

Enhancing good governance and increasing transparency in licensing operations

A Liberian Experience

By

Cooper V. Pency

Director of the MCIMU,

Ministry of Lands, Mines and Energy

Republic of Liberia

Feb. 2011

Talking points

- **Introduction and Background**
- **Improving Governance and Transparency**
- **Steps Taken in the Cadastre Unit to Improve Governance and Transparency**
- **How do we Continue to Improve Governance and Transparency in the Cadastre Unit?**
- **Remaining Challenges**
- **Conclusion**

Intro/Background

- The Ministry of Lands, Mines & Energy (MLME) was established by an act of Legislature to administer all activities related to land, mineral, water and energy resources exploration, coordination and development in the Republic of Liberia.
- The New Minerals and Mining Laws of April 2, 2000, was intended to govern the issuance of all mineral rights in Liberia.

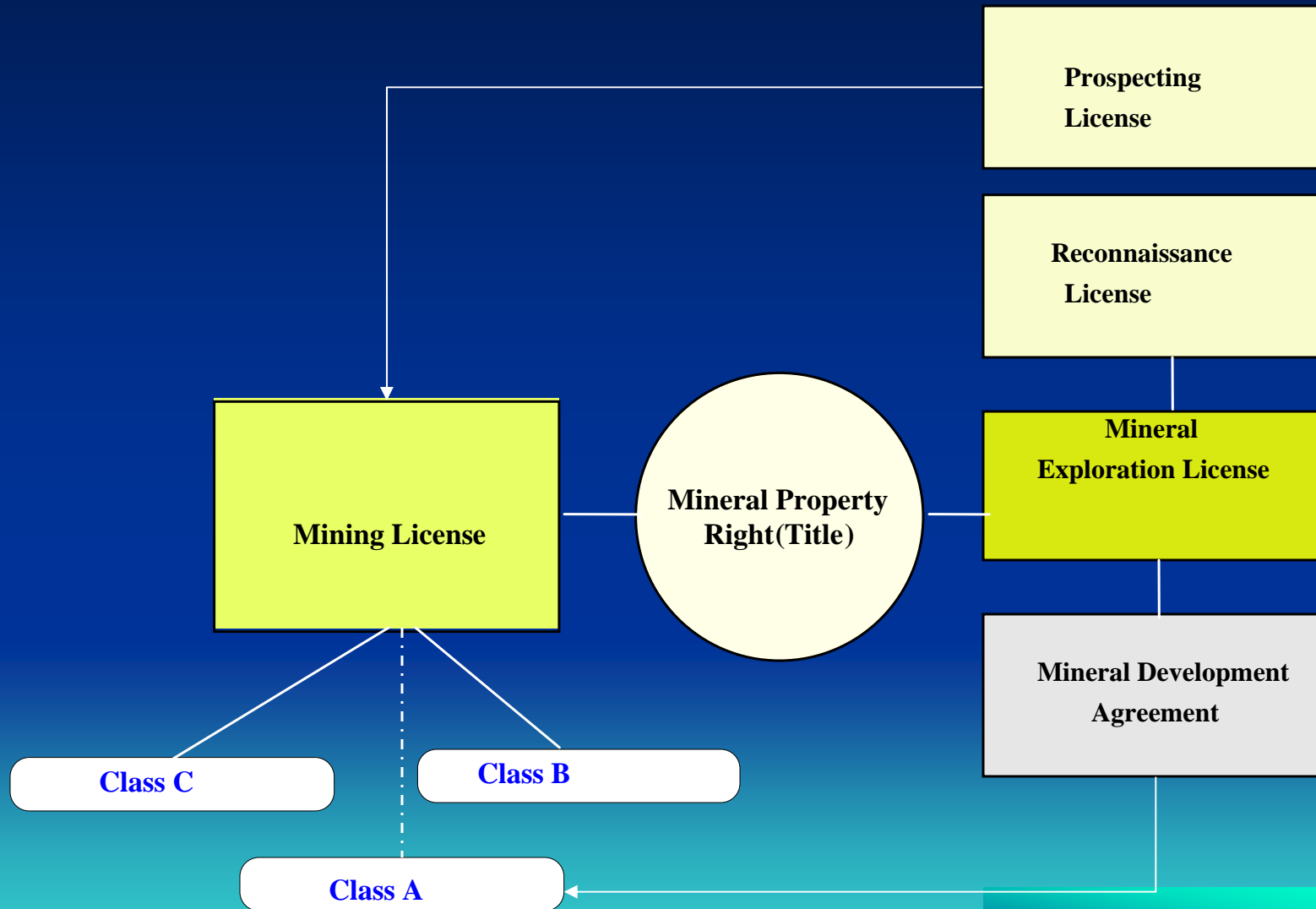
Intro/Background Cont'd

- It is superseded by other legislations intended to remove certain 'grey areas' within the Law, such as:
 - the Amended Public Procurement and Concessions Act of 2010 (PPCA) which came about to resolve conflicts in the issuance of Mineral titles;
 - The Mineral Exploration Regulations;
 - The Environmental Laws;
 - The Revenue Code (*Define fiscal issues*).

Intro/Background Cont'd

- None of the laws/regulations addresses cadastral procedures;
- USAID and the government of Liberia financed the design, development and implementation of the modern rules based Mining Cadastre Information Management System (MCIMS);
- This system is based on FLEXICADASTRE;
- FlexiCadastre provides reliable information about the precise location and status of mining rights;
- FlexiCadastre has helped to develop an organised digital centralised database system for the mining sector
- As is, proper implementation of our system is guided by outside processes:
 - Geospatial data collected from various departments (mines and exploration);
 - Human Resources, etc.

Basic Mineral Titles



Improving Governance and Transparency

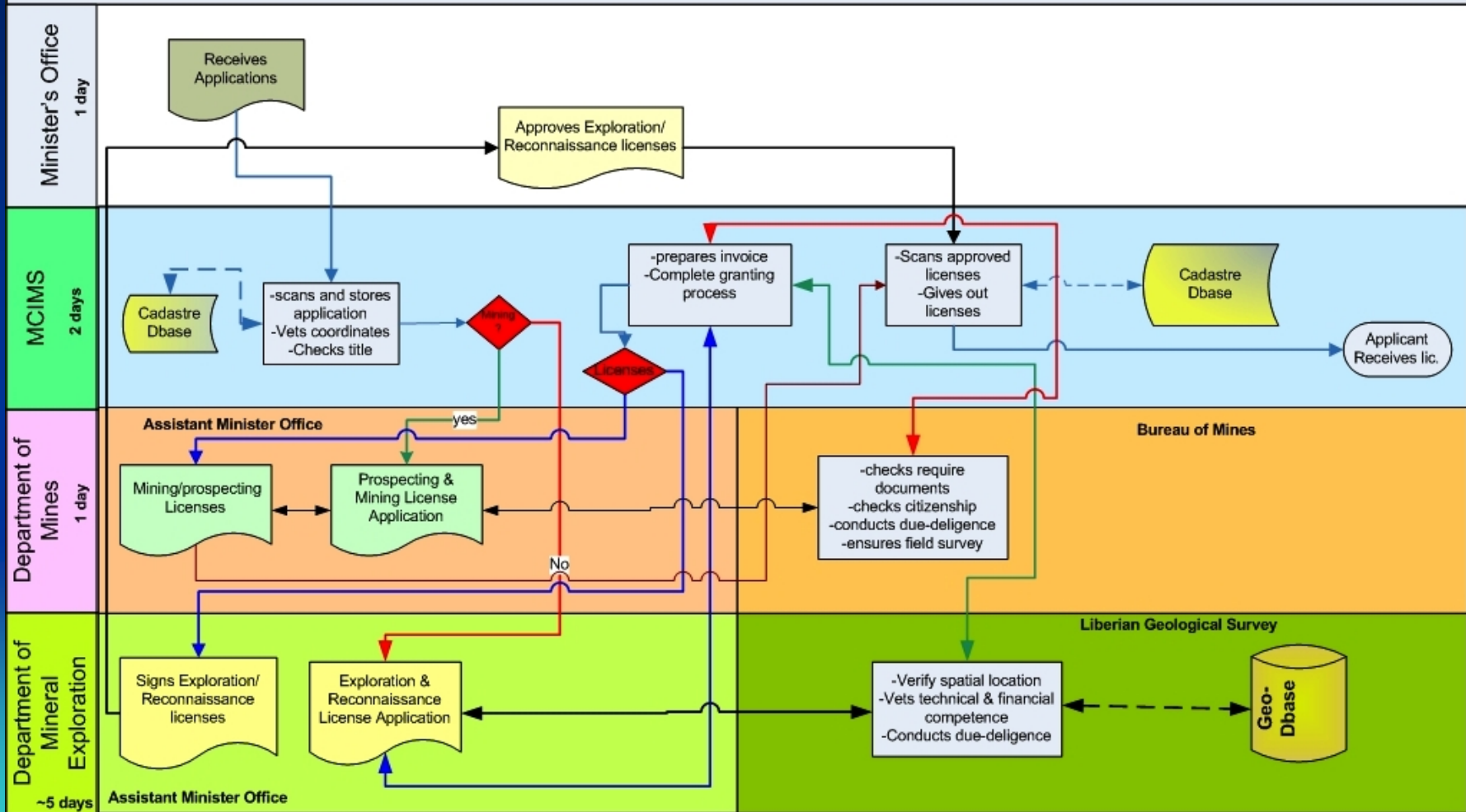
- Monitoring regulatory obligations of license holders, and enforcing the requirements
 - Such as non-payment of license fees
- Communication of regulatory obligations to license holders
 - Fees, reporting requirements, etc
- Implementing accountability measures
 - Records of decisions made
- Increasing the availability of information
 - License status's, processes related to licensing
 - Good leadership and culture
 - A lot depends on people in the end

Steps Taken to Improve Governance and Transparency

- Understanding and communication of regulatory requirements was key
- Analysed and defined processes related to licensing procedures
- Design of high level processes relating to license applications and licensing operations
- Design of detailed workflow diagrams (related to FlexiCadastre)
- Publishing and **communication** of all related processes to license holders, license applicants, mining agents and other stakeholders

Application Handling Procedures

Higher Order Processing of Mineral Rights Applications



High Level Application Procedure



REPUBLIC OF LIBERIA
 MINISTRY OF LANDS, MINES AND ENERGY
 P.O. BOX 18 0024
 1000 MONROVIA 10, LIBERIA, WEST AFRICA
 TEL: (220) 226 888 FAX: (220) 228 281



Applications Processed through the Mining Cadastre Unit

Applications received and processed through the Cadastre Office include:

- License Applications for the following license types:

- Reconnaissance
- Prospecting
- Exploration
- Class A Mining
- Class B Mining
- Class C Mining
- Quarry
- Brokerships
- Dealerships
- Jewellerys

- License Renewals
- License Modifications
- Extension of Term
- Transfer of Ownership
- Relinquishment of Area
- Addition of Area
- Suspension of License

Complete an Application Form

- All applications are completed on the same form
 - Application forms are available from the Ministry of Land, Mines and Energy, Mining Agents and from the MCIMS website: www.mcims.gov.lr

Pay the Application Fee

- All fees are paid at the Ministry of Finance
 - Proof of payment is required when submitting an application

Submit Application

- The application form and receipt for the application fee must be submitted to the Ministry of Land, Mines and Energy
 - When submitting an application form please include all required information and documents
 - The application is checked for completeness and dated by the Ministry before being delivered to the Cadastre Office
 - The application is scanned and entered in FlexCadastre

Review the Notice Board

- All application outcomes are published on the notice board outside the cadastre office
 - An official letter is also printed and sent to the applicant

Pay the Initialization Fee

- All fees are paid at the Ministry of Finance
 - Proof of payment must be submitted to the cadastre office for the further processing of the application
 - If the initialization fee is not paid within 2 weeks then your application will be rejected

Collect Your License

- Licenses are printed at the Cadastre Office and sent to the ministry for official signatures
 - Official licenses are scanned into FlexCadastre and then made available for collection
 - Your license will be available at the cadastre office

Keep up to Date with License Obligations

- Fees are paid at the Ministry of Finance
 - Reports are submitted to the Ministry of Land, Mines and Energy
 - Non-payment of license fees or not submitting license reports will result in your license being nullified
 - License renewals are due at least 30 days before the license expiry date

More Insight Into Application Processing Procedures

- Mineral rights applications are processed according to workflows implemented in FlexiCadastre;
- 90% of our job is focused on processing of small scale mining licenses

How do we Continue to Improve...

- Making Information Available
 - FlexiCadastre provides a current, accurate and centralised store of license information
 - Extraction of license reports
 - Publishing of license application, status and payments due reports
 - Accurate storage of spatial data and the printing of maps for the public and Ministry
- Development of a Website
 - Current reports, maps etc can be made available to the public

Example of a Weekly License Status Report

Applications Received in the Previous Month (January 2011)

License Code	License Name	Parties	Type	Status	Interest	Area	Map Reference	Applied	Granted	Expires
DB-2011-0004	Mustapha A. Sidee	Mustapha A. Sidee (100%)	Diamond Brokership	Application	Manage		Liberia,MONTSERRA DO	2011/01/10		
GD-2011-0001	MID-WEST DIAMOND & GOLD (LIB) INC.	MID-WEST DIAMOND & GOLD (LIB) INC. (100%)	Gold Dealership	Active	Manage		Liberia,MONTSERRA DO	2011/01/05	2011/01/18	2012/01/18
GD-2011-0002	WONDERFUL NEW ENERGY INDUSTRY LTB INC.	WONDERFUL NEW ENERGY INDUSTRY LTB INC. (100%)	Gold Dealership	Application	Manage		Liberia,MONTSERRA DO	2011/01/12		
MCL-2011-0039	Ernest Goffa	Ernest Goffa (100%)	Class C Mining	Application	Manage		Liberia,SINOE	2011/01/07		
MCL-2011-0040	Ernest Goffa	Ernest Goffa (100%)	Class C Mining	Application	Manage		Liberia,SINOE	2011/01/07		
MCL-2011-0041	A. Musa Keita	A. Musa Keita (100%)	Class C Mining	Application	Manage		Liberia,Gbarpolu	2011/01/07		
MCL-2011-0042	A. Musa Keita	A. Musa Keita (100%)	Class C Mining	Application	Manage		Liberia,Gbarpolu	2011/01/07		
MCL-2011-0043	Saah Lebbie & Fayah Nganda	Saah Lebbie & Fayah Nganda (100%)	Class C Mining	Application	Manage		Liberia,GRAND CAPE MOUNT	2011/01/05		
MCL-2011-0044	Sensie Paasewe	Sensie Paasewe (100%)	Class C Mining	Application	Manage		Liberia,GRAND CAPE MOUNT	2011/01/06		
MCL-2011-0045	A. Musa Keita	A. Musa Keita (100%)	Class C Mining	Application	Manage		Liberia,Gbarpolu	2011/01/07		
MCL-2011-0046	Evelyn K. Sumo	Evelyn K. Sumo (100%)	Class C Mining	Application	Manage		Liberia,Gbarpolu	2011/01/06		
MCL-2011-0065	A. Musa Keita	A. Musa Keita (100%)	Class C Mining	Application	Manage		Liberia,Gbarpolu	2011/01/07		
MCL-2011-0066	Ezekiel Sliwon	Ezekiel Sliwon (100%)	Class C Mining	Application	Manage		Liberia,SINOE	2011/01/07		
MCL-2011-0067	William B. Metzger Sr.	William B. Metzger Sr. (100%)	Class C Mining	Active	Manage		Liberia,BOMI TERR	2011/01/04	2011/01/26	2012/01/26
MCL-2011-0068	Amadu Kamara	Amadu Kamara (100%)	Class C Mining	Application	Manage		Liberia,Gbarpolu	2011/01/11		

Generated By: FlexiCadastré ADMIN
Generated: 2011/02/09 10:12:21

FlexiCadastré Liberia
Version 4.0.0.07

License Summary
Page 1 of 6

Transparency Initiatives

- Liberia was the first Country in Africa to implement the EITI;
- Our own EITI, the LEITI allows for us to make public what companies pay through PWYP principle.
- Payment reports can be extracted from FlexiCadastre providing the required information
- The Ministry regularly supply the local authorities with listing and maps of licenses;
- In collaboration with the Geological Survey, the Ministry regularly publish Mineral Property Map of Liberia;

Major challenges

- Application handling and licensing processes are not handled by the MCIMU alone;
- Small scale mining licenses are not being geospatially mapped;
- Slow pace in integrating all exploration and MDA data/records into FlexiCadastre, as information is not readily available
- Communication and monitoring of licenses in remote areas

Conclusion

- Usage of FlexiCadastre is contributing to the fast processing time of small scale mining licenses, thereby increasing governing revenues and encouraging local miners to legitimize their licenses;
- The Cadastre Unit has improved the communication of regulatory requirements and license related information;
- Processing and management of government issued mineral titles are very difficult to handle in the absence of political will, inter-departmental cooperation and logistics.

THANK YOU