resources in a sustainable manner for the benefit of the people of Zambia. The Ministry's portfolio functions were outlined in the Government Gazette Notice Number 183 of 2012, and they included management of mines and minerals development in Zambia.

The Committee was further informed that the mining sector encountered various internal and external factors, such as inconsistencies in the processes of awarding mining rights, lack of disclosure of relevant information by some rights holders to other stakeholders, and under declaration of production figures. This necessitated the enactment of the *Mines and Minerals Development Act, No 11 of 2015*.

The Committee learnt that the compliance of the Ministry in the awarding and monitoring of mining rights during the period 1st January to 31st December, 2017, was subject to audit by the Auditor General in terms of Article 250(c) and (d) of the *Constitution of Zambia as amended by Act No. 2 of 2016*, the *Public Audit Act No. 13 of 1994* and the relevant International Standards for the Supreme Audit Institutions (ISSAIs).

The Ministry was mandated to conduct statutory monitoring and inspections of licensed mining and mineral processing operations. This was in order to ensure sustainable mining development, as provided for in the *Mines and Minerals Development Act, No 11 of 2015*.

Subject Matter and Scope

5.2 The Auditor General stated that the audit focused on the compliance in the awarding of mineral rights to large and small scale mining right holders during the year 2017, and monitoring of all existing large and small scale mining rights as at 30th September, 2017.

Risk Assessment that Led to the Selection of the Identified Subject Matter

5.3 It was stated in the Report of the Auditor General that since the awarded mining rights had a direct impact on performance of the industry and the economy as a whole, it was important for Zambia to verify the awarding of mining rights and monitoring processes.

In this regard, there were identified risks regarding the awarding of mining rights and monitoring such as rights being awarded to applicants who did not have the capacity to execute planned activities in accordance with the provisions of the law.

Audit Objective

5.4 The objective of the audit was to ascertain whether the Ministry of Mines and Minerals Development carried out its responsibilities in the awarding of mining rights and monitoring of operations of large and small scale mining right holders in accordance with relevant provisions of the *Mines and Minerals Development Act, No.11* of 2015 for the year ended 31st December, 2017.

The specific objectives of the audit were as outlined below.

- a) To establish whether all relevant stakeholders were represented on the Mining Licencing Committee.
- b) To establish whether all applicants submitted the necessary documents.
- c) To establish whether all applications were duly and properly processed by the Mining Cadastre Office, and that they were duly and properly considered by the Mining Licencing Committee before awarding the mining right.
- d) To ascertain whether the Directors of Mines Development, Geological Survey, Mines Safety, and Mining Cadastre carried out inspections and monitoring in order to ensure compliance by mining right holders.
- e) To establish whether the Ministry exercised punitive measures to non-compliant mining right holders.

Audit Questions

5.5 Based on the audit objective, the audit was designed to answer the questions set out below.

- i. Were all relevant stakeholders represented on the Mining Licencing Committee?
- ii. Did all awarded applicants submit the necessary documents as required by law?
- iii. Were all applications for mining rights duly and properly processed by the mining Cadastre office, and were they duly and properly considered by the Mining and Licencing Committee before awarding the mining rights?
- iv. Did the Directors of the Ministry carry out inspections and monitoring to ensure compliance by mining right holders?
- v. Did the Ministry exercise punitive measures to non-compliant mining right holders?

Methodology

5.6 In gathering audit evidence, the audit relied on document analyses, interviews and meeting discussions with Directors of the Mining Cadastre, Geological Survey Department, Mines Safety Department and Director of Mines. In the process of information gathering, meetings were held with the Zambia Development Agency (ZDA) and Patents and Companies

Registration Agency (PACRA). Further, the Annual Report and Work Plans for the Ministry of Mines and Minerals Development were used, as well as other audit testing techniques related to the audit criteria mentioned above.

Sources of Assessment Criteria

5.7 The criteria for assessing the compliance of awarding and monitoring mining rights for the 2017 accounts was derived from the different sources listed below.

- a) *The Mines and Minerals Development Act, No. 11 of 2015*
- b) *Service Commissions Act, of 2016*
- c) *Statutory Instrument No. 7 of 2016*

Consideration of submissions on the audit findings and observations

6.0 The Committee considered submissions from the identified stakeholders and the Minister of Mines and Minerals Development. The submissions of these stakeholders and the Ministry of Mines and Minerals Development, as well as the observations and recommendations made by the Committee are set out below.

6.1 Lack of representation by some stakeholders on the Mining Licence Committee

- a) The report of the Auditor General, following a review of appointment letters and minutes of the Mining Licence Committee (MLC) sittings for the year 2017, revealed that contrary to the criteria provided by law, there was no representative from the ministry responsible for environment on the committee.

Stakeholders' Submission

Stakeholders submitted that the absence of a representative of the ministry responsible for environment on the MLC was a serious lapse given the importance of environmental risks associated with mining. Stakeholders submitted that mineral rights, whether large scale or artisanal, required compliance with the environmental regulations of the country.

The Ministry of Water Development, Sanitation and Environmental Protection submitted that the Ministry of Mines and Minerals Development was better placed as the custodian of the *Mines and Minerals Development Act, No. 11 of 2015* to initiate the process of appointing a permanent representative from the Ministry of Water Development, Sanitation and Environmental Protection. However, the Ministry had established contact with the Ministry of Mines and Minerals Development to ensure that this anomaly was corrected within the shortest possible time.

Response by the Minister of Mines and Minerals Development

The Minister acknowledged the findings by the Auditor General and informed the Committee that the MLC from its inception in February, 2016 was fully constituted as provided by section 6

of the *Mines and Minerals Development Act, No. 11 of 2015*. At that time, the environment portfolio was under the Ministry of Lands, Natural Resources and Environmental Protection and was represented by an officer from that Ministry. However, when the ministries were restructured, the environmental protection mandate was moved to the Ministry of Tourism and subsequently to the Ministry of Water Development, Sanitation and Environmental Protection. Due to these changes, the officer could not continue to sit on the Mining Licensing Committee.

The Committee was informed that the term of office for MLC members who were appointed in 2016 expired in 2019. When constituting a new committee, the Ministry of Mines and Minerals Development took into account the changes in ministerial portfolios and requested for nominations from the Ministry of Water Development, Sanitation and Environmental Protection to ensure that environmental matters were adequately considered in the process of granting mining rights. An officer had since appointed to represent the Ministry of Water Development, Sanitation and Environmental Protection on the MLC on 23rd May, 2019 and a letter of appointment was attached for verification.

Committee's Observation and Recommendation

The Committee is dismayed that the Ministry of Water Development, Sanitation and Environmental Protection is not aware that the Ministry of Mines and Minerals Development has appointed one officer as a representative to sit on the MLC which indicates a lapse in coordination between the two ministries. . The Committee agrees with the Auditor General that the lack of representation by the ministry responsible for environmental protection was a serious omission with far reaching consequences. The Committee contends that mining is degrading in nature and has serious impacts on the environment which could contribute to climate change, food insecurity water and air pollution, among others. However, the Committee commends the Minister for appointing a representative from the ministry responsible for environmental protection, and urges the Minister to strengthen collaboration with all the relevant stakeholders and ensure that all Members of the MLC attend meetings at all times. The Committee urges the Minister to send correspondences relating to appointment of members on MLC from Ministries to the Permanent Secretary and not directly to the officers.

- b) The Report of the Auditor General outlined that after a review of Mining License Committee (MLC) minutes for the period under review it was established that representatives from Mine Safety, Ministry of Finance and Ministry of Lands and Natural Resources had not attended the meetings for three consecutive sittings contrary to the provision of Section 6, 2, 3 (c) of the *Mines and Minerals Development Act No 11 of 2015*. Further, there were no alternate members for those members absent from the committee sittings, as provided for in section 6, 2, 3 (c) of the Act.

Stakeholders' Submission

Stakeholders submitted that the absence of some members of the MLC was regrettable. They expressed concern that the absence of such key players compromised the quality of deliberations of the MLC.

The Ministry of Lands and Natural Resources submitted that it was re-aligned under Government Gazette No. 183 of 2012 to create the Ministry of Lands, Natural Resources and Environmental Protection (MLNREP). This entailed that the Ministry was responsible for land, forestry and environment. In 2016, the MLNREP was further realigned under Government Gazette No. 836 of 2016 in which the environment function was removed from the Ministry.

The Ministry of Finance submitted that the Ministry's representative on the MLC was attending to other equally pressing national issues, and the Committee was duly notified of this development. However, as of 2018, the Ministry had appointed an alternate member who would be attending the Committee sittings in the absence of the permanent committee member to ensure that the views of the Ministry were represented and taken into consideration.

Some stakeholders were concerned that there was no transparency in the issuance of mining licences because of the absence of some members of the MLC. This was evidenced by the defaulting of 874 licences and cancellation of 816 licences in January, 2020 by the Government.

Other stakeholders were of the considered view that the membership of the MLC should be expanded to enhance diversity in the Committee. The current composition excluded Chiefs' representatives and ZEMA. The views of these stakeholders would enhance the debates within the MLC and offer alternative views when awarding mining licences. While appreciating the compliance of applicants on attaching all required documents, some stakeholders had reservations on how consents were obtained from chiefs. They were of the opinion that the consent given by a chief should be obtained before the Cadastre Office submitted the files to the MLC.

Response by the Minister of Mines and Minerals Development

The Minister reported that representatives from the Mine Safety Department, Ministry of Finance and Ministry of Lands and Natural Resources missed three consecutive meetings during the year under review. However, section 2(3) (3) of the *Mines and Minerals Development Act, No. 11 of 2015*, sub-section (3) (c) provided that a member could only be removed from the committee if they were absent for three consecutive meetings without reasonable excuse. The Committee learnt that the members cited for missing meetings always notified the Committee of their non-availability through the Secretariat. The members cited commitments to other national duties and therefore, the excuses were reasonable. The non-availability of alternate members was also formally communicated, and this was mainly due to commitments to other assigned duties.

The Minister informed the Committee that the Act was not explicit that members of the MLC were required to communicate in writing if they were unable to attend meetings. However, going forward, it was resolved that members would be requested to formally write to the Secretariat to indicate reasons for missing meetings. Furthermore, paragraph 4 (5) of the Schedule also stated that a quorum of the MLC meeting shall be half of the members of the Committee. The MLC was therefore within the law to hold meetings in the absence of some members because the quorum was formed in each particular case.

Committee's Observations and Recommendations

The Committee is disappointed that the representatives of the MLC have not been serious in dealing with matters relating to licensing. The Committee notes that the absence of some members of the MLC poses the risk of not having the interests of all relevant stakeholders taken into account in awarding the mining rights. While acknowledging the appointment of officers from the Ministry of Finance, the ministry responsible for environmental protection and the Ministry of Lands and Natural Resources, the Committee urges the Government to ensure that disciplinary action is instituted against officers who stay away from meetings without permission. In addition, the Committee recommends that the Ministry of Mines and Minerals Development should generate a standard consent form which should be signed by all chiefs when giving consent for any mining activities in their respective chiefdoms. This consent form should be attached to the ZEMA report to avoid impediment in awarding mining rights.

6.2 Submission of the necessary documents when applying for mining rights

The Report of the Auditor General outlined that a review of a sample of fifty files of the awarded mining right holders during the year under review revealed that all the necessary documents were submitted, and necessary fees paid in accordance with the criteria.

Stakeholders' Submission

Stakeholders commended the Ministry of Mines and Minerals Development for ensuring that all necessary documents were attached to the mining applications and urged them to uphold the high compliance levels. However, the stakeholder noted that the sample size was not very representative as only fifty applications were reviewed

Response by the Minister of Mines and Minerals Development

The Ministry provided evidence to the Auditor General that applicants duly submitted the required documents as stipulated in the law. The Auditor General had since recommended the matter for closure of this matter in their correspondence to the Ministry dated 9th May 2019.

Committee's Observations and Recommendations

The Committee acknowledges that the sampled applications revealed that all applications had the necessary documents attached. The Committee resolves to close the matter.

6.3 Processing of applications by the Mining Cadastre Office and consideration of application by the Mining Licencing Committee before awarding the Mining Rights

The Report of the Auditor General outlined a review of the MLC minutes for the year under review revealed that the Committee met once in a month, during which time they considered an average of seventy applications within two hours thirty minutes per meeting.

A compliance verification exercise was carried out on some of the mining right holders awarded during the year under review. The observations made were as highlighted hereunder.

- a) Among the fifty sampled mining right holders in Western, Eastern, North Western, Copperbelt and Central provinces, eight exploration licences had no fixed abode as the physical addresses, contact numbers and emails of these mining rights holders could not be traced. Consequently, it was not possible to authenticate their existence and verify their compliance status.

Stakeholders' Submission

Stakeholders submitted that the MLC appeared to be overwhelmed by a lot of applications which it handled within a short period of time. They noted that the fact that the MLC processed an average of seventy applications within an average of two and half hours meant that it could not undertake thorough scrutiny of the applications. Further, stakeholders noted that the Cadastre Office which was the Secretariat of the MLC was not adequately staffed and recommended for increased staff levels to enable the secretariat carry out comprehensive assessment of the applications in order for the MLC to arrive at well informed decisions.

Some stakeholders were of the view that the Patents and Companies Registration Agency (PACRA) should be considered a relevant stakeholder on the Mining Licensing Committee on the basis that the Agency was the custodian of all information pertaining to ownership and directorship of companies, including mining companies. The Agency would be in a position to confirm if a particular company was active and compliant with the provisions of the *Companies Act, No. 10 of 2017*. Further, the Agency would be in a position to provide up-to-date information relating to ownership of mining companies.

Response by the Minister of Mines and Minerals Development

The Minister acknowledged the findings of the Auditor General and confirmed that applicants for mining rights were requested to submit the contact details including their physical and postal addresses, telephone and/or fax numbers and email addresses.

The Minister informed the Committee that section 19 of the Mines and Minerals Development (General) Regulations of 2016 provided that a holder of a mining right should inform the Mining Cadastre Office of any change in the particulars such as business name, business address, telephone numbers and change in the directors or shareholders of the company. However, the law did not provide guidance on the punitive measures that the Ministry should impose on mining right holders who changed their details without notifying the Ministry.

Committee's Observations and Recommendations

The Committee is extremely disappointed that such an important requirement of providing relevant contact details by the applicant was overlooked by the Cadastre Office and the MLC. The Committee is of the view that the absence of this important information contributed to the failure by the Ministry to effectively carry out compliance visits. Further, the Committee notes

with concern that the processing of applications by the Cadastre Office is too centralised and the the MLC secretariat is understaffed.

In light of this, the Committee recommends that PACRA should be included as a member of the MLC in order to provide the Committee with up to date company registration details. The Committee further recommends that the pre-screening of mining licence applications should be decentralised to provincial administration offices in order to reduce the work load of the Mining Cadastre Office.

- b) The Report of the Auditor General revealed that Contrary to provisions in section 25 (1) (a – i) of *the Mines and Minerals Development Act No. 11 of 2015*, twenty one mining right holders who were visited in the Copperbelt, North-Western and Central provinces had not commenced operations as of September 2018, twelve months after the awarding of the rights.

The reasons advanced by most of the mining right holders for non-commencement of operations bordered on factors like financial constraints, consent disputes with surface right holders, lack of clearance the by Zambia Environmental Management Agency (ZEMA), and other land related issues with various stakeholders such as chiefs, among others. Considering that these were among the factors that applicants should have demonstrated to possess or to have fulfilled before being awarded the rights, a conclusion could be made that the analysis made on the technical assessment form on which the decision is based to award mining right was not duly and properly done by the Cadastre office and could, therefore, not been adequately considered by the MLC

Stakeholders' Submission

Stakeholders submitted that this anomaly was partly due to lack of adequate assessment of applications. They noted that an applicant's technical and financial capacity was key for one to be awarded a mining license. They noted that that the failure to commence mining activities due to non clearance by some institutions following the issuance of the licenses was denying the Government the much needed resources.

Other stakeholders were of the view that adequate financing of ZEMA and the Geological Survey Department was necessary to enable these departments to conduct verifications and comprehensive assessments with regard to the location of mining activities in the country, as opposed to relying on information by applicant who that claimed to have explored areas for prospective activities.

Response by the Minister of Mines and Minerals Development

The Minister acknowledged the observation by the Auditor General and confirmed that the Mining Cadastre Office, being the secretariat of the MLC was required to carry out thorough preliminary assessment of the applications for mining rights to enable the Committee make well informed decisions when awarding mining rights.

The Committee was informed that the MLC employed the principle of 'No subjectivity' in the evaluation of mining rights. This principle implied the removal or minimisation of subjective

evaluation criteria as preconditions for granting mineral rights. In practical terms, it meant that all the parameters to be considered and evaluated for granting a license must be objective and not subject to interpretation. This was in order to avoid the risk of discretion that would arise every time a rule or procedure required interpretation. In this way, it prevented the application of different interpretations to different applicants or holders.

Regarding fresh applications, the MLC, focused more on whether the area was available and was not subject to another mining right, and also that the applicant had submitted the required documentation.

Committee's Observations and Recommendations

The Committee observes that the delay in commencement of mining operation is occasioned by inadequate assessment of applications, exacerbated by the absence of key members of the Committee as pointed out in the findings contained in the Report of the Auditor General. The Committee recognises that most small scale miners lack capital and capacity and hence do not immediately commence operation upon being awarded the mining licence. The Committee is concerned that this delay is an impediment to new investment and employment creation by mining right holders. Further, the Committee notes that Statutory Instrument No.7 of 2016 provides that all applications should be supported by an attachment of consent from an appropriate authority, among other things. The Committee observes that chiefs are an authority with regard to customary land.

In light of this, the Committee recommends that the Government should provide a platform that will facilitate joint ventures between local mining rights holders and foreign investors in mining operations and ensure that local people are not disadvantaged in the partnership. The Committee also reiterates the recommendation that the pre-screening of the applications should be decentralised to provincial administration offices to so as reduce the workload of the MLC secretariat.

6.4 Inspections and monitoring to ensure compliance by mining rights holders

The Audit Report stated that according to *the Mines and Minerals Development Act, 11 of 2015* the 4 departments of the Ministry namely Mines and Mineral Development, Geological Survey, Mine Safety and Cadastre may carry out inspections and monitoring in line with their mandates.

A review of inspection/verification reports at headquarters on some mining rights holders during the period under review revealed issues of non-compliance as outlined below.

6.4.1 Non-submission of quarterly reports

The Report of the auditor General outlined that one of the monitoring activities that the Geological Survey Department (GSD) may carry out was ensuring that the mining rights holders submitted quarterly returns on their operations.

An analysis of a sample of exploration licences awarded and the quarterly reports submitted to GSD revealed that, contrary to section 25 (3) of the *Mines and Minerals Development Act, No 11 of 2015*, out of 709 companies, only eighty six submitted quarterly reports, representing 12 per cent compliance. The remaining 88 per cent did not comply with the requirement of submitting the quarterly reports. This meant that the Ministry was unable to closely monitor the activities of the mining right holders.

Stakeholders' Submission

Stakeholders submitted that the Ministry of Mines and Minerals Development was responsible for ensuring that the Zambian people benefited from the country's mineral wealth. They noted with great concern the revelation in the Auditor General's Report that only 12 per cent of holders of exploration licenses submitted quarterly reports to GSD. The stakeholders contended that this finding did not only imply weaknesses in the system of enforcement, but also highlighted a possibility that exploration licence holders were engaging in activities that were not authorised by their licenses. Other stakeholders acknowledged that logistical and funding constraints severely restricted the ability of the GSD to enforce the provisions of the law. This meant that compliance with the provisions of the law was voluntary.

Stakeholders proposed that the Ministry of Mines and Minerals Development should conduct an inquiry into the underlying reasons why compliance was low, including possible reasons for the failure to adequately monitor exploration licence holders.

Response by the Minister of Mines and Minerals Development

The Minister acknowledged the observation by the Auditor General and reported that most exploration companies were non-compliant regarding submission of quarterly reports. The main challenge which the Ministry was facing in that regard was inadequate human and financial resources to enforce compliance. The Minister informed the Committee, however, that defaulting exploration license holders were served with default letters in 2019 and as at 9th January 2020, exploration companies which failed to take remedial actions had their licenses cancelled. A total of 514 exploration licenses were cancelled, of which 240 were small scale exploration licenses and 274 were large scale exploration licenses.

Committee's Observations and Recommendations

The Committee expresses great concern that despite the law being very explicit on the requirement for mining rights holders to submit quarterly reports, the Ministry of Mines and Minerals Development did not enforce the provisions of the legislation resulting in non-compliance by mining right holders. The Committee is dismayed that the Minister waited for the Auditor General's Report to serve defaulting exploration license holders with default letters and subsequently to cancel licences for companies that failed to comply with the law.

In light of this, the Committee strongly recommends that the existing penalties for non-compliance must be revised the penalties upwards in order to deter non-compliance. The Committee further recommends that the Government should adequately fund the Ministry of

Mines and Minerals Development to enable it efficiently conduct its mandate without compromise.

6.4.2 Export of minerals by mining rights holders with Exploration licences

According to the Act, only holders of mining licenses were allowed to mine and export minerals, meaning that holders of exploration rights had to obtain a mining license before they could mine and export minerals.

An analysis of data obtained from GSD on the exploration licence holders and data from Zambia Revenue Authority (ZRA) Automated System for Customs Data (ASYCUDA) on the export of minerals for the year 2017 revealed that, contrary to section 25 (c) of *the Mines and Minerals Development Act, No 11 of 2015*, out of 709 exploration right holders, there were nine companies which exported minerals despite being holders of exploration licences only.

Stakeholders' Submission

Stakeholders expressed concern that some exploration license holders had exported minerals without obtaining the right to export minerals. They noted that the practice was a serious crime which deprived the country of much needed revenue. Stakeholders proposed the introduction of stiffer penalties against entities found wanting such that not only should an exploration license be cancelled but the erring entities must also be criminally prosecuted.

Other stakeholders submitted that the audit findings did not specify whether the quantity of minerals exported were samples sent outside the country for further analysis or quantities of commercial value. In this regard, the Committee was informed that the export of samples outside Zambia for further analysis was acceptable to enable the exporter to ascertain the value of the minerals found. However, if the exports were of a commercial value, the Ministry of Mines, if better funded, would have been able to collaborate more effectively with other agencies such as the Zambia Revenue Authority to detect and avert this illegality.

While some stakeholders advocated for the establishment of an independent mineral management authority to regulate the mining sector as the case was in other jurisdictions, other stakeholders were of the view that the Ministry of Mines and Minerals Development should be adequately funded and capacitated to efficiently carry out its mandate.

Response by the Minister of Mines and Minerals Development

The Minister submitted that section 26 (1) of the *Mines and Minerals Development Act, No. 11 of 2015* allowed holders of exploration licences to export mineral samples for analysis or for purposes of conducting tests on the minerals. The nine licences in question were granted export permits for samples.

Six out of the nine companies indicated in the Auditor General's Report were holders of either a mining right or non-mining right, the basis upon which the export permit was issued. The other three companies namely, Ron Xing Investments, Metchem Resources, and Zumran had either

entered into contracts (agreements) with mining licence holders or furnished the Ministry with documents indicating the source of the material upon which the export permits were issued.

Committee's Observations and Recommendations

The Committee expresses great disappointment at the extent to which the country is losing revenue. The Committee observes that while section 26 (1) of the *Mines and Minerals Development Act* made provision for exploration licence holders to export mineral samples for purposes of conducting tests on the minerals, the Act did not specify the quantity and frequency of exporting these samples. The Committee notes that entities are taking advantage of this gap in the law and fraudulently exporting minerals. The Committee also notes that the lack of resources at the Ministry of Mines and Minerals Development compromises activities such as compliance visits and physical inspections resulting in the loss of Government revenue from the economy's premier industry. In this regard, the Committee makes recommendations as outlined below.

- i. The Government should urgently provide for regulation on the limit in terms of quantity and frequency of sample exports to ensure that the country does not continue to lose mineral resources through exports of large volumes of samples purportedly for mineral analysis.
- ii. The Government should, as a matter of urgency institute preventive measures to curb the recurrence of illegal exports of minerals without an export licence.
- iii. The Government must invest and set up laboratory equipment and facilities in the country to determine mineral content in order to limit export of samples for analysis.
- iv. The Government should revoke exploration licences for entities found illegally exporting minerals without an appropriate licence.
- v. In the short term, the Government should adequately fund and provide the necessary support to the Ministry to enable it adequately execute its mandate.
- vi. In the long term, the Committee recommends that the Government should establish an independent body to govern mineral resources and regulate the mining sector in sustainable way in order for the nation to obtain maximum benefit from the mineral resources.

6.4.3 Export of minerals (Elements) not included on the Mineral Valuation Certificate

The Report of the Auditor General stated that according to section 47 3 (b) (ii) of the *Mines and Minerals Development Act, No 11 of 2015*, exporters of minerals were supposed to export minerals as specified on the Mineral Valuation Certificate and Export Permit.

The ZRA carried out a monitoring activity of checking and verifying the mineral content in the consignments being exported using an XRF machine at the exit point. The XRF was a machine used to identify which elements were contained in the mineral consignment being exported and in what percentages. The ZRA carried out the XRF test for tax purposes only. Although the Ministry of Mines and Minerals Development had the mandate to assign a representative at the exit point to monitor the export of minerals, there were no representatives from the Ministry.

A sample of an XRF verification exercise carried out at four exit points (Katimamulilo, Kazungula, Livingstone and Chirundu) manned by the Zambia Revenue Authority revealed that when mining right holders were exporting the products, mineral elements which were not included on the Mineral Valuation Certificate and Mineral Export Permit were also exported.

Stakeholders' Submission

Most stakeholders submitted that in order to ensure that mining rights holders only exported minerals included on the Mineral Valuation Certificate, the Ministry of Mines and Minerals Development needed to assign representatives at all exit points to provide expertise when conducting inspections. Placing of officers from the Ministry of Mines and Minerals Development at the designated exit points would ensure that the minerals being exported conformed to the details of the elements and percentages indicated on the Mineral Valuation Certificate. Where there were irregularities, appropriate punitive measures should be instituted against perpetrators of such vices in accordance with the law. With such measures in place, by the country would benefit from its mineral resources through increased revenues which would contribute to the socio-economic development of the country.

On the other hand, other stakeholders were of the view that the ZRA officers needed to be capacitated with skills to monitor the export of minerals and be able to advise the Ministry of Mines and Minerals Development accordingly, in the absence of the officers from the Ministry. Therefore, strong collaboration on between the Ministry and other key stakeholders such as the Zambia Development Agency, ZRA and the Immigration Department were very important.

The Committee was informed that generally, processing of minerals in Zambia tended to be primary in nature. As a result, apart from a few cases where copper was produced to final cathode of 99.998% purity, mineral exports in other forms such as copper concentrates or blister copper tended to have traces of other elements.

ZRA submitted that for exit ports receiving large fleets of trucks laden with mineral exports, the analysis of the ores was sampled according to the batches, the exporter and risks. This was in view of the limited number of XRF machines available, as well as in view of the processing times given that the inputting of the data was done manually. However, where exports were not in large fleets as was the case with the borders in the southern part of the country, all mineral exports were subjected to the XRF machine and the data thus derived was uploaded manually. ZRA had further plans to interface the XRF machines with the ASYCUDA World once funds were made available in order to reduce processing time and enhance accuracy of the data.

The Committee was also informed that there seemed to be a conflict of interest between ZRA and the monitoring mechanism because whereas customs officials wished to see speedy processing of trucks at the border, the verification and reconciliation process of what was stipulated in a mineral export permit and the contents of the sampled minerals could be seen as causing delays.

Response by the Minister of Mines and Minerals Development

The Committee was informed that the Ministry was currently not able to place personnel at border points due to staffing constraints. However, the Minister clarified that the Ministry had obtained treasury authority to employ and deploy officers to exits points and would do so by June, 2020. The Committee was also informed that the Ministry conducted random border checks, depending on availability of resources.

The variations between the contents of the Mineral Valuation Certificate and the XRF analysis conducted at border points arose due, to among other things, the submission of non-representative samples for analysis by exporters. Currently, due to inadequate financial and human resources, exporters were required to submit samples of their exports to the Geological Survey Department in Lusaka for analysis. This created room for submission of non-representative samples to reduce the amount of mineral royalty payable on that consignment.

During the random checks conducted by the Ministry, a sample was taken on the spot and sent to the laboratory for further analysis. Punitive action was taken in accordance with the *Mines and Minerals Development Act, No. 11 of 2015* where an exporter was found to be under-declaring the quality of minerals that were being exported.

Committee's Observations and Recommendations

The Committee is alarmed that the schedules provided by the Auditor General indicate that there was under-declaration of copper from a random sample of three trucks from one exit point which resulted in the loss of revenue amounting to USD5, 738,545.50. The Committee observes that the Ministry of Mines and Minerals Development has no system in place to verify that the same sample presented for mineral analysis to the Geological Survey Department had the same content as the export. This was exacerbated by the absence of officers from the Ministry of Mines and Minerals Development at the loading or exit points to confirm the mineral content of the exports. The Committee also observes that XRF machines are limited and not all trucks are subjected to the XRF machine due to several other reasons. Despite the presence of ZRA officials at exit points, the Committee observes that ZRA officials may not be fully capacitated to analyse the mineral content of mineral exports or samples as the case may be. In light of this, the Committee recommends as follows:

- i. the Ministry of Mines and Minerals Development should, as a matter of urgency, deploy officers and the necessary equipment to identify mineral content at all loading and exist points in order to prevent revenue leakages;
- ii. ZRA should strike a balance between trade facilitation and efficiency in ensuring that only correct minerals are exported by mining licence holders, and correct valuations for tax purposes are undertaken;
- iii. the Government should strengthen collaborative mechanisms between Ministry of Mines and Minerals Development and ZRA and other relevant stakeholders in line with the multisectoral approach as espoused in the Seventh National Development Plan. This will help to combat under declaration of mineral content in exports and ultimately tax evasion.

- iv. The mineral analysis reports for all consignments must be submitted to ZRA for confirmation with reports generated from XRF machine at exit points.
- v. the Government should invest in XRF machines in order to increase the verification of mineral exports at exit points; and
- vi. the Government should provide a conducive environment that promotes local and foreign investment for mineral processing to deter export of unrefined mineral products, and in order for the nation to maximise returns from the mining sector.
- vii. In addition to placing officers from the MMMD at exit points, the Committee recommends that the mineral analysis by Geological Survey department should be decentralised to exit points in order to curb smuggling of minerals.

6.5 Exercise of punitive powers against non-compliant mining rights holders

The Report of the Auditor General stated that according to the *Mines and Minerals Development Act, No. 11 of 2015*, the four departments namely the Mines and Minerals development, Geological Survey, Mine Safety and Cadastre, may carry out inspections and monitoring in line with their mandates.

A review of twenty four inspection/verification reports at headquarters on some mining right holders during the period under review revealed issues of non-compliance as follows:

6.5.1 No fine paid for operating a mineral processing plant without a licence

According to the charge letter dated 7th September, 2017 issued by the Director – Geological Survey Department, a company named Mineral Junction and Transport Limited was fined K1, 500,000 for operating a mineral processing plant without a licence. However, there was no evidence that the fine had been settled although, in response to a query raised on this issue, the Ministry had indicated that the company had since obtained two mineral processing licenses numbered 20423-HQ-MPL and 20726-HQ-MPL.

Stakeholders' Submission

Stakeholders submitted that the finding by the Auditor General was discouraging. They proposed that the Ministry of Mines and Minerals Development should intensify the implementation of punitive measures to all entities contravening the provisions of the *Mines and Minerals Development Act* to ensure that the country derived maximum benefits from the mineral resources.

Response by the Minister of Mines and Minerals Development

Regarding the non-payment of the fine by Mineral Junction and Transport Limited, the Ministry, through the office of the Permanent Secretary wrote to the Attorney General's Office on 12th April, 2019 requesting for assistance through the Debt Collection Unit to collect the outstanding fines.

Committee's Observations and Recommendations

The Committee expresses concern at this occurrence and contends that it was illegal for Mineral Junction and Transport Limited to commence operating a mineral processing plant without a licence. The Committee is of the view that this unfortunate circumstance is as a result of the lack compliance inspection by the Ministry.

The Committee is extremely dismayed that the company was awarded two licences before the fine could be settled. The Committee is of the view that there was a lapse on the part of the MLC to issue such an entity with an operating licence without confirming whether the fine was settled.

In light of the above, the Committee recommends that the Ministry should urgently follow up the matter with the Attorney General and ensure that all outstanding fines are paid without any further delay. The Committee further recommends that the *Mines and Minerals Development Act* should be amended by reviewing the maximum penalty payable so as to deter other would be offenders. Furthermore, the Committee recommends that sanctions for first offenders must be distinguished from second offenders by issuing stiffer sanctions for the latter.

6.5.2 Export of minerals by a mining rights holders without Minerals export permit

An analysis of data for mineral export permits issued during the year 2017 and export data from the ZRA ASYCUDA for the same year revealed that, contrary to the provisions of the *Mines and Minerals Development Act, No 11 of 2015*, there were seven companies which exported minerals but were not on the data base of mineral export permits that were issued during the period under review.

In response to the query, the Ministry indicated that six of the said companies were issued with export permits during the year under review, but one (MM Integrated Steel Mills Ltd) was not issued an export permit. However, the Ministry could not indicate any action taken against the offending companies.

Stakeholders' Submission

Stakeholders submitted that the practice was a serious crime which not only robbed the country of revenue, but also impeded attainment of some development goals due to limited resources. Stakeholders proposed for a review of the penalties for non-compliant licence holders, and introduction of stiffer penalties for second offenders.

Response by the Minister of Mines and Minerals Development

The Ministry reported that it was established that the company that was cited in the Auditor General's Report exported ash and residues that were generated in the process of manufacturing steel. The Committee was informed that ash and residue were not minerals and, therefore, did not require an exporter to obtain a mineral export permit from the Ministry of Mines and Minerals

Development. Therefore, the question of punitive action being taken against this company did not arise.

Committee's Observations and Recommendations

The Committee notes with great disappointment that, contrary to the provisions of the *Mines and Minerals Development Act No 11 of 2015*, MM Integrated Steel Mills Limited exported minerals without a mineral valuation certificate or an export permit, a matter which could have been avoided. The Committee finds the response by the Minister at variance with the findings of the Auditor General, as the evidence retrieved by the Auditor General from the ZRA ASYCUDA system indicate that the consignment contained ash and residues containing mainly Zinc and not just ash and residue as reported by the Minister. The Committee is of the view that this anomaly is as a result of the absence of officials from the Ministry to correctly identify mineral content and correctly advise ZRA to correctly charge taxes.

In light of this, the Committee strongly recommends that MM Integrated Steel Mills Limited should settle all outstanding punitive fines without any further delay. The Committee also recommends that the Ministry should, as a matter of urgency, deploy officials at all loading and exit points so as to curb smuggling of minerals.

6.5.3 Lack of punitive action on exploration mining rights holders discovered to be exporting minerals

An analysis of data for exploration licence holders and export of minerals data from Zambia Revenue Authority (ZRA) ASYCUDA for the year 2017 revealed that, contrary to section 25 (c) of the *Mines and Minerals Development Act, No 11 of 2015*, there were nine companies that exported minerals but were holders of exploration licences. No documentation was submitted on action taken on the matter as of September 2018.

Stakeholders' Submission

Stakeholders submitted that the MMMD should strengthen its inspection, monitoring and enforcement mechanism to ensure that companies adhered to the provisions of the *Mines and Minerals Development Act, No 11 of 2015*.

Strengthening monitoring mechanisms would enable the country to derive value for money from its mineral resources, and contribute to the attainment of economic development to meet the country's aspirations of becoming a middle income country under the Vision 2030.

Response by the Minister of Mines and Minerals Development

The Minister stated that section 26 (1) of the *Mines and Minerals Development Act No. 11 of 2015* allowed holders of exploration licences to export mineral samples, for analysis or for purposes of conducting tests on the mineral. The nine licences in question were granted export permits for samples. Therefore, the issue of taking punitive measures against them did not arise.

Committee's Observation and Recommendation

The Committee is disappointed that the response by the Minister is inconsistent with the findings of the Auditor General. The Committee notes that Mineral Valuation Certificates and export permits retrieved from the ASYCDA at the time of audit indicate that the valuation certificates and export permits were for commercial exports and not for export of samples as reported by the Minister. The Committee observes with great concern that there is negligence by officers who issue export permits, and that there is no due diligence in verifying the type of permit vis-a-vis the minerals being exported. The Committee is dismayed that the lapse in inspection is costing the country revenue which could have been used for various development projects.

In light of this, the Committee recommends that the Ministry of Mines and Minerals Development and ZRA should take disciplinary action against officers issuing export permits and officers at exit points respectively in order to ensure that only mineral products listed on the valuation certificate and permit are exported. The Committee further recommends that the Ministry and ZRA should scale up supervision in order to avoid revenue leakages. Furthermore, the Committee strongly recommends that the matter should be further investigated by relevant investigative wings and ensure that punitive measures are meted out against parties found wanting.

In order to safeguard revenue and enhance compliance, the Committee recommends that the Ministry should make it mandatory for exploration licence holders to submit mineral analysis reports to the Ministry of Mines and Minerals Development and ZRA after export of samples, failure to which taxes must be collected on the samples exported.

6.5.4 Lack of Punitive Action against Mining rights holders exporting minerals (Elements) not included on the Mineral Valuation Certificate

An XRF verification exercise carried out at four exit points (Katimamulilo, Kazungula, Livingstone and Chirundu) manned by Zambia Revenue Authority revealed that when mining rights holders were exporting their products, they also exported mineral elements which were not included on the Mineral Valuation Certificate and Mineral Export Permit. There was no evidence of any punitive measures taken against the mining rights holders involved as of September, 2018.

Stakeholders' Submission

Stakeholders submitted that the Ministry should strengthen its inspection, and monitoring and enforcement mechanism to ensure that companies adhered to the provisions of the *Mines and Minerals Development Act, No. 11 of 2015*.

Response by the Minister of Mines and Minerals Development

The Minister submitted that during the random checks conducted by the Ministry, if there was a variance in the quality of the minerals being exported and the mineral sample submitted to the Ministry, a sample was taken on the spot and sent to the laboratory for further analysis. Punitive action was taken in accordance with the *Mines and Minerals Development Act No. 11 of 2015*

where an exporter was found to be under-declaring the quality of minerals that they were exporting.

Committee's Observations and Recommendations

While the Committee acknowledges the limited funding prevailing at the Ministry, it notes that the Ministry has not prioritised placement of officials at exit points. The Committee further notes that the failure by the Ministry to take punitive measures against non-compliant licence holders who illegally exported minerals outside the Mineral Valuation Certificate was regrettable.

In light of the above, the Committee recommends that the Government should immediately penalise offenders without any further delay. The Committee reiterates that the Ministry should ensure that officers are permanently domiciled at all loading and exit points in order to curb under declaration and smuggling of minerals.

6.5.5 No punitive action taken against mining right holders not submitting quarterly Reports

An analysis of a sample of Exploration licences awarded data with quarterly reports submitted to GSD revealed that contrary to section 25 (3) of the *Mines and Minerals Development Act, No 11 of 2015*, 709 companies only submitted the quarterly reports representing 12 per cent compliance. There was no evidence of punitive measures taken against the non-compliant mining rights holders made available for audit scrutiny as of September, 2018.

Stakeholders' Submission

Stakeholders submitted that the Ministry should strengthen its inspection and monitoring and enforcement mechanism to ensure that companies adhered to the provisions of the *Mines and Minerals Development Act, No 11 of 2015*

Strengthening monitoring mechanisms would enable the country to derive value for money from its mineral resources, which would contribute to the attainment of economic development to meet the country's aspirations of becoming a middle income under the Vision 2030.

Response by the Minister of Mines and Minerals Development

The Minister responded that as at 9th January, 2020, all non-compliant mining licences had been either defaulted or cancelled. The Committee was informed that 874 licences had been defaulted. In addition, a total of 816 licences were cancelled. Of these, 240 were small scale exploration licences; 274 large scale exploration licences; 195 small scale mining licences; ninety-five artisanal mining licences and twelve large scale mining licences.

Committee’s Observations and Recommendations

The Committee observes that the Ministry of Mines and Minerals Development is not helping matters by failing to execute penalties on non-compliant licence holders who failed to submit quarterly reports in line with section 25(3) of the *Mines and Minerals Development Act of 2015*.

The Committee, therefore, recommends that the Ministry should promptly penalise non – compliant licence holders for this failure in order to deter would be offenders.

7.0 Conclusion

The mining sector is the main stay of the Zambian economy. However, despite the significant resource endowments of the country, there had been increasing debate on the insignificant contribution of the mining sector in terms of tax revenue, employment creation, poverty reduction, and infrastructure development. This is amidst improved copper prices, increasing export volumes and favourable economic policies.

The awarding of mining rights has a direct impact on the performance of the mining sector and therefore, it is important that the process is done in a transparent manner and that all the necessary stakeholders such as PACRA are brought on board in the awarding process to avoid delays in commencing mining operations after obtaining mining rights. It is worth noting that revenue maximisation from this sector has been a challenge due to under-declaration of mineral production and inadequate funding of the maximising to carry out verification and compliance activities, among other reasons. In light of this, there is need for adequate funding to the Ministry to enable it adequately undertake various activities and ultimately maximise returns from the mining sector.

The Committee is grateful to you, Mr Speaker, and to the Clerk of the National Assembly for the guidance and support rendered to it during the consideration of the Report of the Auditor General on the Compliance Audit on the Awarding and Monitoring of Mining Rights. The Committee is also indebted to all the witnesses who appeared before it for their co-operation in providing the necessary memoranda and briefs for consideration by the Committee.

March, 2020
LUSAKA

Dr Situmbeko Musokotwane, MP
CHAIRPERSON

APPENDIX I – Officials of the National Assembly

Ms C Musonda, Principal Clerk of Committees
Mr H Mulenga, Deputy Principal Clerk of Committees (FC)
Mrs C K Mumba, Senior Committee Clerk (FC)
Mrs E K Zgambo, Committee Clerk
Mr S C Samuwika, Committee Clerk
Mrs G Chikwenya, Typist
Mr M Chikome, Committee Assistant
Mr D Lupiya, Committee Assistant
Mr M Kantumoya, Parliamentary Messenger

APPENDIX II – List of witnesses

OFFICE OF THE AUDITOR GENERAL

Dr D C Sichembe - Auditor General
Mrs S Ross- Deputy Auditor General
Mr E Buumba - Director Revenue Audits
Mrs G Chanda - Assistant Director
Mr B Mpofo -Assistant Director
Mr C Chiwele - Principal Auditor
Mr M Bonavanture -Senior Auditor
Mrs H Chikale - Public Relations Officer
Mrs A Pilskog, - Senior Auditor
Mr M Banda - Auditor

MINISTRY OF MINES AND MINIERALS DEVELOPMENT

Hon R Musukwa, MP - Minister
Mr B Mulenga - Permanent Secretary
Mr C Mukufu – Director of Geological Survey
Mr M Nyrienda – Director of Human Resource and Administration
Mr M Chibonga – Director of Mining Cadastre Department
Ms M C Zulu – Acting Director of Planning
Mr Willie Chilufya – Senior Mining Engineer

MINISTRY OF LANDS AND NATURAL RESOURCES

Mr N Yumba - Permanent Secretary
Mr J Minango- Surveyor General
Ms E Kausani -Director of Human Resource and Administration
Ms A Mporokoso, Chief Planner
Mr A Dauchi – Chief Natural Resources Management Officers
Ms N P Chellah – Senior Planner and Parliamentary Liaison Officer
Ms C Mwape Zulu - Chief Climate Change Officer

MINISTRY OF FINANCE

Dr E M Pamu- Permanent Secretary for Budget and Economic Affairs
Mr F Banda- Director of Mines
Ms Inonge L Mwenya – Principal Economist
Mr J Sakala – Principal Economist
Ms B Chola – Senior Economist

MINISTRY OF WATER DEVELOPMENT SANITATION AND ENVIRONMENTAL PROTECTION

Mr M Sakala – Permanent Secretary
Mr T Musonda – Director Planning
Ms J Nyama – Director of Human Resource and Administration
Mr G Sikaundi – Director Operations
Mr F Gondwe – Director Environmental Management and Protection
Mr S Mwansa – Director Finance, ZEMA
Mr M Katongo – Senior Planner

ZAMBIA DEVELOPMENT AGENCY

Mr M Matamwandi - Acting Director General
Mr C Ngoma - Director Planning
Mr S Chundama - Research Specialist
Ms P Goma -Legal Counsel

HOUSE OF CHIEFS

Chief Chipepo - Member
Chief Kaputa -Member
Chieftainees Muwezwa - Member
Chief Chibasakunda – Member
Senior Chief Luembe – Member
Mr J Kawangu – Deputy Clerk

ACTION AID

Mr J Londa - Head of Programmes
Mr G Sizala - Programme Coordinator
Mr M kabiza - Programme Manager
Ms N Swilange - Governance Officer

OXFAM

Mrs K Nseduluka -Programs Coordinator
Mr J Yondela - Business Manager
Mr E Mapeko - Governance Manager
Mr C Nkandu - International Agric and Governance

LUMWANA MINE

Mr N Chishimba - Country Director
Mr A Njobvu - Administration IT Officer

MINEWORKERS UNION OF ZAMBIA

Mr J Chewe - President

CHAMBER OF MINES

Mr S C Chilembo – Chief Executive Officer

ZAMBIA REVENUE AUTHORITY

Mr K Chanda - Commissioner General
Mr M Shuko - Commissioner Domestic Taxes
Mr E Phiri - Director Research and Planning
Mr M Mkwasa - Director Legal Services

ZAMBIA ENVIRONMENTAL MANAGEMENT AGENCY

Mr J Msimuko - Director General
Ms I L Chippili - Manager Corporate Affairs
Mr G Sikandi - Director of Operations
Ms Karen Banda, Director of Legal Services

FEDERATION OF SMALL SCALE MINING ASSOCIATION OF ZAMBIA

Ms P S Mundia Acting President
Mr H Bwalya - Trustee
Mr C Mulenga - Trustee
Mr L Victor- Trustee
Mr M Mumba - General Secretary
Mr F Chewe - Publicity Secretary
Mr M Kombe- General Treasurer
Ms M Lubemba - Committee Member
Mr M Mukwala - Committee Member

ZAMBIA EXTRA INDUSTRY TRANSPERANCY INITIATIVE

Mr I C Mwiinga - Head of Secretariat
Mr E Sibongo - Project Accountant

PATENTS AND CAMPANIES REGISTRATION AGENCY

Ms W Banda - Assistant Register
Mr L Musonda, Inspector of Companies

COPPERBELT PROVINCE ADMINISTRATION

Mr B B Nundwe - Permanent Secretary
Mr V B Sampa - Director of Finance
Mr L Ilukena - Acting Principal Internal Auditor

COPPERBELT PROVINCIAL ADMINISTRATION

Mr W Mangimela – Permanent Secretary
Mr D Mapiza – Assistant Director
Mr B Munamwimbu - Mining Engineer