

**Democratic Republic of the Congo
"DRC"**

**Extractive Industries Transparency Initiative in the DRC
"EITI"**

**Report of the Independent Conciliator
Financial Year 2007**

22 December 2009

The Chairman of the Executive Committee
**Extractive Industries Transparency Initiative
in the DRC
“EITI”**
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**REPORT OF THE INDEPENDENT CONCILIATOR
FINANCIAL YEAR 2007**

The Extractive Industries Transparency Initiative (EITI) aims at increasing transparency of producing countries regarding the reporting on revenues from extractive activities. The Democratic Republic of Congo (DRC) joined the EITI in 2005 and was recognized as a “candidate country” by the EITI Board of Directors on 22 February 2008.

With the active support of international development partners, the Democratic Republic of the Congo must now carry out the implementation of the initiative according to a schedule allowing it to access to the status of “compliant country” before 9 March 2010.

In view of the challenges posed by the implementation of the initiative in the context of the Democratic Republic of the Congo and given the ambitious program that remains to be achieved within the specified time limits, the EITI governing bodies in the DRC decided, in the meetings held in November 2008 and January 2009, to reorganize the governance structure and to accelerate the implementation of the action plan.

The new structure as provided for by a Presidential Order is composed of an “Executive Committee” consisting of 13 representatives from the three groups of stakeholders which are the Government, the Extractive Companies and the Civil Society. The Executive Committee is chaired by the Minister of Planning and the “Technical Secretariat” headed by a Coordinator.

Pending the signature of the order and the recruitment of the Coordinator, the Minister of Planning, through the ministerial decree of 20 February 2009, appointed an interim versatile team of seven members responsible for starting the implementation of tasks provided for in the action plan.

The priority component of this plan is the preparation, publication and dissemination of the first EITI/DRC report which, in accordance with EITI criteria, is the result of an exercise of collection and reconciliation by an Independent Administrator, the “Conciliator”, of data relating to the payments made by Extractive Companies to the State and to the revenue collected by the State from these companies.

The firm PricewaterhouseCoopers RDC was selected as the Independent Administrator, the “Conciliator”, following a call for tender, in order to collect and compile the revenue stream data declared by the Congolese State through the revenue authorities, on the one hand, and the revenue streams declared made by companies, on the other hand, for the year 2007.

This report is prepared in accordance with the International Standard on the agreed upon procedures. This standard requires in particular a high degree of integrity and professional ethics, as well as rigorous management procedures of the work, resource management and internal control intended to ensure the relevance, quality and objectivity of the work.

1. Scope of this Mandate

This report is part of the gradual implementation of the EITI in the Democratic Republic of the Congo. The Repository for the revenue considered and for the scope of Extractive Companies in the mining and hydrocarbons sectors taken into account for EITI 2007 was defined by the Executive Committee.

The interim team set, for this first year of the EITI, parameters and a schedule taking into account circumstances specific to the Democratic Republic of the Congo and requirements related to the validation process.

The collection and reconciliation process is limited to financial flows received by the State from companies producing copper and cobalt in Katanga province and from the oil companies operating in the Democratic Republic of the Congo in Bas-Congo province. These are 20 companies of the mining sector of Katanga and 5 companies of the hydrocarbons sector.

As for financial flows to be considered, it was decided to limit them to those that are either specific to the extractive sector or which contribute significantly to the State's revenue.

Upon our appointment, the Committee had already developed declaration forms that were used to collect data from selected companies and revenue authorities which collect revenue.

- Revenue from the Mining and Hydrocarbons Sectors Considered for EITI 2007

The selection of revenue from the mining and hydrocarbons sectors considered for EITI 2007 is the sole responsibility of the Executive Committee.

In accordance with the recommendations of the "Source Book" prepared by the EITI General Secretariat, the Executive Committee specified that declarations should be transcribed in U.S. Dollars and the data to be compiled therein should match the revenue streams (based on cash accounting and not on accrual accounting) considered as received or paid in 2007 for the EITI.

- Extractive Companies in the Mining and Hydrocarbons Sectors Taken into Account for EITI 2007

The lists of extractive companies in the mining and hydrocarbons sectors taken into account for EITI 2007 appear respectively on page 6 (hydrocarbons sector) and page 7 (mining sector) of this report.

The identification of extractive companies in the mining and hydrocarbons sectors taken into account for EITI 2007 is the sole responsibility of the Executive Committee.

It should be noted that extractive companies in the mining and hydrocarbons sectors taken into account in the Repository on the EITI have no contractual obligation to transmit information. Therefore, the submission of the EITI declaration forms by these companies depends solely on their will.

2. Nature and Scope of Work of the Conciliator

Data declarations have been prepared under the respective responsibility of revenue authorities and each extractive company in the mining and hydrocarbons sectors.

We must present you, in a consolidated form for each EITI 2007 revenue considered, the revenue streams declared paid by extractive companies in the mining and hydrocarbons sectors and the revenue streams declared received by the State. In case of discrepancy, we must approach the declarants whose declarations diverge, in an attempt to determine the cause of the discrepancy and possibly solve it.

As specified by the International Standard on Auditing concerning agreed upon procedures, our intervention does not constitute an audit or a limited review of the revenues from the mining and hydrocarbons sectors. The audit and certification of transmitted data do not fall within the scope of our work. Likewise, our intervention does not aim to detect errors, illegal acts or other irregularities.

Accounting and financial definitions of revenues considered for EITI 2007 should be established by the Executive Committee. We should ensure that accounting and financial definitions of revenues considered for EITI 2007 are consistent with those described in the EITI Source Book and with those generally admitted in international oil and mining industries.

It is not our responsibility to check on the completeness of sources of revenues considered in the Explanatory Note prepared by the Executive Secretariat and transmitted to extractive companies in the mining and hydrocarbons sectors.

We should implement the following procedures:

- Consistency analysis of the Repository defined by the Executive Committee;
- Checking on whether the accounting and financial definitions of benefit streams (payments from extractive companies in the mining and hydrocarbons sectors and State's revenues) to be declared have been shared between the State and the representatives of extractive companies in the mining and hydrocarbons sectors;

- Obtaining from extractive companies in the mining and hydrocarbons sectors declaration forms detailing the payment streams made to the State in 2007. These declarations should be presented on the basis of financial and accounting definitions of the Repository adopted;
- Reconciliation of data transmitted by extractive companies in the mining and hydrocarbons sectors with those transmitted by the revenue authorities. This reconciliation of data from revenue authorities with those from companies was carried out based on a homogeneity basis consisting solely of companies which had submitted their declarations;
- Presenting reconciliation between data from revenue authorities and those from extractive companies in the mining and hydrocarbons sectors, on a consolidated basis, for each revenue considered for EITI 2007.

Some companies and authorities have adapted declaration forms to complete certain revenues which were not included in the declaration form prepared by the EITI Technical Secretariat in the Democratic Republic of the Congo. To help carry out data reconciliation in line with the principle of homogeneity, we have eliminated from our consolidation and reconciliation scope all revenues not identified in advance by the Technical Secretariat. You will find In Annexure IV tables detailing the various revenues identified by the Technical Secretariat.

We carried out the collection of revenue declarations from the following companies in the mining and hydrocarbons sectors:

Hydrocarbons sector: Companies taken into account in the EITI 2007 Repository

Companies in the hydrocarbons sector which have voluntarily declared:

1. Muanda International Oil Company (MIOC) ;
2. PERENCO Recherche Exploitation Pétrolière (REP) ;
3. LIREX ;
4. CHEVRON ODS ;
5. TEIKOKU.

The EITI 2007 response rate for companies in the hydrocarbons sector is 100%.

Mining sector: Companies taken into account in the EITI 2007 Repository

Companies in the mining sector which have voluntarily declared:

1. Compagnie minière du Sud Katanga (CMSK) ;
2. Société de Développement Industriel et minier du Congo (SODIMICO) ;
3. Minière de Musoshi et de Kinsenda (MMK METOREX) ;
4. Générale des Carrières et des Mines (GECAMINES) ;
5. BOSS MINING ;
6. Chemical of Africa (CHEMAF) ;
7. Anvil Mining Company Kinsevere (AMCK) ;
8. Mining Company Katanga (MCK) ;
9. Anvil Mining Congo (AMC) SARL ;
10. Roan Prospecting and Mining (RPM) SPRL ;
11. BAZANO ;
12. FRONTIER Sprl ;
13. Mutanda Mining (MUMI) SPRL ;
14. Compagnie Minière de Sakania (COMISA) SPRL ;
15. Société pour le Traitement du Terril de Lubumbashi (STL) SPRL ;
16. DRC Copper and Cobalt Project (DCP) ;
17. Kamoto Copper Company (KCC) ;
18. Société Minière de Kolwezi (SMK) ;
19. Société Minière du Katanga (SOMIKA) ;
20. RUASHI Mining ;
21. Tenke Fugurume Mining (TFM) SARL.

Companies in the mining sector which have not voluntarily declared:

Kingamyambo Musonoi Tailings (KMT) SARL.

The EITI 2007 response rate for companies in the mining sector is 95%.

The different figures in this report are presented in thousands of U.S. dollars, unless otherwise indicated.

I. Consolidated Presentation of Declarations of Companies and Revenue Authorities:

1.1. Overall summary of all sectors (mining and hydrocarbons)

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
OCC	4,527	1,075	3,452
OFIDA	8,803	12,771	(3,968)
DGRAD	177,221	211,533	(34,312)
DGI	<u>214,230</u>	<u>179,602</u>	<u>34,628</u>
	<u>404,781</u>	<u>404,981</u>	<u>(200)</u>

1.2. Summary of revenue authorities' declarations per sector

	<u>Mining sector Private Companies</u>	<u>Mining sector Public Companies</u>	<u>Hydrocarbons Sector</u>	<u>Total</u>
OCC	4,377	150	-	4,527
OFIDA	7,053	1,750	-	8,803
DGRAD	8,523	1,380	167,318	177,221
DGI	<u>48,333</u>	<u>2,220</u>	<u>163,677</u>	<u>214,230</u>
	<u>68,286</u>	<u>5,500</u>	<u>330,995</u>	<u>404,781</u>

1.3. Summary of companies' declarations per sector

	<u>Mining sector Private Companies</u>	<u>Mining sector Public Companies</u>	<u>Hydrocarbons Sector</u>	<u>Total</u>
OCC	1,075	-	-	1,075
OFIDA	12,741	30	-	12,771
DGRAD	9,284	2,118	200,131	211,533
DGI	<u>55,651</u>	<u>2,228</u>	<u>121,723</u>	<u>179,602</u>
	<u>78,751</u>	<u>4,376</u>	<u>321,854</u>	<u>404,981</u>

II. Reconciliation Summary per Sector and per Revenue

The presentation of the reconciliation between data from revenue authorities and those from extractive companies in the oil sector is made on a consolidated basis for each revenue considered for EITI 2007.

2.1. Mining Sector (Private Companies)

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
<i>OCC</i>			
Import control costs	<u>4,377</u>	<u>1,075</u>	<u>3,302</u>
<i>OFIDA</i>			
Administrative fee	5,844	6,857	(1,013)
Import duties	<u>1,209</u>	<u>5,884</u>	<u>(4,675)</u>
Subtotal	<u>7,053</u>	<u>12,741</u>	(5,688)
<i>DGRAD</i>			
Annual surface fees	623	1,034	(411)
Mining fee	<u>7,900</u>	<u>8,250</u>	<u>(350)</u>
Subtotal	<u>8,523</u>	<u>9,284</u>	<u>(761)</u>
<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
<i>DGI</i>			
Corporate Tax (IBP)	21,041	21,382	(341)
IBP tax installment	9,035	9,073	(38)
Mining concession tax	-	50	(50)
Personal property tax (tax on dividends)	2,534	2,526	8
Payroll tax (IPR)	14,456	19,061	(4,605)
Special tax on expatriates' remunerations (IER)	1,239	2,960	(1,721)
Tax on surface and hydrocarbons	28	261	(233)
ICA paid to SNEL and Regideso	-	<u>338</u>	<u>(338)</u>
Subtotal	<u>48,333</u>	<u>55,651</u>	(7,318)
Total	<u>68,286</u>	<u>78,751</u>	<u>(10,465)</u>

2.2. Mining Sector (Public Companies)

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
<i>OCC</i>			
Import control costs	<u>150</u>	<u>-</u>	<u>150</u>
<i>OFIDA</i>			
Administrative fee	<u>1,750</u>	<u>30</u>	<u>1,720</u>
<i>DGRAD</i>			
Annual surface fees	52	702	(650)
Mining fee	1,328	1,353	(25)
Annual fee for processing units	<u>-</u>	<u>63</u>	(63)
Subtotal	<u>1,380</u>	<u>2,118</u>	(738)
<i>DGI</i>			
Corporate Tax (IBP)	285	304	(21)
IBP tax installment	245	244	1
Payroll tax (IPR)	<u>1,690</u>	<u>1,680</u>	<u>10</u>
Subtotal	<u>2,220</u>	<u>2,228</u>	<u>(8)</u>
Total	<u>5,500</u>	<u>4,376</u>	<u>1,124</u>

2.3. Hydrocarbons Sector:

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
<i>DGRAD</i>			
Royalties	29,682	27,783	1,899
Investment tax (dividend)	20,989	49,038	(28,049)
Statistical tax	-	3,683	(3,683)
Tax on distributable margin	<u>116,647</u>	<u>119,627</u>	(2,980)
Subtotal	<u>167,318</u>	<u>200,131</u>	(32,813)
<i>DGI</i>			
Corporate tax (IBP)	131,304	121,723	9,581
IBP tax installment	<u>32,373</u>	<u>-</u>	<u>32,373</u>
Subtotal	<u>163,677</u>	<u>121,723</u>	<u>41,954</u>
Total	<u>330,995</u>	<u>321,854</u>	<u>9,141</u>
Grand Total	<u>404,781</u>	<u>404,981</u>	<u>(200)</u>

Amounts received by public companies from private companies:

<u>Designation</u>	<u>Gécamines</u>	<u>Companies</u>	<u>Deviation</u>
Dividends received	11,519	-	11,519
Key money received	<u>20,350</u>	<u>-</u>	<u>20,350</u>
Total	<u>31,869</u>	<u>-</u>	<u>31,869</u>

III. Reconciliation Summary per Different Authorities and per Sector

3.1. Congolese Control Authority, OCC

<u>Designation</u>		<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
Mining sector (private):	4.1	4,377	1,075	3,302
Mining sector (public):		<u>150</u>	<u>-</u>	<u>150</u>
		<u>4,527</u>	1,075	3,452
Hydrocarbons sector:		-	<u>-</u>	<u>-</u>
Subtotal		<u>4,527</u>	<u>1,075</u>	<u>3,452</u>

3.2. Customs and Excises Authority, OFIDA

<u>Designation</u>		<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
Mining sector (private):	4.2	7,053	12,741	(5,688)
Mining sector (public):	4.3	<u>1,750</u>	30	<u>1,720</u>
		8,803	12,771	(3,968)
Hydrocarbons sector:		-	<u>-</u>	<u>-</u>
Subtotal		<u>8,803</u>	<u>12,771</u>	<u>(3,968)</u>

3.3. Directorate-General of Administrative, Judicial, Property and Share Revenues, DGRAD

<u>Designation</u>		<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
Mining sector (private):		8,523	9,284	(761)
Mining sector (public):		<u>1,380</u>	<u>2,118</u>	<u>(738)</u>
		9,903	11,402	(1,499)
Hydrocarbons sector:	4.4	<u>167,318</u>	<u>200,131</u>	<u>(32,813)</u>
Subtotal		<u>177,221</u>	<u>211,533</u>	<u>(34,312)</u>

3.4. Directorate-General of Taxation, DGI

<u>Designation</u>		<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
Mining sector (private):	4.5	48,333	55,651	(7,318)
Mining sector (public):		<u>2,220</u>	<u>2,228</u>	<u>(8)</u>
		50,553	57,879	(7,326)
Hydrocarbons sector:	4.6	<u>163,677</u>	<u>121,723</u>	<u>41,954</u>
Subtotal		<u>214,230</u>	<u>179,602</u>	<u>(34,628)</u>
Grand Total		<u>404,781</u>	<u>404,981</u>	<u>(200)</u>

IV. Deviations Analysis

Deviations analyzed below are detailed per revenue and per company in Annexure II attached to this report.

4.1. OCC - Mining Companies in the Private Sector

A deviation of USD 3.30 million has been identified.

Difference in companies' declarations cross-checked with those of the authority

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
TFM	352	414	(62)
RUASHI Mining	1,932	399	1,533
SOMIKA	197	227	(30)
MCK	151	5	146
SMK	<u>24</u>	<u>30</u>	<u>(6)</u>
Subtotal	<u>2,656</u>	<u>1,075</u>	<u>1,581</u>

Companies' declarations unavailable

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
CHEMAF	829	-	829
STL	408	-	408
DCP	329	-	329
CMSK	81	-	81
KCC	62	-	62
MMK METOREX	6	-	6
COMISA	<u>6</u>	<u>-</u>	<u>6</u>
Subtotal	<u>1,721</u>	<u>-</u>	<u>1,721</u>
Grand Total	<u>4,377</u>	<u>1,075</u>	<u>3,302</u>

4.2. OFIDA - Mining Companies in the Private Sector

A deviation of USD 5.68 million has been identified.

Difference in companies' declarations cross-checked with those of the authority

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
RUASHI Mining	1,225	4,135	(2,910)
COMISA	723	1,561	(838)
CMSK	645	1,465	(820)
SOMIKA	495	727	(232)
AMCK	1,204	1,255	(51)
BAZANO	<u>719</u>	<u>125</u>	<u>594</u>
Subtotal	<u>5,011</u>	<u>9,268</u>	<u>(4,257)</u>

Companies' declarations unavailable

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
MCK	350	-	350
MMK METOREX	24	-	24
BOSS MINING	646	-	646
CHEMAF	575	-	575
DCP	<u>447</u>	<u>-</u>	<u>447</u>
Subtotal	<u>2,042</u>	<u>-</u>	<u>2,042</u>

Authority's declarations unavailable

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
AMC	-	2,764	(2,764)
STL	-	464	(464)
SMK	-	226	(226)
FRONTIER Sprl	<u>-</u>	<u>19</u>	<u>(19)</u>
Subtotal	<u>-</u>	<u>3,473</u>	<u>(3,473)</u>
Grand Total	<u>7,053</u>	<u>12,741</u>	<u>(5,688)</u>

4.3. OFIDA - Mining Companies in the Public Sector

A deviation of USD 1.72 million has been identified.

Difference in Gécamines declarations cross-checked with those of the authority

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
GECAMINES	<u>1,750</u>	<u>3</u>	<u>1,747</u>

Authority's declarations unavailable

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
SODIMICO	<u>-</u>	<u>27</u>	<u>(27)</u>
Grand Total	<u>1,750</u>	<u>30</u>	<u>1,720</u>

4.4. DGRAD - Companies in the Hydrocarbons Sector

A deviation of USD 32.81 million has been identified.

Difference in companies' declarations cross-checked with those of the authority

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
LIREX	7,908	18,972	(11,064)
TEIKOKU	42,732	51,582	(8,851)
ODS	23,581	24,204	(622)
MIOC	71,323	83,412	(12,089)
PERENCO	<u>21,774</u>	<u>21,961</u>	<u>(187)</u>
Total	<u>167,318</u>	<u>200,131</u>	<u>(32,813)</u>

4.5. DGI - Mining companies in the Private Sector

A deviation of USD 7.32 million has been identified.

Difference in companies' declarations cross-checked with those of the authority

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
FRONTIER Sprl	827	2,932	(2,105)
BOSS MINING	316	2,196	(1,880)
COMISA	14,933	16,040	(1,107)
BAZANO	1,480	1,453	27
STL	833	1,707	(874)
DCP	5,008	5,704	(696)
RUASHI Mining	209	597	(388)
TFM	2,356	2,688	(332)
MMK METOREX	386	596	(210)
MUMI	141	253	(112)
CHEMAF	2,021	2,090	(69)
AMC	2,654	2,527	127
MCK	469	190	279
CMSK	11,432	10,919	513
SMK	3,675	3,675	-
AMCK	1,131	1,405	(274)
SOMIKA	461	552	(91)
KMT	1	4	(3)
Subtotal	<u>48,333</u>	<u>56,528</u>	<u>(7,195)</u>

Authority's declarations unavailable

KCC	-	6	(6)
RPM	-	117	(117)
Subtotal	-	123	(123)

Grand Total **48,333** **55,651** **(7,318)**

4.6. DGI - Companies in the Hydrocarbons Sector

A deviation of USD 41.95 million has been identified.

Difference in companies' declarations cross-checked with those of the authority

<u>Designation</u>	<u>Revenue authorities</u>	<u>Companies</u>	<u>Deviation</u>
LIREX	52,361	30,128	22,233
TEIKOKU	37,688	19,871	17,817
MIOC	30,801	31,485	(684)
PERENCO	33,210	30,622	2,588
CHEVRON ODS	9,617	9,617	-
Total	<u>163,677</u>	<u>121,723</u>	<u>41,954</u>

V. Summary of Consolidated Declarations of Companies and Revenue Authorities per Revenue and per Sector (in thousands of U.S. dollars):

The presentation of the reconciliation between data from the State and those from companies per revenue authority (including OCC) and per company is included in Annexure I attached to this report.

VI. Comments of the Independent Conciliator

Based on the information we have been provided with to date by the Executive Secretariat, the authorities and extractive companies in the mining and hydrocarbons sectors, we have found that:

- 6.1. As the accounting and financial definitions of the Executive Committee have not been established in advance, we have not been able to ensure that these were consistent with the definitions of the Source Book published by the EITI General Secretariat and with definitions generally admitted in oil and mining industries.
- 6.2. The lack of previously established definitions has led to the incompleteness of certain revenues and has resulted in certain significant deviations which could not be explained. These include mainly:
 - *The difference of USD 33 million on declarations of DGRAD and those of companies in the hydrocarbons sector (see point 4.4.):*
 - The deviation of USD 12 million between the declaration of MIOC and that of DGRAD mainly due to the incompleteness of the investment tax declaration of USD 10 million and that of the statistical tax of USD 2 million (see Annexure 2, page 23);
 - The deviation of USD 9 million between the declaration of TEIKOKU and that of DGRAD due to the incompleteness of the declaration of the tax on distributable margin of USD 3 million (see Annexure 2, page 24);
 - The deviation of USD 11 million between the declaration of LIREX and that of DGRAD due to the incompleteness of royalties' declaration of USD 4 million and that of the investment tax of USD 7 million (see Annexure 2, page 27).
 - *The difference of USD 42 million on declarations of DGI and those of companies in the hydrocarbons sector (see point 4.6.):*
 - The deviation of USD 22 million between the declaration of LIREX and that of DGI due to the surplus of USD 18 million in DGI's Corporate Tax (IBP) declaration (see Annexure 2, page 27);
 - The deviation of USD 18 million between the declaration of TEIKOKU and that of DGI due to the surplus of USD 3 million in the Corporate Tax (IBP) declaration and of USD 15 million in the IBP tax installment (see Annexure 2, page 24);

6.3. The following revenues declared by Gécamines have not been declared by the partners listed below:

<u>Partners</u>	<u>Key money</u>	<u>Dividends</u>	<u>Total</u>
CMSK	-	11,519	11,519
RUASHI MINING	2,000	-	2,000
PRECIOUS MCK	3,000	-	3,000
SAMREF OVERSEAN SA	5,000	-	5,000
SOMIKA	350	-	350
RESOURCES UNIT	<u>10,000</u>	<u>-</u>	<u>10,000</u>
	<u>20,350</u>	<u>11,519</u>	<u>31,869</u>

6.4. EITI activities are not sufficiently disseminated. The pre-declaration meetings which were held at the beginning of the declaration process did not involve the resource persons responsible for filling in declaration forms;

6.5. The lack of a formal membership of companies in the mining and hydrocarbons sector explains the lack of enthusiasm of these companies to declare their revenues;

6.6. We have not happened to get certain details and proofs of payment relating to declarations of companies and authorities;

6.7. We have not happened to get explanations from revenue authorities regarding the lack or incompleteness of declarations of certain incomes;

6.8. Some companies did not send their declarations within the specified time limits; declarations obtained from the EITI Technical Secretariat represented a low level of completeness. Steps and contacts taken with companies and authorities have helped improve the level of completeness of declarations. This situation is illustrated in Appendix III of this report;

6.9. The nomenclature of the Congolese General Chart of Accounts does not allow to easily isolate the import duties paid to OFIDA, since they are incorporated in the value of the investments or of the nature of expenses;

6.10. Accounting periods of companies are not necessarily aligned with the fiscal years considered by the revenue authorities. This could be the cause of differences in declarations between authorities and companies.

VII. Recommendations of the Independent Conciliator for Subsequent Years

To improve data collection process of declarations in subsequent years, we recommend the following:

- 7.1. The revenues to be declared should be defined in advance and their means of identification explained to the different parties;
- 7.2. Extractive companies should formally get membership to the EITI process;
- 7.3. A workshop gathering those involved in the EITI process should be organized before launching the process of filling in declaration forms;
- 7.4. The Technical Secretariat should raise awareness of companies and authorities about complying with the schedule and providing all the documents required in the declaration of revenues;
- 7.5. The special payments procedure of certain revenues should be improved to allow institutions responsible for managing these revenues to be fully informed.

December 22, 2009

ANNEXURE I

Abstract of Annexure I: Summaries per Revenue Authority and Field of Activities

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OCC – Mining Sector: Private Companies

Company	Import Control Fees		
	Statement as per the Revenue Authority	Statement as per Companies	Deviation
CMSK	81	-	81
MMK METOREX	6	-	6
CHEMAF	829	-	829
MCK	151	5	146
RUASHI Mining	1 932	399	1 533
COMISA	6	-	6
STL	408	-	408
DCP	329	-	329
TFM	352	414	(62)
KCC	62	-	62
SMK	24	30	(6)
SOMIKA	197	227	(30)
Total	4 377	1 075	3 302

OCC – Mining Sector: State Enterprises

	Import Control Fees			Analysis Fees			Total		
	Statement as per the Revenue Authority	Statement as per Companies	Deviation	Statement as per the Revenue Authority	Statement as per Companies	Deviation	Statement as per the Revenue Authority	Statement as per Companies	Deviation
SODIMICO	-	-	-	-	-	-	-	-	-
GECAMINES	150	-	150	-	-	-	150	-	150
Total	150	-	150	-	-	-	150	-	150

OFIDA - Mining Sector: Private Companies

Company	Administrative Fees			Import Duties			Total		
	Statement as per Revenue Authorities	Statement as per Companies	Deviation	Statement as per Revenue Authorities	Statement as per Companies	Deviation	Statement as per Revenue Authorities	Statement as per Companies	Deviation
CMSK	645	879	(234)	-	586	(586)	645	1 465	(820)
MMK METOREX	24	-	24	-	-	-	24	-	(24)
BOSS MINING	646	-	646	-	-	-	646	-	646
CHEMAF	370	-	370	205	-	205	575	-	575
AMCK	1 204	1 255	(51)	-	-	-	1 204	1 255	(51)
MCK	108	-	108	242	-	242	350	-	350
AMC	-	1 764	(1 764)	-	1 000	(1 000)	-	2 764	(2 764)
BAZANO	719	125	594	-	-	-	719	125	594
FRONTIER Sprl	-	19	(19)	-	-	-	-	19	(19)
RUASHI Mining	554	527	27	671	3 608	(2 937)	1 225	4 135	(2 910)
COMISA	723	1 561	(838)	-	-	-	723	1 561	(838)
STL	-	-	-	-	464	(464)	-	464	(464)
DCP	447	-	447	-	-	-	447	-	447
SMK	-	-	-	-	226	(226)	-	226	(226)
SOMIKA	404	727	(323)	91	-	91	495	727	(232)
Total	5 844	6 857	(1 013)	1 209	5 884	(4 675)	7 053	12 741	(5 688)

OFIDA - Mining Sector: State Enterprises

Company	Administrative Fees			Import Duties			Total		
	Statement as per Revenue Authorities	Statement as per Companies	Deviation	Statement as per Revenue Authorities	Statement as per Companies	Deviation	Statement as per Revenue Authorities	Statement as per Companies	Deviation
SODIMICO	-	27	(27)	-	-	-	-	27	(27)
GECAMINES	1 750	3	1 747	-	-	-	1 750	3	1 747
Total	1 750	30	1 720	-	-	-	1 750	30	1 720

DGRAD - Mining Sector: Private Companies

Company	Annual Surface Fees			Mining Fees			Total		
	Statement as per Revenue Authorities	Statement as per Companies	Deviation	Statement as per Revenue Authorities	Statement as per Companies	Deviation	Statement as per Revenue Authorities	Statement as per Companies	Deviation
CMSK	-	44	(44)	1 534	2 074	(540)	1 534	2 118	(584)
MMK METOREX	-	113	(113)	989	121	868	989	234	755
BOSS MINING	188	180	8	562	623	(61)	750	803	(53)
CHEMAF	-	3	(3)	455	569	(114)	455	572	(117)
AMCK	-	15	(15)	-	466	(466)	-	481	(481)
MCK	-	6	(6)	267	230	37	267	236	31
RPM	-	54	(54)	-	-	-	-	54	(54)
BAZANO	-	2	(2)	882	364	518	882	366	516
FRONTIER Sprl	71	86	(15)	-	-	-	71	86	(15)
MUMI	-	3	(3)	-	-	-	-	3	(3)
RUASHI Mining	-	8	(8)	435	492	(57)	435	500	(65)
COMISA	364	364	-	1 533	1 583	(50)	1 897	1 947	(50)
STL	-	-	-	-	-	-	-	0	-
DCP	-	14	(14)	481	445	36	481	459	22
KMT	-	54	(54)	-	-	-	-	54	(54)
SMK	-	87	(87)	-	410	(410)	-	497	(497)
SOMIKA	-	1	(1)	762	873	(111)	762	874	(112)
Total	623	1 034	(411)	7 900	8 250	(350)	8 523	9 284	(761)

DGRAD - Mining Sector: State Enterprises

Company	Annual Surface Fees			Mining Fees			Annual fees for processing units			Total		
	Statement as per Revenue Authorities	Statement as per Companies	Dvtn	Statement as per Revenue Authorities	Statement as per Companies	Dvtn	Statement as per Revenue Authorities	Statement as per Companies	Dvtn	Statement as per Revenue Authorities	Statement as per Companies	Dvtn
SODIMICO	52	71	(19)	-	-	-	-	-	-	52	71	(19)
GECAMINES	-	631	(631)	1 328	1 353	(25)	-	63	(63)	1 328	2 047	(719)
Total	52	702	(650)	1 328	1 353	(25)	-	63	(63)	1 380	2 118	(738)

DGRAD - Sector of Hydrocarbons

Company	Royalties			Interest-sharing Tax			Statistical Tax			Distributable Margin Tax			Total		
	Statement as per Revenue authorities	Statement as per Companies	Deviation	Statement as per Revenue authorities	Statement as per Companies	Deviation	Statement as per Revenue authorities	Statement as per Companies	Deviation	Revenue Authority	Company	Deviation	Revenue Authority	Company	Deviation
	LIREX	7 908	12 191	(4 283)	-	6 781	(6 781)	-	-	-	-	-	-	7 908	18 972
TEIKOKU	-	-	-	6 821	11 633	(4 812)	-	1 172	(1 172)	35 911	38 777	(2 866)	42 732	51 582	(8 850)
ODS	-	-	-	5 442	5 442	-	-	623	(623)	18 139	18 139	-	23 581	24 204	(623)
MIOC	-	-	-	8 726	18 813	(10 087)	-	1 888	((1 888))	62 597	62 711	(114)	71 323	83 412	(12 089)
PERENCO	21 774	15 592	6 182	-	6 369	(6 369)	-	-	-	-	-	-	21 774	21 961	(187)
Total	29 682	27 783	1 899	20 989	49 038	(28 049)	-	3 683	(3 683)	116 647	119 627	(2 980)	167 318	200 131	(32 813)

DGI - Mining Sector: Private Companies

Total for both parts (Annexures page 9 + page 10)

Company	Subtotal (Part 1)			Subtotal (Part 2)			Total		
	Statement as per Revenue Authorities	Statement as per Companies	Deviation	Statement as per Revenue Authorities	Statement as per Companies	Deviation	Statement as per Revenue Authorities	Statement as per Companies	Deviation
CMSK	11 144	10 811	333	289	108	180	11 432	10 919	513
MMK METOREX	67	67	-	319	529	(210)	386	596	(210)
BOSS MINING	32	545	(513)	284	1 651	(1 367)	316	2 196	(1 880)
CHEMAF	1 737	1 703	34	284	387	(103)	2 021	2 090	(69)
AMCK	2	19	(17)	1 129	1 386	(257)	1 131	1 405	(274)
MCK	203	180	23	266	10	256	469	190	279
AMC	1 417	1 154	263	1 237	1 373	(136)	2 654	2 527	127
RPM	-	-	-	-	117	(117)	-	117	(117)
BAZANO	1 375	1 375	-	105	78	27	1 480	1 453	27
FRONTIER Sprl	-	1	(1)	827	2 931	(2 104)	827	2 932	(2 105)
MUMI	50	196	(146)	91	57	34	141	253	(112)
RUASHI Mining	68	273	(205)	141	324	(183)	209	597	(388)
COMISA	13 126	13 240	(114)	1 807	2 800	(993)	14 933	16 040	(1 107)
STL	152	152	-	681	1 555	(874)	833	1 707	(874)
DCP	2	67	(65)	5 006	5 637	(631)	5 008	5 704	(696)
TFM	3	11	(8)	2 353	2 677	(324)	2 356	2 688	(332)
KMT	1	1	-	-	3	(3)	1	4	(3)
KCC	-	5	(5)	-	1	(1)	-	6	(6)
SMK	3 026	3 026	-	649	649	-	3 675	3 675	-
SOMIKA	205	205	-	256	347	(91)	461	552	(91)
Total	32 610	33 031	(421)	15 723	22 620	(6 897)	48 333	55 651	(7 318)

DGI - Mining Sector: Private Companies

Part 1

Company	Corporate Tax (IBP)			IBP Tax Installment			Tax on mining concessions			Tax on movables			Subtotal (Part 1)		
	Statement as per Revenue authorities	Statement as per Companies	Deviation	Statement as per Revenue authorities	Statement as per Companies	Deviation	Statement as per Revenue authorities	Statement as per Companies	Deviation	Statement as per Revenue authorities	Statement as per Companies	Deviation	Statement as per Revenue authorities	Statement as per Companies	Deviation
CMSK	2 678	2 487	191	5 932	5 932	-	-	-	-	2 534	2 392	142	11 144	10 812	333
MMK METOREX	53	19	34	14	48	(34)	-	-	-	-	-	-	67	67	-
BOSS MINING	32	545	(513)	-	-	-	-	-	-	-	-	-	32	545	(513)
CHEMAF	949	891	58	788	788	-	-	-	-	-	24	(24)	1 737	1 703	34
AMCK	2	6	(4)	-	3	(3)	-	-	-	-	10	(10)	2	19	(17)
MCK	129	127	2	74	53	(21)	-	-	-	-	-	-	203	180	23
AMC	280	-	280	1 137	1 154	(17)	-	-	-	-	-	-	1 417	1 154	263
RPM	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BAZANO	963	963	-	412	412	-	-	-	-	-	-	-	1 375	1 375	-
FRONTIER Sprl	-	-	-	-	-	-	-	1	(1)	-	-	-	-	1	(1)
MUMI	50	166	(116)	-	-	-	-	-	-	-	30	(30)	50	196	(146)
RUASHI Mining	68	203	(135)	-	-	-	-	-	-	-	70	(70)	68	273	(205)
COMISA	13 126	13 196	(70)	-	-	-	-	44	(44)	-	-	-	13 126	13 240	(114)
STL	-	-	-	152	152	-	-	-	-	-	-	-	152	152	-
DCP	1	66	(65)	1	1	-	-	-	-	-	-	-	2	67	(65)
TFM	3	3	-	-	3	(3)	-	5	(5)	-	-	-	3	11	(8)
KMT	1	1	-	-	-	-	-	-	-	-	-	-	1	1	-
KCC	-	3	(3)	-	2	(2)	-	-	-	-	-	-	-	5	(5)
SMK	2 706	2 706	-	320	320	-	-	-	-	-	-	-	3 026	3 026	-
SOMIKA	-	-	-	205	205	-	-	-	-	-	-	-	205	205	-
Total	21 041	21 382	(341)	9 035	9 073	(38)	-	50	(50)	2 534	2 526	8	33 610	33 031	(421)

DGI - Mining Sector: Private Companies

Part 2

Company	IPR			IER			Taxes on surfaces and hydrocarbons & taxes for decentralized admin entities			ICA paid by SNEL and REGIDESO			Subtotal (Part 2)		
	Statement as per Revenue authorities	Statement as per Companies	Deviation	Statement as per Revenue authorities	Statement as per Companies	Deviation	Statement as per Revenue authorities	Statement as per Companies	Deviation	Statement as per Revenue authorities	Statement as per Companies	Dvtn	Statement as per Revenue authorities	Statement as per Companies	Deviation
CMSK	264	105	159	24	3	21	-	-	-	-	-	-	288	108	180
MMK METOREX	309	518	(209)	10	11	(1)	-	-	-	-	-	-	319	529	(210)
BOSS MINING	271	1 362	(1 091)	13	96	(83)	-	193	(193)	-	-	-	284	1 650	(1 366)
CHEMAF	258	356	(98)	26	31	(5)	-	-	-	-	-	-	284	387	(103)
AMCK	903	1 142	(239)	226	244	(18)	-	-	-	-	-	-	1 129	1 386	(257)
MCK	172	9	163	94	-	94	-	-	-	-	1	(1)	352	10	342
AMC	1 209	1 040	169	-	333	(333)	28	-	28	-	-	-	1 237	1 373	(136)
RPM	-	88	(88)	-	29	(29)	-	-	-	-	-	-	-	-	-
BAZANO	100	73	27	5	5	-	-	-	-	-	-	-	22	78	(56)
FRONTIER Sprl	709	2 297	(1 588)	118	634	(516)	-	-	-	-	-	-	718	2 931	(2 213)
MUMI	82	57	25	9	-	9	-	-	-	-	-	-	91	57	34
RUASHI Mining	135	261	(126)	6	37	(31)	-	-	-	-	26	(26)	141	323	(182)
COMISA	1 615	2 400	(785)	192	398	(206)	-	-	-	-	2	(2)	1 603	2 800	(1 197)
STL	681	1 246	(565)	-	-	-	-	-	-	-	309	(309)	681	1 555	(874)
DCP	5 006	4 878	128	-	759	(759)	-	-	-	-	-	-	5 006	5 637	(631)
TFM	1 979	2 392	(413)	374	285	89	-	-	-	-	-	-	2 475	2 677	(202)
KMT	-	3	(3)	-	-	-	-	-	-	-	-	-	-	3	(3)
KCC	-	-	-	-	1	(1)	-	-	-	-	-	-	-	1	(1)
SMK	555	555	-	94	94	-	-	-	-	-	-	-	-	648	(648)
SOMIKA	208	279	(71)	48	-	48	-	68	(68)	-	-	-	256	347	(91)
Total	14 456	19 061	(4 605)	1 239	2 960	(1 721)	28	261	(233)	-	338	(338)	15 723	22 620	(6 897)

DGI - Mining Sector: State Enterprises

Company	Corporate Tax (IBP)			IBP Tax Installment			IPR			Total		
	Statement as per Revenue Authority	Statement as per Companies	Deviation	Statement as per revenue authorities	Statement as per Companies	Deviation	Statement as per revenue authorities	Statement as per Companies	Deviation	Statement as per revenue authorities	Statement as per Companies	Deviation
	SODIMICO	5	1	4		-	-	35	47	(12)	40	48
GECAMINES	280	303	(23)	245	244	1	1 655	1 633	22	2 180	2 180	-
Total	285	304	(21)	245	244	1	1 690	1 680	10	2 220	2 228	(8)

DGI - Sector of Hydrocarbons

Company	Corporate Tax (IBP)			IBP Tax Installment			Total		
	Statement as per Revenue Authorities	Statement as per Companies	Deviation	Statement as per revenue authorities	Statement as per Companies	Deviation	Statement as per Revenue Authorities	Statement as per Companies	Deviation
LIREX	34 601	30 128	4 473	17 760	-	17 760	52 361	30 128	22 233
TEIKOKU	23 075	19 871	3 204	14 613	-	14 613	37 688	19 871	17 817
ODS	9 617	9 617	-	-	-	-	9 617	9 617	-
MIOC	30 801	31 485	(684)	-	-	-	30 801	31 485	(684)
PERENCO	33 210	30 622	2 588	-	-	-	33 210	30 622	2 588
Total	131 304	121 723	9 581	32 373	-	32 373	163 677	121 723	41 954

ANNEXURE II

Abstract of Annexure II: Summaries per Company

	<u>Pages</u>
BAZANO	1
MUMI	2
DCP	3
STL	4
MMK	5
CMSK	6
KCC	7
TFM	8
RUASHI MINING	9
BOSS MINING	10
FRONTIER	11
COMISA	12
RPM	13
KMT	14
CHEMAF	15
MCK	16
AMC	17
SMK	18
AMCK	19
GECAMINES	20
SODIMICO	21
SOMIKA	22
MIOC	23
TEIKOKU	24
CHEVRON ODS	25
PERENCO	26
LIREX	27

BAZANO

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	2	(2)
Mining Fees	DGRAD	882	364	518
Total DGRAD		882	366	516
Corporate Tax (IBP)	DGI	963	963	-
IBP Tax Installment	DGI/DGE	412	412	-
Payroll Tax (IPR)	DGI	100	73	27
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	5	5	-
Total DGI		1 480	1 453	27
Administrative Fees	OFIDA	719	125	594
Total OFIDA		719	125	594
Grand Total		3 081	1 944	1 137

MUMI

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	3	(3)
Energy: Tax on natural waters development	DGRAD	-	4	(4)
Total DGRAD		-	7	(7)
Corporate Tax (IBP)	DGI	50	166	(116)
Tax on movables (Tax on dividends)	DGI	-	30	(30)
Payroll Tax (IPR)	DGI	82	57	25
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	9	-	9
Total DGI		141	253	(112)
Grand Total		111	260	(119)

DCP

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	14	(14)
Mining Fees	DGRAD	481	445	36
Total DGRAD		481	459	22
Corporate Tax (IBP)	DGI	1	66	(65)
IBP Tax Installment	DGI/DGE	1	1	0,00
Payroll Tax (IPR)	DGI	5 006	4 878	128
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	-	759	(759)
Total DGI		5 008	5 704	(696)
Administrative Fees	OFIDA	447	-	447
Total OFIDA		447	-	447
Import Control Fees	OCC	329	-	329
Total OCC		329	-	329
Grand Total		6 265	6 163	(102)

STL

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
IBP Tax Installment	DGI/DGE	152	152	-
Payroll Tax (IPR)	DGI	681	1 246	(565)
ICA paid by SNEL and REGIDESO	DGI	-	309	(309)
Total DGI		833	1 707	(874)
Import Duties	OFIDA	-	464	(464)
Total OFIDA		-	464	(464)
Import Control Fees	OCC	408	-	408
Total OCC		408	-	408
Grand Total		1 241	2 171	(930)

MMK

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	113	(113)
Mining Fees	DGRAD	989	121	868
Total DGRAD		989	234	755
Corporate Tax (IBP)	DGI	53	19	34
IBP Tax Installment	DGI/DGE	14	48	(34)
Payroll Tax (IPR)	DGI	309	518	(209)
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	10	11	(1)
Total		386	596	(210)
Administrative Fees	OFIDA	24	-	24
Total		24	-	24
Import Control Fees	OCC	6	-	6
Total OCC		6	-	6
Grand Total		1 405	830	575

CMSK

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	44	(44)
Mining Fees	DGRAD	1 534	2 074	(540)
Total DGRAD		1 534	2 118	(584)
Corporate Tax (IBP)	DGI	2 678	2 487	191
IBP Tax Installment	DGI/DGE	5 932	5 932	-
Tax on movables (Tax on dividends)	DGI	2 534	2 392	142
Payroll Tax (IPR)	DGI	264	105	159
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	24	3	21
Total DGI		11 432	10 919	513
Administrative Fees	OFIDA	645	879	(234)
Total OFIDA		645	879	(234)
Import Control Fees	OCC	81	-	81
Total OCC		81	-	81
Grand Total		13 692	13 916	(224)

KCC

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Corporate Tax (IBP)	DGI	-	3	(3)
IBP Tax Installment	DGI/DGE	517	2	515
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	-	1	(1)
Total DGI		517	6	511
Import Control Fees	OCC	62	-	62
Total OCC		62	-	62
Grand Total		579	6	573

TFM

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Corporate Tax (IBP)	DGI	3	3	-
IBP Tax Installment	DGI/DGE	-	3	(3)
Tax on mining concessions	DGI/Governor's office	-	5	(5)
Payroll Tax (IPR)	DGI	1 979	2 392	(413)
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	374	285	89
Total DGI		2 356	2 688	(332)
Import Control Fees	OCC	352	414	(62)
Total OCC		352	414	(62)
Grand Total		2 708	3 102	(394)

RUASHI MINING

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	8	((8))
Mining Fees	DGRAD	435	492	(57)
Total DGRAD		435	500	(65)
Corporate Tax (IBP)	DGI	68	203	(135)
Tax on movables (Tax on dividends)	DGI	-	70	(70)
Payroll Tax (IPR)	DGI	135	261	(126)
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	6	37	(31)
ICA paid by SNEL and REGIDESO	DGI	-	26	(26)
Total DGI		209	597	(388)
Administrative Fees	OFIDA	554	527	27
Export Duties or Remunerative Tax (Fee)	OFIDA			0,00
Import Duties	OFIDA	671	3 608	(2 937)
Total OFIDA		1 225	4 135	(2 910)
Import Control Fees	OCC	1 932	399	1 533
Total OCC		1 932	399	1 533
Grand Total		3 801	5 631	(1 830)

BOSS MINING

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	188	180	8
Mining Fees	DGRAD	562	623	(61)
Total DGRAD		750	803	(53)
Corporate Tax (IBP)	DGI	32	545	(513)
Payroll Tax (IPR)	DGI	271	1 362	(1 091)
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	13	96	(83)
Tax on mining surfaces and hydrocarbons & tax for decentralized administrative entities	DGI	-	193	(193)
Total DGI		316	2 196	(1 880)
Administrative Fees	OFIDA	646	-	646
Total OFIDA		646	-	646
Grand Total		1 712	2 999	(1 287)

FRONTIER

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	71	86	(15)
Total DGRAD		71	86	(15)
Tax on mining concessions	DGI/Governor's office	-	1	(1)
Payroll Tax (IPR)	DGI	709	2 297	(1 588)
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	118	634	(516)
Total DGI		827	2 932	(2 105)
Administrative Fees	OFIDA	-	19	(19)
Total OFIDA		-	19	(19)
Grand Total		898	3 037	(2 120)

COMISA

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	364	364	-
Mining Fees	DGRAD	1 533	1 583	(50)
Total DGRAD		1 897	1 947	(50)
Corporate Tax (IBP)	DGI	13 126	13 196	(70)
Tax on mining concessions	DGI/Governor's office	-	44	(44)
Payroll Tax (IPR)	DGI	1 615	2 400	(785)
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	192	398	(206)
ICA paid by SNEL and REGIDESO	DGI	-	2	(2)
Total DGI		14 933	16 040	(1 107)
Administrative Fees	OFIDA	723	1 561	(838)
Total OFIDA		723	1 561	(838)
Import Control Fees	OCC	6	-	6
Total OCC		6	-	6
Grand Total		17 559	19 548	(1 989)

RPM

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Royalties	DGRAD	-	-	
Annual Surface Fees	DGRAD	-	54	(54)
Total DGRAD		-	54	(54)
Payroll Tax (IPR)	DGI	-	88	(88)
Special Payroll Tax on Expats' Remunerations (IERE)		-	29	(29)
TOTAL DGI		-	117	(117)
Grand Total		-	171	(171)

KMT

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	54	(54)
Total DGRAD		-	54	(54)
Corporate Tax (IBP)	DGI	1	1	-
Payroll Tax (IPR)	DGI	-	3	(3)
Total DGI		1	3	(3)
Grand Total		1	58	(57)

CHEMAF

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	3	(3)
Mining Fees	DGRAD	455	569	(114)
Total DGRAD		455	572	(117)
Corporate Tax (IBP)	DGI	949	891	58
IBP Tax Installment	DGI/DGE	788	788	-
Tax on movables (Tax on dividends)	DGI	-	24	(24)
Payroll Tax (IPR)	DGI	258	356	(98)
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	26	31	(5)
Total DGI		2 021	2 090	(69)
Administrative Fees	OFIDA	370	-	370
Export Duties or Remunerative Tax (Fees)	OFIDA	-	-	-
Import Duties	OFIDA	205	-	205
Total OFIDA		575	-	575
Import Control Fees	OCC	829	-	829
Total OCC		829	-	-
Grand Total		3 880	2 662	1 218

MCK

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	6	(6)
Mining Fees	DGRAD	267	230	37
Total DGRAD		267	236	31
Corporate Tax (IBP)	DGI	129	127	2
IBP Tax Installment	DGI/DGE	74	53	21
Payroll Tax (IPR)	DGI	172	9	163
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	94	-	94
ICA paid by SNEL and REGIDESO	DGI	-	1	(1)
Total DGI		469	190	279
Administrative Fees	OFIDA	108	-	108
Export Duties or Remunerative Tax (Fees)	OFIDA	-	-	-
Import Duties	OFIDA	242	-	242
Total OFIDA		350	-	350
Import Control Fees	OCC	151	5	146
Total OCC		151	5	146
Grand Total		1 237	431	808

AMC

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Corporate Tax (IBP)	DGI	280	-	280
IBP Tax Installment	DGI/DGE	1 137	1 154	(17)
Payroll Tax (IPR)	DGI	1 209	1 040	169
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	-	333	(333)
Tax on mining surfaces and hydrocarbons & tax for decentralized administrative entities	DGI	28	-	28
Total DGI		2 654	2 527	127
Export Duties or Remunerative Tax (Fees)	OFIDA	-	1 764	(1 764)
Import Duties	OFIDA	-	1 000	(1 000)
Total OFIDA		-	2 764	(2 764)
Grand Total		2 654	5 291	(2 637)

SMK

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	87	(87)
Mining Fees	DGRAD	-	410	(410)
TOTAL DGRAD		-	497	(497)
Corporate Tax (IBP)	DGI	2 706	2 706	-
IBP Tax Installment	DGI/DGE	320	320	-
Payroll Tax (IPR)	DGI	555	555	-
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	94	94	-
TOTAL DGI		3 675	3 675	-
Import Duties	OFIDA	-	226	(226)
TOTAL OFIDA		-	226	(226)
Import Control Fees	OCC	24	30	(6)
TOTAL OCC		24	30	(6)
Grand Total		3 699	4 227	(729)

AMCK

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	15	(15)
Mining Fees	DGRAD	-	466	(466)
TOTAL DGRAD		-	481	(481)
Corporate Tax (IBP)	DGI	2	6	(4)
IBP Tax Installment	DGI/DGE	-	3	(3)
Tax on movables (Tax on dividends)	DGI	-	10	(10)
Payroll Tax (IPR)	DGI	903	1 142	(1 239)
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	226	244	(18)
TOTAL DGI		1 131	1 405	(274)
Administrative Fees	OFIDA	1 204	1 255	(51)
TOTAL OFIDA		1 204	1 255	(51)
Grand Total		2 335	3 141	(806)

GECAMINES

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	631	(631)
Mining Fees	DGRAD	1 328	1 353	(25)
Annual fees for processing units	DGRAD	-	63	(63)
Total DGRAD		1 328	2 047	(719)
Corporate Tax (IBP)	DGI	280	303	(23)
IBP Tax Installment	DGI/DGE	245	244	1
Payroll Tax (IPR)	DGI	1 655	1 633	22
Total DGI		2 180	2 180	-
Administrative Fees	OFIDA	1 750	3	1 747
Total OFIDA		1 750	3	1 747
Import Control Fees	OCC	150	-	150
Total OCC		150	-	150
Grand Total		5 408	4 230	1 178

SODIMICO

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	52	71	(19)
Total DGRAD		52	71	(19)
Corporate Tax (IBP)	DGI	4	1	3
Payroll Tax (IPR)	DGI	35	47	(12)
Total DGI		39	48	(9)
Administrative Fees	OFIDA	-	27	(27)
Total OFIDA		-	27	(27)
Grand Total		91	146	(55)

SOMIKA

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Annual Surface Fees	DGRAD	-	1	(1)
Mining Fees	DGRAD	762	873	(111)
Total DGRAD		762	874	(112)
IBP Tax Installment	DGI/DGE	205	205	-
Payroll Tax (IPR)	DGI	208	279	(71)
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	48	-	48
Tax on mining surfaces and hydrocarbons & tax for decentralized administrative entities	DGI	-	68	(68)
Total DGI		461	552	(91)
Administrative Fees	OFIDA	404	727	(323)
Import Duties	OFIDA	91	-	91
Total OFIDA		495	727	(232)
Import Control Fees	OCC	197	227	(30)
Total OCC		197	227	(30)
Grand Total		1 915	2 380	(495)

MIOC

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Interest-sharing Tax	DGRAD	8 726	18 813	(10 087)
Statistical tax	DGRAD	-	1 888	(1 888)
Tax on the distributable margin		62 597	62 711	(114)
Total DGRAD		71 323	83 412	(12 089)
Corporate Tax (IBP)	DGI	30 801	31 485	(684)
Total DGI		30 801	31 485	(684)
Grand Total		102 124	114 897	(12 773)

TEIKOKU

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Interest-sharing Tax	DGRAD	6 821	11 633	(4 812)
Statistical tax	DGRAD	-	1 172	(1 172)
Tax on the distributable margin		35 911	38 777	(2 866)
Total DGRAD		42 732	51 582	(8 850)
Corporate Tax (IBP)	DGI	23 075	19 871	3 204
IBP Tax Installment	DGI/DGE	14 613	-	14 613
Total DGI		37 688	19 871	17 817
Grand Total		80 420	71 453	8 967

CHEVRON ODS

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Interest-sharing Tax	DGRAD	5 442	5 442	-
Statistical tax	DGRAD	-	623	(623)
Tax on the distributable margin		18 139	18 139	-
Total DGRAD		23 581	24 204	(623)
Corporate Tax (IBP)	DGI	9 617	9 617	-
Total DGI		9 617	9 617	-
Grand Total		33 198	33 827	(623)

PERENCO

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Royalties	DGRAD	21 774	15 592	6 182
Interest-sharing Tax	DGRAD		6 369	(6 369)
Total DGRAD		21 774	21 961	187
Corporate Tax (IBP)	DGI	33 210	30 622	2 588
Total DGI		33 210	30 622	2 588
Grand Total		54 984	52 583	2 401

LIREX

Designation		Statement as per Revenue Authority	Statement as per the company	Deviation
Royalties	DGRAD	7 908	12 191	(4 283)
Interest-sharing Tax	DGRAD	-	6 781	(6 781)
Total DGRAD		7 908	18 972	(11 064)
Corporate Tax (IBP)	DGI	34 601	30 128	4 473
IBP Tax Installment	DGI/DGE	17 760	-	17 760
Total DGI		52 361	30 128	22 233
Export Control Fees	OCC	-	70	(70)
Total OCC		-	70	(70)
Grand Total		60 269	49 170	11 099

ANNEXURE III

Completeness of Answers Received for Companies

Designation	Before the Conciliator's mission		After the Conciliator's mission		Improvement rate in expected answers	
	Number	%	Number	%	Number	%
Status of answers received						
Expected answers	25		25			
Expected after list harmonization	27	100	27	100	0	0
No answer	10	37	1	4	(9)	(90)
Answered	17	63	26	96	9	(53)
Analysis of answers received						
Answers received	17	100	26	100	9	53
Complete supporting documents	2	12	21	81	19	950
Incomplete supporting documents	1	6	1	4	0	0
Forms without supporting documents	14	82	0	0	(14)	(100)

ANNEXURE IV

**EITI in DRC – Financial flows considered (Year
2007 - Disbursements during the reporting period
- stated in US dollars)**

Mining Sector

Description	Revenue Authorities	Observations
Annual Surface Fees	DGRAD	
Mining Fees	DGRAD	
Corporate Tax (IBP)	DGI	Residual tax from previous FY (2006)
IBP Tax Installment	DGI/DGE	Tax installments on FY 2007
Tax on mining concessions	DGI/Governor's office	
Tax on movables (Tax on dividends)	DGI	
Payroll Tax (IPR)	DGI	
Special Payroll Tax on Expats' Remunerations (IERE)	DGI	
Administrative Fees	OFIDA	
Export duties or remunerative tax	OFIDA	
Payments to OCC/BIVAC	OCC	
Tax on mining surfaces and hydrocarbons & tax for decentralized administrative entities	DGI	
ICA paid by SNEL and REGIDESO	DGI	
Dividends (5%) paid to the Government	DGRAD	
Annual fees for processing units	DGRAD	
Dividends paid to public enterprises (ex Gecamines)		
Key money paid to public enterprises		

**EITI in DRC – Financial flows considered (Year
2007 - Disbursements during the reporting period
- stated in US dollars)**

Sector of Hydrocarbons

Description	Revenue Authorities
Annual Surface Fees	DGRAD
Fees	DGI
Corporate Tax	DGI
Special Income Tax	DGI
Tax on the distributable margin	DGI
Interest-sharing Tax	DGRAD
Statistical tax	DGRAD
Bonus	DGRAD

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