



Government
of Canada

Gouvernement
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Extractive Sector Transparency Measures Act

Technical Reporting Specifications



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Introduction

The *Extractive Sector Transparency Measures Act* (ESTMA) (the Act) requires Reporting Entities to provide a report of payments made to governments to Natural Resources Canada (NRCan) no later than 150 days after the end of each of its financial years, in the form and manner specified by the Minister of Natural Resources Canada (the Minister). The Act also requires Reporting Entities to make their reports available to the public in the manner specified by the Minister.

The purpose of the *Technical Reporting Specifications* is to provide the form and manner specifications for the reporting process, including instructions on how to complete the reporting template, and specifications on other aspects of the form and manner of reporting under the authority set out in sections 9(5) and 12(2)(a) of the Act.

To facilitate communication between NRCan and Reporting Entities, a process for enrollment as an ESTMA Reporting Entity is set out in this document.

As a companion to this document, the *Guidance* has been developed to help Reporting Entities understand the reporting requirements of the Act, and can be found on the Government of Canada website. The Guidance is not prescriptive, but rather practical and illustrative.

1. Reporting process

Step 1

Enrol with NRCan and obtain an ESTMA ID number

The Contact Form must be completed and submitted to NRCan by email at nrcan.estma_reports-rapports_ltmse.nrcan@canada.ca.

NRCan will provide a unique identification number (ESTMA ID number) to all Reporting Entities, including subsidiary Reporting Entities.

The ESTMA ID number must be referenced in all future correspondence – including when submitting a report.

Step 2

Obtain reporting tools.

All reporting tools, including the *Technical Reporting Specifications*, the *Guidance*, the reporting templates and the Contact Form are available for download at the Government of Canada website.

Inquiries on how to report may be sent to nrcan.estma-ltmse.nrcan@canada.ca.

Step 3

Complete an ESTMA report in XLS or PDF.

ESTMA reports must be created based on one of two reporting templates (XLS or PDF).

A step-by-step guide is included in [Annex A](#) in this document.

Step 4

Publish online and submit the report to NRCan.

This step must be completed no later than 150 days following the end of your financial year.

Completed reports must be published online in XLS or PDF format.

The reports must be publicly available for at least five years.

A link to the ESTMA reports, as well as an electronic copy of the most recent report, must be sent to NRCan by email at nrcan.estma_reports-rapports_ltmse.nrcan@canada.ca.

Step 5

NRCan publishes the link on the ESTMA website

NRCan will publish links to all reports on the Government of Canada website.

2. Reporting and publishing specifications

The following contains a number of specifications for preparing and publishing annual reports.

2.1 Preparing a report

- ✓ Reports must be completed in either English or French.
- ✓ All forms and templates can be downloaded on the Government of Canada website.
- ✓ Reporting Entities must report in either XLS format or PDF format. NRCan encourages Reporting Entities to use the XLS format.
- ✓ An illustrative step-by-step guide for completing the report is included in this document in [Annex A](#).

2.2 Enrol with NRCan as an ESTMA Reporting Entity

2.2.1 Submitting the mandatory Contact Form

Enrolling as an ESTMA Reporting Entity will enable stronger communication between NRCan and the reporting population by providing contact and other relevant information to NRCan prior to submitting a report. This information will not be disclosed publically.

Enrolment is done through completion and submission of a “Contact Form” by Reporting Entities, including subsidiary Reporting Entities, to NRCan (by email at nrcan.estma_reports-rapports_ltmse.mcan@canada.ca) prior to submitting a report. Reporting Entities are encouraged to enrol with NRCan before June 30, 2016. Should a business become aware that it is an ESTMA Reporting Entity at a later date, it is encouraged to enrol with NRCan as soon as possible. In the event of changes to information in the Contact Form, an updated Contact Form must be provided to NRCan.

The Contact Form is for NRCan internal administrative use only and will not be published on the ESTMA website. The blank form is available on the Government of Canada website.

2.2.2 Obtaining an ESTMA identification number

Following receipt of the Contact Form, NRCan will assign a unique ESTMA identification (ID) number to all Reporting Entities by email. The ESTMA ID number must be referenced in all future correspondence between NRCan and Reporting Entities – including in all future ESTMA reports.

2.3 Organizing and reporting payments in a report

2.3.1 Method of accounting

Payments must be disclosed on a cash accounting basis (i.e. reported based on when the payment is made, not when a commitment is made for a payment).

When completing reports, payments should be rounded to the nearest \$10,000. Rounding is not to be used for determining reportable payments.

2.3.2 Breakdown of payments

Payments must be broken down to indicate which payee received the payment.

Payments must also be broken down to the project level when they can be attributed to a specific project. Where a payment is not attributable to a specific project, it may be disclosed in the report without splitting or disaggregating the payment to allocate it to a specific project. Payee-level disclosure for such payments is sufficient.

The report must also include the total of each payment category to each payee and project where applicable.

Reporting Entities are encouraged, where practical, to list the name of the department, agency or other body of the payee that received the payment, if more than one such body of a payee received a payment from the reporting entity.

Project definition

A “project” means the operational activities that are governed by a single contract, license, lease, concession or similar legal agreement and form the basis for payment liabilities with a government. Nonetheless, if multiple such agreements are substantially interconnected, this shall be considered a project.

“Substantially interconnected” means forming a set of operationally and geographically integrated contracts, licences, leases or concessions or related agreements with substantially similar terms that are signed with a government and give rise to payment liabilities.

2.3.3 Substance over form

The disclosure of payments required under the Act must reflect the substance rather than the form of the payment or activity concerned.

2.3.4 Reporting currency

Reporting Entities must report in Canadian currency or in the currency of the Reporting Entity (e.g. currency used in a Reporting Entity’s consolidated financial statements). Reports must use only one type of currency.

If a Reporting Entity has made payments in currencies other than Canadian dollars or its reporting currency, it may choose to calculate the currency conversion between the currency in which the payment was made and Canadian dollars or the reporting currency, as applicable, in one of three ways:

- By converting the payments at the exchange rate existing at the time the payment is made.
- Using a weighted average of the exchange rates during the period.
- Based on the exchange rate as of the issuer’s financial year end.

Reporting Entities must include a note in their ESTMA reports that discloses the exchange rate and primary method used for currency conversions.

2.3.5 In-kind payments

The monetary value of any in-kind payment made to a payee by a Reporting Entity must be reported under the Act.

If a Reporting Entity can determine the cost of an in-kind payment, that is the value that should be reported. If the cost is not determinable, the in-kind payment should be reported at the fair market value. A Reporting Entity may employ an existing valuation methodology used in its financial statements or for another commercial purpose (e.g. a production-

sharing contract may specify a valuation methodology) to determine fair market value. A Reporting Entity must include a supplementary note in its report briefly summarizing how the value of any in-kind payment has been determined.

2.3.6 Attestation

Each report is required to include an attestation statement. Reporting Entities may choose from the following two attestation options that are set out in either reporting template:

- Attestation by a director or officer of the Reporting Entity.
- Attestation through independent audit.

Either option emphasizes that the Reporting Entity (i.e. director or officer of the entity) is responsible for the contents of the ESTMA report, as required by the Act.

When an independent attestation is used, the required engagement with an independent auditor is an audit conducted in accordance with Canadian auditing standards. The independent auditor's responsibility is to express an opinion on the ESTMA report based on its audit. NRCan requires an unmodified audit opinion based on an audit of the ESTMA report. That is, the auditor has not identified the need to modify the audit opinion because of a material misstatement of the information in the annual report or because the auditor is unable to obtain sufficient appropriate audit evidence to conclude that the annual report is free from a material misstatement.

For the purposes of conducting the audit:

- The applicable financial reporting framework for reporting is considered to be a special purpose framework
- The framework is a compliance framework because it requires compliance with the specific requirements of the Act.

Instructions on how to complete an attestation statement in a report can be found in [Annex A](#).

2.4 Publishing and submitting a report

Reporting Entities are required to publish their reports on the Internet so they are available to the public. Further, Reporting Entities must also provide NRCan a link to the report within 150 days following the end of their financial year.

Timeline example

A Reporting Entity's financial year ends on December 31, 2016. To comply with the Act, the reporting entity must publish its report online and provide NRCan with a direct link to the report no later than May 30, 2017 (150 calendar days following the end of their fiscal year).

2.5 Maintenance and record keeping

In the event that a published report requires amendments, a Reporting Entity must inform NRCan in detail of any changes to the report, provide an electronic copy of the latest version of the report and ensure that the most up-to-date report is available at the previously provided link.

In addition, the amended report must include a note that identifies the amendment(s).

Submitted ESTMA reports must be publicly available for a period of no less than five years from the date they were published and initially provided to NRCan. All ESTMA reports published within the last five years should be made available at the same link.

As set out in the Act, Reporting Entities must keep records of their payments to governments for a period of no less than seven years from the date the payment was published in a report and provided to NRCan.

3. Alternate mechanisms for preparing a report

3.1 Reporting through another Reporting Entity in situations with less than 100 percent ownership

For situations where a parent Reporting Entity has 100 percent ownership of a subsidiary Reporting Entity, the Act includes provisions to allow the subsidiary to report their respective payments through the parent Reporting Entity (section 11 of the Act).

This approach can also be used in situations where a parent Reporting Entity does not have 100 percent ownership of a subsidiary Reporting Entity and both Reporting Entities want to report their respective payments through the parent Reporting Entity. In such a case, both the parent and subsidiary Reporting Entities have legal obligations under the Act.

The parent and subsidiary reporting entities should follow the requirements set out in section 11 of the Act.

3.2 Substitution

Where reporting requirements in other jurisdictions have been determined to be an acceptable substitute by Canada, a Reporting Entity may use reports prepared and filed in the other jurisdiction to meet the reporting requirements under the Act. Reporting Entities must still meet the publishing requirements of the Act using their report prepared under the other jurisdiction's reporting requirements.

Substitution determinations for other jurisdictions are made public by NRCan at the Government of Canada website. The substitution determination will include specifications on the form and manner of providing the report to NRCan. Further information on how substitution will work can be found in the *Guidance*.

ANNEX A. HOW TO PREPARE AND SUBMIT AN ESTMA REPORT

1. Enrol with NRCan and obtain an ESTMA ID number.
2. Obtain reporting tools.
3. Complete an ESTMA report in XLS or PDF format.
4. Publish the ESTMA report online, and submit the report to NRCan.

1. Enrol with NRCan

Reporting Entities are encouraged to enrol with NRCan as soon as possible.

1.1 Download the mandatory Contact Form

- ❖ The Contact Form is available for download at the Government of Canada website.
- ❖ All fields must be completed accurately. Entities must use their exact legal entity name for each of their reports.
- ❖ A contact and alternate contact are required for all Reporting Entities and Subsidiary Reporting Entities.
- ❖ The contact identified for a Reporting Entity in the Contact Form will act as the initial point of contact between the entity and NRCan for all communications, updates and compliance notifications.
- ❖ The Contact Form is for NRCan internal administrative use only and will not be published online.

1.2 Obtain an ESTMA ID number

Once the Contact Form is completed, it must be sent to NRCan via the following email address: nrcan.estma_reports-rapports_ltmse.rncan@canada.ca. Following receipt of the Contact Form, NRCan will assign a unique ESTMA ID number to all Reporting Entities and Subsidiary Reporting Entities by email.

The ESTMA ID number must be referenced in all future correspondence between NRCan and Reporting Entities – including in all ESTMA reports.

2. Obtain reporting tools, including templates

- ❖ The reporting templates are available at the Government of Canada website.
- ❖ ESTMA reports must be published in either XLS or PDF format. NRCan encourages the use of XLS format.
- ❖ Reporting Entities may recreate the templates; however all fields and terminology in both the cover page and the payments tables must appear in exactly the same manner as depicted in the templates.

3. Complete an ESTMA report in XLS or PDF format

3.1 Complete a cover page for your ESTMA report

All fields in the cover page are mandatory.

- ✓ **Reporting year:** Insert the start date (From) and end date (To) of the financial year captured in the report.
- ✓ **Reporting entity name:** Insert the name of the Reporting Entity that matches exactly the legal name provided during enrolment on the Contact Form.
- ✓ **Reporting Entity ESTMA identification number:** Insert the ESTMA ID number obtained during enrolment.
- ✓ **Subsidiary Reporting Entities:** If applicable, enter the names and ESTMA ID numbers for each *Subsidiary Reporting Entity* included in the report.

3.2 Complete the mandatory attestation statement included on the cover page

- ❖ Read both attestation statements carefully, and select the checkbox that applies to your situation.
- ❖ Enter the end date of the financial year covered in the report at the end of the checked attestation statement.
***Only the text marked in red in the XLS attestation statements and included as a fillable box in the PDF attestation statements can be amended. Reporting Entities are prohibited from altering any other language in the attestation statements.**
- ❖ If the attestation (through independent audit) option was selected, provide a link to the audit opinion received in the appropriate section of the cover page.
- ❖ Insert the appropriate full name and position title of the attesting director or officer of the entity and provide the date when the attestation on the report was completed.

3.3 Complete the payments by payee and payments by project spreadsheets

Reporting Entities may add rows to the payments tables as required; however, columns may not be added or amended – they must appear in exactly the same order as indicated in the reporting templates.

Both tables (Payments by payee and Payments by project) must be populated in order to be compliant with the Act.

3.3.1 For the XLS template

To access the Payments worksheets, click the Payments by payee and Payments by Project tabs at the bottom of the spreadsheet.

Populate each column with the appropriate information. Certain payments may require qualifying notes, to be included in the Notes column. This column may also be used to provide context for payments, if desired by the Reporting Entity.

Country names must be entered in accordance with the list provided in [Annex B](#) of this document.

3.3.2 For the PDF template

Begin by selecting a country from the drop-down list. If you are recreating the template, country names must be entered in accordance with the list provided in [Annex B](#) of this document.

To add a country, click the Click to add another country tab. This step will generate a new page, allowing the selection of another country with two new payments tables.

Once a country is selected, populate each column of both Payee and Project tables with the appropriate information. Certain payments may require qualifying notes, to be included in the Notes column. This column may also be used to provide context on payments, if desired by the Reporting Entity.

Additional rows may be added by selecting the Click to add a line tab.

4. Publish the ESTMA report online and submit the report to NRCan

- ✓ **Publish the completed ESTMA report on the Internet:** ESTMA reports must be publicly available online for at least five years. All ESTMA reports published in the last five years must be grouped together at the same link.
- ✓ **Provide the report to NRCan:** Send a link to the Reporting Entity's ESTMA reports, as well as an electronic copy of the most recent report, to NRCan via email at nrcan.estma_reports-rapports_ltmse.nrcan@canada.ca.
- ✓ **Ensure that the report is up-to-date and accurate:** If a report is amended, Reporting Entities must inform NRCan in detail of any changes to the report, provide an electronic copy of the latest version of the report, and ensure that the most up-to-date report is available at the previously provided link.
- ✓ **Add a version number to the title of the report for each amended report submitted:** In addition, the amended report must include a note that identifies the amendment(s).
- ✓ **Keep records of payments contained in the report:** Reporting Entities must keep records of their payments to governments for seven years from the date a payment was published in a report and provided to NRCan.

Additional information resources are available at www.nrcan.gc.ca/estma

All inquiries may be sent to nrcan.estma-ltmse.nrcan@canada.ca

ANNEX B. List of countries for reports (as per ISO 3166)

A

Afghanistan
Åland Islands
Albania
Algeria
American Samoa
Andorra
Angola
Anguilla
Antarctica
Antigua and Barbuda
Argentina
Armenia
Aruba
Australia
Austria
Azerbaijan

B

Bahamas
Bahrain
Bangladesh
Barbados
Belarus
Belgium
Belize
Benin
Bermuda
Bhutan
Bolivia (Plurinational State of)
Bonaire, Sint Eustatius and Saba
Bosnia and Herzegovina
Botswana
Bouvet Island
Brazil
British Indian Ocean Territory
Brunei Darussalam
Bulgaria
Burkina Faso
Burundi

C

Cambodia
Cameroon
Canada
Cabo Verde
Cayman Islands
Central African Republic
Chad
Chile
China
Christmas Island

Cocos (Keeling) Islands
Colombia
Comoros
Congo
Congo (Democratic Republic of the)
Cook Islands
Costa Rica
Côte d'Ivoire
Croatia
Cuba
Curaçao
Cyprus
Czech Republic

D

Denmark
Djibouti
Dominica
Dominican Republic

E

Ecuador
Egypt
El Salvador
Equatorial Guinea
Eritrea
Estonia
Ethiopia

F

Falkland Islands (Malvinas)
Faroe Islands
Fiji
Finland
France
French Guiana
French Polynesia
French Southern Territories

G

Gabon
Gambia
Georgia
Germany
Ghana
Gibraltar
Greece
Greenland
Grenada
Guadeloupe
Guam
Guatemala

Guernsey
Guinea
Guinea-Bissau
Guyana

H

Haiti
Heard Island and McDonald Islands
Holy See
Honduras
Hong Kong
Hungary

I

Iceland
India
Indonesia
Iran (Islamic Republic of)
Iraq
Ireland
Isle of Man
Israel
Italy

J

Jamaica
Japan
Jersey
Jordan

K

Kazakhstan
Kenya
Kiribati
Korea (Democratic People's Republic of)
Korea (Republic of)
Kuwait
Kyrgyzstan

L

Lao People's Democratic Republic
Latvia
Lebanon
Lesotho
Liberia
Libya
Liechtenstein
Lithuania
Luxembourg

M

Macao
Macedonia (the former Republic of Yugoslavia)
Madagascar
Malawi
Malaysia
Maldives
Mali
Malta
Marshall Islands
Martinique
Mauritania
Mauritius
Mayotte
Mexico
Micronesia (Federated States of)
Moldova (Republic of)
Monaco
Mongolia
Montenegro
Montserrat
Morocco
Mozambique
Myanmar

N

Namibia
Nauru
Nepal
Netherlands
New Caledonia
New Zealand
Nicaragua
Niger
Nigeria
Niue
Norfolk Island
Northern Mariana Islands
Norway

O

Oman

P

Pakistan
Palau
Palestine, State of
Panama
Papua New Guinea
Paraguay

Peru
Philippines
Pitcairn
Poland
Portugal
Puerto Rico

Q

Qatar

R

Réunion
Romania
Russian Federation
Rwanda

S

Saint Barthélemy
Saint Helena, Ascension and Tristan da Cunha
Saint Kitts and Nevis
Saint Lucia
Saint Martin (French part)
Saint Pierre and Miquelon
Saint Vincent and the Grenadines
Samoa
San Marino
Sao Tome and Principe
Saudi Arabia
Senegal
Serbia
Seychelles
Sierra Leone
Singapore
Sint Maarten (Dutch part)
Slovakia
Slovenia
Solomon Islands
Somalia
South Africa
South Georgia and the South Sandwich Islands
South Sudan
Spain
Sri Lanka
Sudan
Suriname
Svalbard and Jan Mayen
Swaziland
Sweden

Switzerland
Syrian Arab Republic

T

Taiwan, Province of China
Tajikistan
Tanzania, United Republic of
Thailand
Timor-Leste
Togo
Tokelau
Tonga
Trinidad and Tobago
Tunisia
Turkey
Turkmenistan
Turks and Caicos Islands
Tuvalu

U

Uganda
Ukraine
United Arab Emirates
United Kingdom of Great Britain and Northern Ireland
United States of America
United States Minor Outlying Islands
Uruguay
Uzbekistan

V

Vanuatu
Venezuela (Bolivarian Republic of)
Viet Nam
Virgin Islands (British)
Virgin Islands (U.S.)

W

Wallis and Futuna
Western Sahara

Y

Yemen

Z

Zambia
Zimbabwe