# TL-EITI

Timor-Leste
Extractive
Industry
Transparency
Initiative



#### Deloitte Compilation Report

Timor-Leste Extractive Industries Transparency Initiative

for the year ended 31 December 2008

**Secretariat of State for Natural Resources** 

Democratic Republic of Timor-Leste

LANGUAGE: ENGLISH

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#### Message from Alfredo Pires Secretary of State for Natural Resources

In 2003 Timor-Leste made a commitment to the EITI process, in 2009 we present the first EITI report. The results are very encouraging for this new nation, it is confirms that we have a solid, secure and very transparent system in place in regards to the flow of petroleum revenues from companies to Government. Every dollar has been accounted for.

Congratulations to Timor-Leste in particular to the members of the EITI Multi-Stakeholder Group (MSG), comprising of Civil Society, Companies and various Government entities.



Alfredo Pires Secretary of State for Natural Resources



Civil Society is important element in the EITI process, in this picture we see representative of local NGO from 13 Districts in Timor-Leste participating in one of the many EITI Workshops held in Timor-Leste.



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# Compilation Report To the Ministry of Fiances, Democratic Republic of Timor-Leste in respect of The Extractive Industries Transparency Initiative Report for the year ended 31 December 2008

On the basis of information provided to us by the Government or Extractive Companies ("the reporting Parties"), we have compiled, in accordance with the International Standard on Related Services applicable to compilation engagements, the attached Appendices A to E which reconcile the payments and revenues reported to us by the reporting parties for the year ended 31 December 2008.

Information was provided to us initially in the form of the templates completed by the reporting parties, prepared in the format as set out in the Government of the Democratic Republic of Timor-Leste Extractive Industries Transparency Initiative Guidelines for Reporting to the EITI Aggregating Body Published in March 2009 ("Guidelines"). Additional information was provided, by the relevant reporting party, where reconciling items were identified. The reporting parties are responsible for the information contained in the attached A to E. As this is a Compilation Report we do not express a review statement or an audit opinion thereon.

DELOITTE TOUCHE TOHMATSU

Chartered Accountant

Darwin

6/4/09

Member of Deloitte Touche Tohmatsu

Amounts reported as paid by the Extractive Companies (Guidelines Template 1) Timor-Leste Extractive Industries Transparency Initiative Summary Reconciliation of

Amounts reported as received by the Government of Timor-Leste (per Guideline Templates)

For the year ended 31 December 2008

	;	Amounts reported a paid by Companies- Template 1	mounts reported a paid Companies- Template 1	ı paid by plate 1	Amounts reported as received by the Government of Timor-Leste (per guideline Templates)	s reported as receive inment of Timor-Lest guideline Templates)	eceived by the -Leste (per ates)	Diffe	Difference
Iotal for all Companies	Appendix			Kind			Kind		Kind
		Cash US\$	Value US\$	Description	Cash US\$	Value US\$	Description	Cash US\$	Value US\$
Petroleum Tax	В	880,709,827	,		880,709,827	,		,	,
FTP/ Royalties / Profit Oil & Gas	C	1,624,803,611			1,624,803,611				
JPDA Fee:									
- Application fee	D	1			1				
- Seismic data fee	D	160,000	,		160,000	,		,	1
- Development fee	D	2,995,000	,		2,995,000	,		ı	1
- Contract Service fee	D	560,000	,		560,000	,		ı	1
Timor-Leste Exclusive Area:									
- Application fee	О	1			1			,	,
- Seismic data fee	D	1	,		•	,		ı	1
- Licence fee/Surface fee	О	343,840	ı		343,840	1		ı	
	·	2,509,572,278		·	2,509,572,278		" '	1	1

Timor-Leste Extractive Industries Transparency Initiative

Reconciliation of

The petroleum taxes reported as paid by the Extractive Companies (Guidelines Template 1 Section 2a)

to
The petroleum taxes reported as received by the Petroleum Tax Directorate (Guidelines Template 2)
For the year ended 31 December 2008

	Petroleum Taxes reported as paid by Companies- Template 1 (Section 2a)	txes reported as paid by Template 1 (Section 2a)	d by Companies- 2a)	Petroleum Taz Petroleum 1	kes reported as fax Directorat	Petroleum Taxes reported as received by the Petroleum Tax Directorate - Template 2	Diffe	Difference
Name of Company			Kind			Kind		Kind
	Cash US\$	Value US\$	Description	Cash US\$	Value US\$	Description	Cash US\$	Value US\$
ConocoPhilips (Emet) Pty Ltd (Revised)	8,195,630			8,195,630				
ConocoPhilips JPDA Pty Ltd	138,400,815	,		138,400,815	,			ı
ConocoPhilips (03-13) Pty Ltd	47,549,819	,		47,549,819	,			
ConocoPhilips (03-12) Pty Ltd	256,414,380	,		256,414,380	,			
ConocoPhilips (Timor Sea) Pty Ltd	69,502,442	,		69,502,442	,			
ConocoPhilips (03-19) Pty Ltd (Revised)	5,373	,		5,373			,	
ConocoPhilips (03-20) Pty Ltd	•			1			1	,
PC (Timor Sea 06-102) Ltd (Revised)	1,967,441			1,967,441			,	
Santos JPDA (91-12) Pty Ltd	96,413,949			96,413,949				
Eni JPDA 03-13 Limited	90,201,900	,		90,201,900	,			
Eni Timor-Leste S.P.A (PSC 1-5)	3,587,192	,		3,587,192	,			
Eni JPDA 06-105 PTY LTD (Revised)	4,735,334	,		4,735,334	,			
MINZA OIL & GAS LIMITED		,		,	,			
Oilex (JPDA 06-103) Ltd (Revised)	2,592,332			2,592,332	٠			
Tokyo Timor Sea Resource Pty Ltd	69,566,444	,		69,566,444	,			
Inpex Sahul Co. Ltd (Revised)	91,445,803	,		91,445,803	,			,
Woodside Petroleum (Timor Sea 19) Pty Ltd (Revised)	73,956	,		73,956	1			,
Woodside Petroleum (Timor Sea 20) Pty Ltd (Revised)	1						,	,
Reliance Exploration & Production DMCC (Revised)	57,017			57,017				
Total	880,709,827			880,709,827				

Timor-Leste Extractive Industries Transparency Initiative Reconciliation of

The First Tranche Petroleum / Royalties and Profit Oil & Gas reported as paid by the Extractive Companies (Guidelines Template 1 Section 2b i & ii)

The First Tranche Petroleum / Royalties and Profit Oil & Gas reported as received by the National Petroleum Authority (Guidelines Template 3)

For the year ended 31 December 2008

	The First Tranche Petroleum / Royalties and Profit Oil & Gas reported as paid by Companies - Template 1 (Section 2b i & ii)	Petroleum / Royal is paid by Compar (Section 2b i & ii)	alties and Profit Oil anies – Template 1 i)	The First Tranche P as received by the N	etroleum / Royalties ational Petroleum Aı	The First Tranche Petroleum / Royalties and Profit Oil & Gas as received by the National Petroleum Authority - Template 3	JiQ	Difference
Name of Company	South 1100		Kind	3511 4550		Kind	SII 400	Kind
	Cash Cos	Value US\$	Description	Cash Usa	Value US\$	Description	Cash US3	Value US\$
ConocoPhillips (Emet) Pty Ltd	13,226,265			13,226,265				
ConocoPhillips JPDA Pty Ltd	221,114,059			221,114,059	,		,	,
ConocoPhillips (03-13) Pty Ltd	77,397,523			77,397,523			,	
ConocoPhillips (03-12) Pty Ltd	573,204,288			573,204,288	ı		,	•
ConocoPhillips (Timor Sea ) Pty Ltd	112,142,343			112,142,343			,	
Conoco Phillips (03-19) Pty Ltd					ı		,	•
Conoco Phillips (03-20) Pty Ltd							,	
Eni JPDA 03-13 Limited	158,457,474			158,457,474	1			,
Eni JPDA 06-105 PTY LTD							,	
Woodside Petroleum (Timor Sea 19) Pty Ltd	,						,	
Woodside Petroleum (Timor Sea 20) Pty Ltd	,			,			,	
PC (Timor Sea 06-102) Ltd					,		,	,
Santos JPDA (91-12) Pty Ltd	161,424,724			161,424,724			,	
Eni Timor - Leste S.P.A (PSC 1-5)	,	,		1	,		,	,
MINZA OIL & GAS LIMITED	•			1	ı		,	,
Oilex (JPDA 06-103) Ltd							,	
Tokyo Timor Sea Resource Pty Ltd	132,668,436			132,668,436	,		,	
Inpex Sahul Co. Ltd (Revised)	175,168,499			175,168,499				
Reliance Exploration & Production DMCC				1	,		,	
Total	1,624,803,611			1,624,803,611				

Timor-Leste Extractive Industries Transparency Initiative

Reconciliation of

Other payments reported as paid by the Extractive Companies (Guidelines Template 1 Section 2b iii)

Other payments reported as received by the National Petroleum Authority (Guidelines Template 3) For the year ended 31 December 2008

	Other payments reported as paid by Companies-Template 1 (Section 2b iii)	ents reported emplate 1 (S	l as paid by ection 2b iii)	Other payments reported as received by the National Petroleum Authority	oayments reported as received National Petroleum Authority	received by the uthority	Diffe	Difference
	Cash US\$	Ā	Kind	Cash US\$		Kind		Kind
Total for all Companies		Value US\$	Description		Value US\$	Description	Cash US\$	Value US\$
ConocoPhillips (03-13) Pty Ltd								
JPDA Fee:								
- Application fee	•			•			1	1
- Seismic data fee	160,000			160,000			1	1
- Development fee							1	1
- Contract Service fee	1	,		,			,	,
Timor-Leste Exclusive Area:								
- Application fee				•			1	1
- Seismic data fee				1			•	,
- License fee / Surface fee							1	1
ConocoPhillips (03-12) Pty Ltd								
JPDA Fee								
- Application fee	ı			1			•	•
- Seismic data fee	•						•	,
- Development fee	2,814,000			2,814,000			ı	,
- Contract Service fee	160,000			160,000				

Timor-Leste Exclusive Area:

- License fee / Surface fee

- Seismic data fee - Application fee

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- Application fee - Seismic data fee - Development fee - Contract Service fee - Hal,000 - Contract Service fee - Seismic data fee - License fee / Surface fee - Application fee - Seismic data fee - Contract Service fee - Application fee - Contract Service fee - Application fee - Contract Service fee - Application fee - Seismic data fee - Contract Service fee - Seismic data fee - Contract Service fee - Seismic data fee - Contract Service fee - Seismic data fee - Contract Service fee - Application fee - Seismic data fee - Contract Service fee - Application fee - Seismic data fee			
.: d (Revised)			
::	•		
:: d (Revised)	181,000	1	1
.: d (Revised)	160,000	1	1
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t: d (Revised)			
d (Revised)	1	1	1
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	ı	1	,
	1	ı	1
		1	,
	80,000	ı	1
· License fee / Surface fee		1	

Reliance Exploration & Production DMCC (Revised) JPDA Fee						
- Application fee	,		,	ı		,
- Seismic data fee	1			ı		,
- Development fee	1	1		ı		•
- Contract Service fee				ı		٠
Timor-Leste Exclusive Area:						
- Application fee	1			1		1
- Seismic data fee	1				•	ı
- License fee / Surface fee	23,840	•	23,840		1	٠
Petroleu						
JPDA Fee						
- Application fee	1	1	1		ı	1
- Seismic data fee	,					ı
- Development fee	,		,		•	٠
- Contract Service fee	1					•
Timor-Leste Exclusive Area:						
- Application fee	ı				•	•
- Seismic data fee	1	,	,	1		•
- License fee / Surface fee	160,000		160,000	1	•	•
Woodside Petroleum (Timor Sea 20) pty Ltd JPDA Fee						
- Application fee	,				•	٠
- Seismic data fee	1					•
- Development fee	1					•
- Contract Service fee				1		•
Timor-Leste Exclusive Area:						
- Application fee	1		,	1		,
- Seismic data fee	1			1		•
- License fee / Surface fee	160,000		160,000	1		•

MINZA OIL & GAS LIMITED	JPDA Fee

- Application fee		,	1			1
Seismic data fee		,	1			1
- Development fee	,	,			•	1
- Contract Service fee	80,000	,	80,000	,	•	,
Timor-Leste Exclusive Area:						
ution fee	,	,			•	,
- Seismic data fee	,	,			•	,
- License fee / Surface fee	•		1	ı	ı	1
TOTAL						
90						
- Application fee						1
Seismic data fee	160,000	1	160,000		•	1
- Development fee	2,995,000	,	2,995,000		•	,
st Service fee	260,000	,	560,000		•	,
este Exclusive Area:						
ation fee	,	1	•		•	1
c data fee	,	,	•		•	,
- License fee / Surface fee	343,840	,	343,840	,	•	1
	4,058,840		4,058,840			1

#### Timor- Leste Extractive Industry Transparency Initiative Summary Reconciliation of Original Reported Figures To

## Final report Figures For the year ended 31 December 2008

Summary		Per Companies			Per Government	
	Original US\$	Adjustments USS	Final US\$	Original US\$	Adjustments USS	Final USS
Description of Payment						
I. Benefits Stream be reported by International Companies only	0	0	0	0	0	0
National State-Owned / Joint Venture Company equity share of host Government Production     Production received by National State-Owned /	0	0	0	0	0	0
Joint Venture Company  1 c) National State-Owned / Joint Venture Company	0	0	0	0	0	0
Production entitlement  1 d) Production entitlement received on behalf of the	0	0	0	0	0	0
host Government	0	0	0	0	0	0
2. Payments to Host Government 2 a) Petroleum Tax Department	970 276 104	1 422 622	990 700 927	990 710 260	422	880,709,827
i) Income Tax Payments	879,276,194 351,335,139	1,433,633 87,319	880,709,827 351,422,458	880,710,260 351,422,458	-433 0	351,422,458
ii) Additional Profits tax payments / supplemental	221,223,127	07,317	331,422,430	331,742,730	· ·	551,422,430
petroleum tax payments	503,621,766	-279,538	503,342,228	503,342,228	0	503,342,228
iii) Branch profit tax payments	87,319	-87,319	0	0	0	0
iv) VAT payments	10,447, 674	1,017,830	11,465,504	11,465,504	0	11,465,504
v) with Holding Tax payments	8,609,932	704,386	9,314,318	9,324,881	-10,563	9,314,318
vi) Wages Tax	5,044,997	-9,045	5,035,952	5,025,822	10,130	5,035,952
vii) Penalty/ Interest	129,367	0	129,367	129,367	0	129,367
	0	0	0	0	0	0
b) National Petroleum Authority  * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum	· ·	U	· ·			
2b) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leston	1,627,470,632	1,391,819	1,628,862,451	1,628,991,039	-128,588	
2b) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste i) First Tranche Petroleum Payments (FTP)	1,627,470,632	1,391,819	1,628,862,451	1,628,991,039	-128,588	1,628,862,4:
2b) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste i) First Tranche Petroleum Payments (FTP) - Condensate	1,627,470,632 272,900,294	1,391,819	1,628,862,451 272,896,149	1,628,991,039 272,896,407	-128,588 -258	1,628,862,4± 272,896,149
2D) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste i) First Tranche Petroleum Payments (FTP) - Condensate - Liquefied Petroleum Gas	1,627,470,632 272,900,294 37,285,867	1,391,819 -4,145 1,475,964	1,628,862,451 272,896,149 38,761,831	1,628,991,039 272,896,407 38,761,831	-128,588 -258 0	1,628,862,4± 272,896,149 38,761,831
2b) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste i) First Tranche Petroleum Payments (FTP) - Condensate - Liquefied Petroleum Gas - Gas	1,627,470,632 272,900,294 37,285,867 39,293,618	1,391,819 -4,145 1,475,964 0	1,628,862,451 272,896,149 38,761,831 39,293,618	1,628,991,039 272,896,407 38,761,831 39,293,618	-128,588 -258 0	1,628,862,45 272,896,149 38,761,831 39,293,618
2D) National Petroleum Authority  * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste  D) First Tranche Petroleum Payments (FTP)  Condensate  - Liquefied Petroleum Gas  - Gas  - Gas  i) Profit Oil & Gas payments	1,627,470,632 272,900,294 37,285,867	1,391,819 -4,145 1,475,964	1,628,862,451 272,896,149 38,761,831	1,628,991,039 272,896,407 38,761,831	-128,588 -258 0	1,628,862,45 272,896,149 38,761,831 39,293,618
2D) National Petroleum Authority  * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste 1) First Tranche Petroleum Payments (FTP)  - Condensate - Liquefied Petroleum Gas - Gas - Gas - Gip Profit Oil & Gas payments	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013	1,391,819 -4,145 1,475,964 0	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013	1,628,991,039 272,896,407 38,761,831 39,293,618 1,273,852,013	-128,588 -258 0 0	1,628,862,42 272,896,149 38,761,831 39,293,618 1,273,852,01
2D) National Petroleum Authority  * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste i) First Tranche Petroleum Payments (FTP)  - Condensate - Liquefied Petroleum Gas - Gas - Gas - Gip Profit Oil & Gas payments - Gill Other payments:  - JPDA fee:	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013	1,391,819 -4,145 1,475,964 0	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013	1,628,991,039 272,896,407 38,761,831 39,293,618 1,273,852,013	-128,588 -258 0 0	1,628,862,45 272,896,149 38,761,831 39,293,618 1,273,852,01
2b) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste i) First Tranche Petroleum Payments (FTP) - Condensate - Liquefied Petroleum Gas - Gas ii) Profit Oil & Gas payments iii) Other payments: iii) Other payments: iii) Other payments - Application fee	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0	1,391,819 -4,145 1,475,964 0 0	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013 0	1,628,991,039 272,896,407 38,761,831 39,293,618 1,273,852,013 0	-128,588 -258 0 0 0	1,628,862,45 272,896,149 38,761,831 39,293,618 1,273,852,01
2D) National Petroleum Authority  * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste  1) First Tranche Petroleum Payments (FTP)  - Condensate - Liquefied Petroleum Gas - Gas  ii) Profit Oil & Gas payments iii) Other payments:  JPDA fee:  - Application fee - Seismic date fee	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0	1,391,819 -4,145 1,475,964 0 0 0	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013 0	1,628,991,039 272,896,407 38,761,831 39,293,618 1,273,852,013 0	-128,588 -258 0 0 0 0	1,628,862,45 272,896,149 38,761,831 39,293,618 1,273,852,01 0
2b) National Petroleum Authority  for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste  D First Tranche Petroleum Payments (FTP)  Condensate  Liquefied Petroleum Gas  Gas  ij Profit Oil & Gas payments iij Other payments:  JPDA fee:  - Application fee  - Seismic date fee  - Development fee  - Contract Service fee	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0	1,391,819  -4,145 1,475,964 0 0 0 160,000	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013 0 160,000	1,628,991,039 272,896,407 38,761,831 39,293,618 1,273,852,013 0 160,000	-128,588 -258 0 0 0 0	1,628,862,45 272,896,149 38,761,831 39,293,618 1,273,852,01 0
2Db) National Petroleum Authority  * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste  Orondensate  - Liquefied Petroleum Payments (FTP)  - Condensate  - Liquefied Petroleum Gas - Gas  (ii) Profit Oil & Gas payments  iii) Other payments:  JPDA fee:  - Application fee - Seismic date fee - Development fee - Contract Service fee  Timor-Leste Exclusive Area:	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0 0 0 2,995,000 800,000	1,391,819  -4,145 1,475,964 0 0 0 160,000 0 -240,000	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013 0 160,000 2,995,000 560,000	1,628,991,039 272,896,407 38,761,831 39,293,618 1,273,852,013 0 160,000 3,001,500 560,000	-128,588  -258 0 0 0 0 -6,500 0	1,628,862,42 272,896,149 38,761,831 39,293,618 1,273,852,01 0 160,000 2,995,000 560,000
2Db) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste 1) First Tranche Petroleum Payments (FTP) - Condensate - Liquefied Petroleum Gas - Gas 1ii) Profit Oil & Gas payments 1iii) Other payments:  JPDA fee: - Application fee - Seismic date fee - Development fee - Contract Service fee - Timor-Leste Exclusive Area: - Application fee	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0 0 0 2,995,000 800,000 0	1,391,819  -4,145 1,475,964 0 0 0 160,000 0 -240,000	1,628,862,451  272,896,149 38,761,831 39,293,618 1,273,852,013 0 160,000 2,995,000 560,000 0	1,628,991,039  272,896,407 38,761,831 39,293,618 1,273,852,013 0 160,000 3,001,500 560,000 0	-128,588  -258 0 0 0 0 0 -6,500 0	1,628,862,45 272,896,149 38,761,831 39,293,618 1,273,852,01 0 160,000 2,995,000 560,000 0
2b) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste i) First Tranche Petroleum Payments (FTP) - Condensate - Liquefied Petroleum Gas - Gas - Gas - Gis - Gip Toff Oil & Gas payments - JPDA fee: - Application fee - Seismic date fee - Development fee - Contract Service fee - Timor-Leste Exclusive Area: - Application fee - Seismic date fee	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0 0 2,995,000 800,000 0	1,391,819  -4,145 1,475,964 0 0 160,000 0 -240,000 0	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013 0 0 160,000 2,995,000 560,000 0 0	1,628,991,039  272,896,407 38,761,831 39,293,618 1,273,852,013 0  0 160,000 3,001,500 560,000 0	-128,588  -258 0 0 0 0 0 -6,500 0 0	1,628,862,4: 272,896,149 38,761,831 39,293,618 1,273,852,010 0 160,000 2,995,000 560,000 0
2b) National Petroleum Authority  * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste  ) First Tranche Petroleum Payments (FTP)  Condensate  Liquefied Petroleum Gas Gas ii) Profit Oil & Gas payments iii) Other payments:  JPDA fee:  - Application fee  - Contract Service fee  Timor-Leste Exclusive Area:  - Application fee  - Seismic date fee  - Seismic date fee	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0 0 0 2,995,000 800,000 0	1,391,819  -4,145 1,475,964 0 0 0 160,000 0 -240,000	1,628,862,451  272,896,149 38,761,831 39,293,618 1,273,852,013 0 160,000 2,995,000 560,000 0	1,628,991,039  272,896,407 38,761,831 39,293,618 1,273,852,013 0 160,000 3,001,500 560,000 0	-128,588  -258 0 0 0 0 0 -6,500 0	1,628,862,45 272,896,149 38,761,831 39,293,618 1,273,852,01 0 160,000 2,995,000 560,000 0
2b) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste  Orndensate  Liquefied Petroleum Payments (FTP)  Condensate  Liquefied Petroleum Gas  Gas  ii) Profit Oil & Gas payments  iii) Other payments:  JPDA fee:  - Application fee - Seismic date fee - Development fee - Contract Service fee  Timor-Leste Exclusive Area:  - Application fee - Seismic date fee - Seismic date fee - Liquefied Fee - Seismic date fee - License fee/ Surface fee	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0 0 0 2,995,000 800,000 0 0 343,840	1,391,819  -4,145 1,475,964 0 0 0 160,000 0 -240,000 0 0 0	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013 0 160,000 2,995,000 560,000 0 0 343,840	1,628,991,039 272,896,407 38,761,831 39,293,618 1,273,852,013 0 160,000 3,001,500 560,000 0 0 465,670	-128,588  -258 0 0 0 0 0 0 -6,500 0 0 -121,830	1,628,862,45 272,896,149 38,761,831 39,293,618 1,273,852,01 0 160,000 2,995,000 560,000 0 0 343,840
2b) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste i) First Tranche Petroleum Payments (FTP) - Condensate - Liquefied Petroleum Gas - Gas ii) Profit Oil & Gas payments iii) Other payments:  JPDA fee: - Application fee - Seismic date fee - Development fee - Contract Service fee Timor-Leste Exclusive Area: - Application fee - Seismic date fee - Seismic date fee - Liquefied Petroleum Gas - Seismic date fee - License fee/ Surface fee	1,627,470,632  272,900,294 37,285,867 39,293,618 1,273,852,013 0 0 0 2,995,000 800,000 0 0 343,840	1,391,819  -4,145 1,475,964 0 0 0 160,000 0 -240,000 0 0 0	1,628,862,451  272,896,149 38,761,831 39,293,618 1,273,852,013 0 160,000 2,995,000 560,000 0 0 343,840	1,628,991,039  272,896,407 38,761,831 39,293,618 1,273,852,013 0 160,000 3,001,500 560,000 0 0 465,670	-128,588  -258 0 0 0 0 0 0 -6,500 0 0 -121,830	1,628,862,45 272,896,149 38,761,831 39,293,618 1,273,852,010 0 160,000 2,995,000 560,000 0 0 343,840
2b) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste i) First Tranche Petroleum Payments (FTP) - Condensate - Liquefied Petroleum Gas - Gas ii) Profit Oil & Gas payments iii) Other payments:  JPDA fee: - Application fee - Seismic date fee - Development fee - Contract Service fee Timor-Leste Exclusive Area: - Application fee - Seismic date fee - License fee/ Surface fee - License fee/ Surface fee  2c. Other a) Other payments to Government / person	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0 0 0 2,995,000 800,000 0 0 343,840	1,391,819  -4,145 1,475,964 0 0 0 160,000 0 -240,000 0 0 0	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013 0 160,000 2,995,000 560,000 0 0 343,840	1,628,991,039 272,896,407 38,761,831 39,293,618 1,273,852,013 0 160,000 3,001,500 560,000 0 0 465,670	-128,588  -258 0 0 0 0 0 0 -6,500 0 0 -121,830	1,628,862,45 272,896,149 38,761,831 39,293,618 1,273,852,01 0 160,000 2,995,000 560,000 0 0 343,840
2b) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste  - Liquefied Petroleum Payments (FTP) - Condensate - Liquefied Petroleum Gas - Gas - Gas - Gis - Gis - Higher Gas -	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0 0 0 2,995,000 800,000 0 0 343,840	1,391,819  -4,145 1,475,964 0 0 0 160,000 0 -240,000 0 0 0	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013 0 160,000 2,995,000 560,000 0 0 343,840	1,628,991,039 272,896,407 38,761,831 39,293,618 1,273,852,013 0 160,000 3,001,500 560,000 0 0 465,670	-128,588  -258 0 0 0 0 0 0 -6,500 0 0 -121,830	1,628,862,42 272,896,149 38,761,831 39,293,618 1,273,852,010 0 160,000 2,995,000 560,000 0 0 343,840
- Application fee - Seismic date fee - Development fee - Contract Service fee  Timor-Leste Exclusive Area: - Application fee - Seismic date fee - License fee/ Surface fee  2c. Other a) Other payments to Government / person Government Agency / National State Owned / Joint Venture Company name:	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0 0 2,995,000 800,000 0 0 343,840 0	1,391,819  -4,145 1,475,964 0 0 0 160,000 0 -240,000 0 0 0 0	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013 0 0 160,000 2,995,000 560,000 0 0 343,840 0	1,628,991,039 272,896,407 38,761,831 39,293,618 1,273,852,013 0 0 160,000 3,001,500 560,000 0 0 465,670 0	-128,588  -258 0 0 0 0 -6,500 0 0 -121,830 0	1,628,862,45 272,896,149 38,761,831 39,293,618 1,273,852,010 0 160,000 2,995,000 560,000 0 0 343,840 0
2b) National Petroleum Authority * for the purpose of the returns, all payments made by Extractive Industries to the National Petroleum Authority are regarded as payments made to the Government of Timor-Leste  - Liquefied Petroleum Payments (FTP) - Condensate - Liquefied Petroleum Gas - Gas - Gas - Gis - Gis - Higher Gas -	1,627,470,632 272,900,294 37,285,867 39,293,618 1,273,852,013 0 0 2,995,000 800,000 0 0 343,840 0	1,391,819  -4,145 1,475,964 0 0 0 160,000 0 -240,000 0 0 0 0	1,628,862,451 272,896,149 38,761,831 39,293,618 1,273,852,013 0 0 160,000 2,995,000 560,000 0 0 343,840 0	1,628,991,039 272,896,407 38,761,831 39,293,618 1,273,852,013 0 0 160,000 3,001,500 560,000 0 0 465,670 0	-128,588  -258 0 0 0 0 -6,500 0 0 -121,830 0	1,628,862,45 272,896,149 38,761,831 39,293,618 1,273,852,010 0 160,000 2,995,000 560,000 0 0 343,840 0

2,506,746,826

2,825,452

2,509,572,278

2,509,701,299

2,509,572,278

Total Payments

# TL-EITI

Timor-Leste
Extractive
Industry
Transparency
Initiative



Summary Compilation Report by EITI Working Group

**Timor-Leste Extractive Industries Transparency Initiative** 

for the year ended 31December 2008

**Secretariat of State for Natural Resources** 

Democratic Republic of Timor-Leste

LANGUAGE : ENGLISH

### **Background**

The Extractive Industries Transparency Initiative (EITI) was launched in 2002 and now is the global standard for promoting greater transparency and accountability in countries rich in oil, gas, or mineral resources. The initiative is supported by an international coalition of developing countries, donors, extractive industry companies, civil society organizations, investors, and international organizations.

The Government of Timor-Leste was one of the first to state its commitment to the Principles and Criteria of the Extractive Industries Transparency Initiative (EITI) on the occasion of the first international conference on EITI in London in June 2003. Adherence to EITI is aligned with the country's pursuit, from the outset, of transparency in the petroleum and mining sectors.

In late 2006, government invited Civil Society and the Industry to form the Timor-Leste EITI Working Group (WG) and the first meeting of the WG took place in May 2007.

Working Group comprises the following members:

Secretary of State for Natural Resources/Public Servant EITI Focal Point (Chairperson)

Two representatives of the Ministry of Finance

One representative of the Banking and Payments Authority (BPA)

Two representatives of the State Secretariat of Natural Resources

Three representatives of civil society

Three representatives of petroleum companies

#### Content of the EITI Report

The EITI Report shows the petroleum revenues paid by the Extractive Industry Companies and received by various Government agencies respectively. The purpose is to provide maximum transparency about revenue streams from the petroleum sector in Timor-Leste and to identify, discrepancies between the payments made by the Industry and received by the Government. This is the first fundamental step to ensure transparency in the management of the petroleum resources. The report provides disaggregate information about petroleum revenue payments made and received during 2008. According to the Petroleum Fund Law

all revenues from any petroleum operations, including any amount received from the Designated Authority (Autoridade Nacional do Petróleo) are defined as petroleum receipts and are payable to the Petroleum Fund. As the EITI is limited to the Extracting Industry, payments made by subcontractors contracted by oil companies, are not included in the reported figures under the EITI Report.

Currently there is no other extractives industry except from the petroleum business and therefore the EITI report includes solely revenues within the petroleum sector.

Payments regarded as normal routine business payments, such as vehicle licenses, visas, work and residence permits, electricity and water charges and similar fees and charges, are not included in the EITI Report.

### **The Reporting Process**

The EITI Working Group agreed on Reporting Guidelines and Templates in its meeting May, 18 2009 after an extensive process within the EITI Working Group. The Independent Auditor of the Petroleum Fund, Deloitte Touche Tohmatsu, was engaged to assist the Working Group to draft guidelines and to design templates for the reporting process.

Deloitte Touche Tohmatsu was also hired as the Aggregating Body in the reporting process and collated information from the reporting parties, reconciled and analyzed the data received, identified any discrepancies in the initial reporting and resolved them through a process involving the reporting parties. On November, 11 2009 Deloitte Touche Tohmatsu issued the EITI Report for Timor-Leste for 2008.

The Independent Auditor of the Petroleum Fund was chosen as the Aggregating Body in order to avoid duplication of work, as they have been collating similar information from the Companies as required under the Petroleum Fund Law for several years, including the issuance of Revenue Receipt Reports for the Petroleum Fund and an report following the templates provided by the International EITI Secretariat. These reports are included in the Annual Report of the Petroleum Fund. Moreover, using the Independent Auditor ensured that the legal framework already in place through the Petroleum Fund Law could be used for the EITI Report.

### The petroleum sector in Timor-Leste

Timor-Leste petroleum sector consists of two different jurisdictions with relevant legal and fiscal regimes; Joint Petroleum Development Area (JPDA), which is jointly managed by Australia and Timor-Leste, and Timor-Leste Exclusive Area (TLEA) and onshore prospects. The Autoridade Nacional do Petróleo (ANP), which was established by Decree Law no. 20/2008, is the official institution to administer the petroleum activities in both jurisdictions (JPDA and TLEA).

According to the Petroleum Sharing Contracts (PSCs) ANP is entitled to the share of revenue which derives as Royalties and Profit Oil & Gas. Royalties are revenues resulting from petroleum operations before cost recovery takes place and are shared between the ANP and the Operator. Profit Oil & Gas are revenues shared between the Joint Venture Partners and the ANP once the Joint Venture Partners have recovered their expenditures including investment credit/uplift. While Royalties are paid by the Operator, Profit Oil & Gas are paid to the ANP by each Joint Venture Partner. Moreover, oil companies operating in JPDA and TLEA are paying Contract Service Fees as license fees of the contract area and Development Fees once commercial discovery is declared.

The only field currently in operation, Bayu Undan, is located in the JPDA and the ANP's share of revenue from this field is transferred to Timor-Leste and Australia in accordance with Timor Sea Treaty (90% to Timor-Leste and 10% to Australia).

The Government of Timor-Leste levies petroleum taxes on the oil companies according to applicable Tax Law. The oil companies pay Income tax, additional profit tax, value added tax (VAT), wages tax and withholding tax. The National Directorate for Petroleum Revenue (NDPR) in the Ministry of Finance administers the petroleum taxes.

### **Key findings**

The total petroleum revenues paid by the Companies and received by the Government for 2008 are presented in table 1.

Table 1.Total Petroleum Revenue 2008

**US** Dollars

Revenue Items	Paid by	Received by	Differences
	Companies	Government	
Petroleum Taxes	880, 709,827	880, 709,827	-
Royalties/Profit Oil and Gas	1,624,803,611	1,624,803,611	-
Fees	4,058,840	4,058,840	-
Total	2,509, 572,278	2,509, 572,278	-

The petroleum taxes and royalties/profit oil & gas were approximately 35% and 65% of the total petroleum revenues in 2008 respectively. Although the various fees paid to the ANP in 2008 amounted to US\$ 4,058,840, they were only 0.2% of the total petroleum revenues during this period.

There were no discrepancies between the final figures reported by the Companies and Government for 2008.

#### Petroleum Taxes

Sixteen legal entities defined as Extractives Industry paid petroleum taxes to the Government of Timor-Leste in 2008. The petroleum taxes were paid directly to the Petroleum Fund. The operator, ConocoPhillips, of the only field in production, Bayu Undan, paid 60% of the total petroleum taxes received by the Government. The Joint Venture Partners Eni, Inpex, Santos and Tokyo Timor Sea are the other companies providing two-digit percentage numbers of petroleum taxes during this period.

Table 2 shows a list of all Extracting Industry Companies that paid petroleum taxes to the Government of Timor-Leste in 2008.

	Paid by	Received by	
Name of Companies	Companies	Government	Differences
ConocoPhilips (Emet) Pty Ltd	8,195,630	8,195,630	-
ConocoPhilips JPDA Pty Ltd	138,400,815	138,400,815	-
ConocoPhilips (03-13) Pty Ltd	47,549,819	47,549,819	-
ConocoPhilips (03-12) Pty Ltd	256,414,380	256,414,380	-
ConocoPhilips (Timor Sea) Pty Ltd	69,502,442	69,502,442	-
ConocoPhilips (03-19) Pty Ltd	5,373	5,373	-
PC (Timor Sea 06-102) Ltd	1,967,441	1,967,441	-
Santos JPDA (91-12) Pty Ltd	96,413,949	96,413,949	-
Eni JPDA 03-13 Limited	90,201,900	90,201,900	-
Eni Timor-Leste S.P.A (PSC 1-5)	3,587,192	3,587,192	-
Eni JPDA 06-105 PTY LTD	4,735,334	4,735,334	-
Oilex (JPDA 06-103) Ltd	2,592,332	2,592,332	-
Tokyo Timor Sea Resource Pty Ltd	69, 566,444	69,566,444	-
Inpex Sahul Co. Ltd (Revised)	91,445,803	91,445,803	-
Woodside Petroleum (Timor Sea 19) Pty			
Ltd	73,956	73,956	-
Reliance Exploration & Production DMCC	57,017	57,017	-
			-
Total	880,709,827	880,709,827	-

### Royalties and Profit Oil & Gas

The operator of the Bayu Undan field pays the royalties on behalf of the Joint Venture Partners, while each Partner pays its share of Profit Oil & Gas. ConocoPhillips paid 61% of the total royalties and profit oil & gas received by Autoridade Nacional do Petróleo in 2008.

In accordance with the Petroleum Fund Law the Autoridade Nacional do Petróleo transferred the receipts to the Petroleum Fund Account held by the Banking and Payments Authority (BPA).

The Royalties and Profit Oil & Gas paid by the Companies and received by the Government are included in Table 3.

	Paid by	Received by	
Name of Company	Company	Government	Difference
ConocoPhillips (Emet) Pty Ltd	13,226,265	13,226,265	-
ConocoPhillps JPDA Pty Ltd	221,114,059	221,114,059	-
ConocoPhillps (03-13) Pty Ltd	77,397,523	77,397,523	-
ConocoPhillps (03-12) Pty Ltd	573,204,288	573,204,288	-
ConocoPhillips ( Timor Sea ) Pty Ltd	112,142,343	112,142,343	_
Eni JPDA 03-13 Limited	158,457,474	158,457,474	_
Santos JPDA (91-12) Pty Ltd	161,424,724	161,424,724	-
Tokyo Timor Sea Resource Pty Ltd	132,668,436	132,668,436	-
Inpex Sahul Co. Ltd (Revised)	175,168,499	175,168,499	-
Total	1,624,803,611	1,624,803,611	-

#### Fees

Development fee and contract service fee are fees applicable within the Joint Development Petroleum Area (JPDA), while license fee/surface fee applies within Timor-Leste Exclusive Area. 95% of the fees received by the Autoridade Nacional do Petróleo is from the JPDA while 5% of the revenues is from TLEA. All fees, except from contract service fees which is retained by the ANP according to the Petroleum Sharing Contracts, are transferred to the Petroleum Fund.

A complete list of fees paid by the companies and received by the Government in 2008 is included in Table 4.

	Paid by	Received by	
Name of Company	Company	Government	Difference
ConocoPhillps (03-13) Pty Ltd			
- Seismic data fee	160,000	160,000	-
ConocoPhillps (03-12) Pty Ltd			
- Development fee	2,814,000	2,814,000	-
- Contract Service fee	160,000	160,000	-
Eni JPDA (06-105) (Revised)			
- Development fee	181,000	181,000	-
- Contract Service fee	160,000	160,000	-
Oilex (JPDA 06-103) Ltd			
- Contract Service fee	80,000	80,000	-
PC (Timor Sea 06-102) Ltd (Revised)			-
- Contract Service fee	80,000	80,000	-
Reliance Exploration & Production DMCC			
- License fee / Surface fee	23,840	23,840	_
Woodside Petroleum (Timor Sea 19) Pty			
Ltd			
- License fee / Surface fee	160,000	160,000	-
Woodside Petroleum (Timor Sea 20) pty Ltd			
- License fee / Surface fee	160,000	160,000	
	100,000	100,000	_
MINZA OIL & GAS LIMITED	90,000	90.000	
- Contract Service fee  Total	80,000 <b>4,058,840</b>	80,000 <b>4,058,840</b>	-
10(4)	4,030,040	4,030,040	-