

COMPLYING WITH THE EXTRACTIVE SECTOR TRANSPARENCY MEASURES ACT



Get the 'need-to-know' information about this complex new legislation, from Canada's leading experts.

Topics include:

- Comprehensive overview of the new reporting requirements for the oil, gas and mining industries
- Types of payments captured by the Act
- Impact on international extractive companies of parallel initiatives in the EU and US
- How to treat payments to Aboriginal groups
- Practical strategies for payment tracking and reporting

Plus! Cement your understanding of key issues through an interactive discussion using case studies that bring it all together.

Arm yourself with best practices and strategies for complying with the new reporting obligations

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Chairs

Eden M. Oliver, *Bennett Jones LLP*
Nadim Kara, *Prospectors & Developers Association of Canada*

Location

Osgoode Professional Development
1 Dundas St. W., 26th Floor
Toronto, ON

Date and Time

December 3, 2015
9:00 a.m. - 4:00 p.m. EST

Webcast Available



COMPLYING WITH THE EXTRACTIVE SECTOR TRANSPARENCY MEASURES ACT

Proclaimed in force on June 1, 2015, the new federal *Extractive Sector Transparency Measures Act* creates significant mandatory reporting obligations for organizations in the extractive industries (mining, oil and gas). Entities captured by the Act must comply as of their next financial year. Sanctions for contravening the Act are significant. If you work with or for organizations in these industries, you must have a solid understanding of the Act and its implications, in order to ensure you are providing your organization and/or client with the best advice.

Over one intensive day our expert faculty will cover:

- Application and key components of the Act
- Local impact of international reporting requirements
- Reporting requirements for subsidiaries, controlled entities and joint projects
- Reporting payments to Aboriginal groups
- Best practices for accounting and reporting structure and processes
- Recordkeeping and preparing for potential audits
- Offences, sanctions and potential liability under the new regime

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Chairs

Eden M. Oliver, *Bennett Jones LLP*

Nadim Kara, *Prospectors & Developers Association of Canada*

Faculty

J.P. Gladu

Canadian Council for Aboriginal Business

John Mullally

Goldcorp Inc.

Kelly Ohayon

PricewaterhouseCoopers LLP

Mariano Ortego

PricewaterhouseCoopers LLP

Dan Pujdak

Chiefs of Ontario

Ben Pullinger

Roxgold Inc.

WHO SHOULD ATTEND

- Corporate/commercial, mining, oil and gas lawyers in private practice
- In-house counsel at mining, oil and gas companies
- Business executives, compliance professionals and risk managers in the mining, oil and gas industries
- Lawyers who engage with Aboriginal communities in the context of the extractive sector
- Chief financial officers and accountants at mining, oil and gas companies

AGENDA - DECEMBER 3, 2015

8:30

Registration and Continental Breakfast

9:00

Opening Remarks from the Chairs

EDEN M. OLIVER

Bennett Jones LLP

NADIM KARA

Prospectors & Developers Association of Canada

9:10

Understanding the Extractive Sector Transparency Measures Act

EDEN M. OLIVER

Bennett Jones LLP

KELLY OHAYON

PricewaterhouseCoopers LLP

- Key components
- Application of the reporting requirements
- If and how does the Act apply to foreign listed companies and unlisted entities?
- Responsibilities for administration and enforcement tools
- Offences and sanctions under the new regime
- Parallel international initiatives in the EU and US

9:50

Types of Payments to be Reported under the ESTMA

NADIM KARA

Prospectors & Developers Association of Canada

- Categories of payments to be reported:
 - taxes
 - royalties
 - fees
 - bonuses
 - production entitlements
 - dividends
 - infrastructure payments
- Monetary versus "in-kind" payments
- Discussion of the Technical Reporting Specifications and Reporting Template produced by Natural Resources Canada

10:30

Refreshment Break

10:45

What does the ESTMA Mean for Industry Relations with Aboriginal Communities?

J.P. GLADU

Canadian Council for Aboriginal Business

DAN PUJDAK

Chiefs of Ontario

- New reporting requirements for payments to Aboriginal groups

- Confidentiality requirements in agreements with Aboriginal groups
- Potential impact of the ESTMA on negotiations between industry and Aboriginal communities
- Understanding concerns expressed by Aboriginal groups

12:00

Networking Luncheon

12:45

Developing a Framework for Payment Tracking and Reporting

JOHN MULLALLY

Goldcorp Inc.

BEN PULLINGER

Roxgold Inc.

- Assessing current reporting requirements domestically and internationally
- Working with the finance group: changes to accounting and reporting structure and processes
- Key internal policies and controls
- Capturing "in-kind"/non-monetary payments
- Understanding the role of the board and audit committee
- Recordkeeping requirements and preparation for potential audits

2:15

Refreshment Break

2:30

Putting it all Together: Case Studies

EDEN M. OLIVER

Bennett Jones LLP

NADIM KARA

Prospectors & Developers Association of Canada

MARIANO ORTEGO

PricewaterhouseCoopers LLP

In this interactive session, the experts will take you through case studies specially designed for this program that will reinforce the day's content. There will be ample opportunity for discussion and Q&A. Topics include:

- Analyzing whether the Act applies
- Special issues for corporate groups, including the concept of "control", reporting payments by subsidiaries and other controlled entities
- Considerations for joint projects
- Tools and resources for managing requirements of more than one jurisdiction
- Anti-corruption and bribery issues

4:00

Program Concludes

Complying with the *Extractive Sector Transparency Measures Act*I will attend: On site Via webcast (single viewer)

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Dates & Times

December 3, 2015
 9:00 a.m. - 4:00 p.m. EST

Location

Osgoode Professional Development
 1 Dundas St. W., 26th Floor, Toronto, ON

Please arrive a half hour early for sign-in and material pick-up.
 Dress is business casual.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund (less \$75 administration fee) is available if a cancellation request is received in writing 5 days prior to the program date. No other refund is available.



4 Convenient Ways to Register

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