

BENEFICIAL OWNERSHIP ROADMAP Timor Leste

ROADMAP RECOMMENDATION	OBJECTIVE	ACTIVITIES (CAPACITY BUILDING NEEDS, TECHNICAL ASSISTANCE)	RESPONSIBLE	TIME FRAME	FINANCIAL ASSISTANCE (COST AND FUNDING)
<p>1.Consider links between BO and national reform priorities</p>	<p>-Ensure extractive legal framework foreseen the requirement of requirement in relation to registry, level of details and data base and disclosure and reporting or update on BO - Improve accountability and transparency in Extractive sector that in returns to boost investment confident - Avoid abuse of power of affiliation of beneficiary owners in extractive sector</p>	<ul style="list-style-type: none"> - Stocktaking review on existing legislation framework that relevant to the need of BO principal, to further define the need to include BO requirements in those legislation for future amendment or propose new legislation, for alignment or harmonizing them if required, - Outcome of stocktaking will be reported for relevant institutional for review and if required propose for amendment - The need of resources to support these activities in 	<p>Minister of Coordinator for Economic Affairs, Cabinet Ministry of Trade Invest, Minister of Commerce, Industry and Environmental and Minister of Finance and Minister of Petroleum and Mineral Resources</p>	<p>2017-2019</p>	

		<p>Embed BO principal in the extractive sector licensing processes through tender protocol,</p> <ul style="list-style-type: none"> - Ensure BO principal in tax procedure in obtaining Tax Identification number and requirement on disclosure of details beneficiary owners. - human capacity, institutional awareness of BO principal, infrastructure to support the data taking for legislative review on BO 			
2. Consider the institutional framework for BO disclosure	<ul style="list-style-type: none"> - Ensure future licensing round tender protocol contains BO disclosure and details of BO - To improve transparency and accountability in contract tendering and award process 	<ul style="list-style-type: none"> - Review current business license registration process and revise the requirement to ensure details of BO shall be presented, - Revisit existing TIN under tax office, - Establish taskforce with aims to improve 	MCIA, MOF, MCAE, MPRM	2017-2019	

	<ul style="list-style-type: none"> - Ensure politician or leaders are independent and not affiliate into any businesses in particular extractive sectors 	<p>coordination between business registry department and tax office, a harmonize procedure and alignment in term of requirement that support BO principal</p> <ul style="list-style-type: none"> - To establish requirement of leaders in governmental institutions are free from running businesses that could have conflict of interests, 			
3. Beneficial ownership definition	<ul style="list-style-type: none"> - As guidance to determine the level of beneficiary owner, what information is needed - Help to set the threshold for the requirement of BO disclosure and details information of BO is needed 	<ul style="list-style-type: none"> - MSG to discuss and agree on the definition of beneficiary ownership in the extractive industry - Conduct joint ministries workshop on BO awareness 	MCAE,MPRM, MOF,MCIA	2017	

<p>4.Reporting obligations for Politically Exposed Persons</p>	<ul style="list-style-type: none"> - To avoid abuse of power in contract award and decision making in management of extractive sector - To prevent corruption from bias decision and influence to decision for non compliance acts, 	<ul style="list-style-type: none"> - MSG to ensure disclosure of PEP should be part of EITI contextual information - Revisit existing legislation on the need for government official to declare their income and assets, by inserting additional requirement on businesses owned and control directly by government official. - Extractive tender protocol and registry requirement shall prevent with due diligent check prior to tender evaluation and award to avoid PEP in the licensing process. 	<p>MPRM</p>	<p>2017-2018</p>	
<p>5.Level of detail to be disclosed</p>	<ul style="list-style-type: none"> - For transparency purpose, details of BO is important to know who is behind BO 	<ul style="list-style-type: none"> - Template of business registration shall be revised to reflect the detailed of BO 		<p>2017</p>	

	<ul style="list-style-type: none"> - To minimize the loop hole of hiding who actually in the BO - set a guidance to determine threshold of BO to be disclosed 	<ul style="list-style-type: none"> - Tax registry to add requirement to disclose BO when obtaining TIN - Extractive tender process to insert details of applicants, sources of funding, certificate of attorney and registration that verifiable. - Define threshold that shall be mandatory to have details on BO, 5% Or 10%, 			
6.Data collection	<ul style="list-style-type: none"> - To ensure data regarding BO is accurate, reliable and timely - To ensure how information is collected and details of information meets the BO principal, 	Discuss and design how to obtain data on BO between inter ministries that relevant to extractive industry,	SERVE, Tax office and ANPM	2017-2019	
7.Assuring the accuracy of the data	<ul style="list-style-type: none"> - To ensure the completeness and details of data on BO is obtained - To minimize BO data does not meet the BO requirements 	<ul style="list-style-type: none"> - Establish verification committee - Perform due diligent prior to license award. - Period update of BO data, - Establish requirement and 	MPRM, MCIA,MOF	2017	

		penalty for false declaration or presentation of BO data			
8.Data timelines	- To ensure information reported in EITI BO is timely, updated and verifiable,	- Evaluate disclosed BO data is timely, - Ensure mechanism on the need to update BO data, - Determine timeline on the BO data update or requirement to update on BO data if changed in control exist or farm out,	MPRM, MCIA,MOF	2017-2019	
9.Data accessibility	- To determine how data on BO is obtained, - To ensure no legal barriers or legislation requirement on obtaining data BO is compatible for company in foreign jurisdiction	- Discussion on the design of template or form to obtain data on BO, - Review current legislation or future legislative product to foreseen the requirement on the mandatory to disclose BO details prior to obtaining license or contract in Extractive industry	MPRM, MCIA,MOF	2017-2019	