PROMOTING A SUSTAINABLE FUTURE

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PEAK ASSOCIATION INC

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1.0 VISION:

"Promoting a Better Future"

1.1 PEAK Association Inc is an independent association which seeks to ensure that long-term, sustainable development outcomes arise from the activities of the Porgera gold mine in Enga Province, PNG (the Mine), and that these outcomes are consistent with international best practice in social, economic and environmental terms.

1.2 Through providing advisory, information brokering and review services, PEAK adds value to the interests of the directly affected communities, the Porgera Joint Venture (PJV), which owns and manages the mine, other parties involved in sustainable development in the region, and other significant stakeholders.

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2.0 FUNCTIONS AND ROLES

2.1 The major roles of PEAK fall into three main areas: review and evaluation, advisory services, and information brokering and communication. Specific functions will change through time. However, for the years 2005-8, the activities of PEAK will focus on the following areas:

a) Review and Evaluate:

- Provide an *independent review of the sustainability process*, including the scope of recommendations and proposals arising from the Porgera Mine Closure and Sustainability Plan.
- *Monitor implementation and compliance* with any formalized or understood requirements arising from the above, in terms of the social, economic and

environmental performance of PJV and other parties.

- *Review Mine closure or sustainable development issues* raised by external stakeholders for consideration by PJV and other parties.

b) Advisory services:

- *Identify key issues* in each of the areas of social, economic and environmental programs and impact. Where appropriate *commission studies* using external experts and institutions.
- *Provide advisory services* to all major stakeholders – in particular to communities, PJV, and the Government. Advice will be drawn from the expertise of the PEAK membership, from material held in the knowledge bank, as well as from commissioned studies.
- P*rovide inputs into mine closure planning and implementation*

*c) Information brokering and communication***:**

- Compile a *knowledge bank* and serve as a clearing-house for information on topics relevant to sustainable development and environmental management in the target region as a service to a wide range of stakeholders and clients, locally, nationally and internationally. This could include maintenance of a website, a library of relevant documents, a register of expertise and aggregation of other relevant information (including case studies of good practice from elsewhere in PNG and internationally).
- Act as a *conduit for communication* of relevant information: i) to the target communities in Porgera, and from these communities to other stakeholders; and ii) to external national and international constituencies.
- Where appropriate, assist in *facilitating effective partnerships*, particularly in regard to assisting with linkages and networks between potential partners, brokering capacity building or support to community-level organizations engaged in partnerships, independent monitoring of partner contributions, and assessment of impact.

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3.0 MEMBERSHIP

3.1 PEAK is a largely independent skill base body, and its composition will reflect its requirements in terms of the resources needed for it to carry out its vision and roles. However, it is intended that membership of PEAK will reflect a balance of representation from the communities, from the private sector, government and civil society organizations, as well as a balance of relevant expertise in the social, economic and environmental aspects of sustainable development.

3.2 PEAK shall have a total membership not exceeding 16 comprising the following:

- 1 Chairperson
- 6 members representing key institutions, including:
  - 3 PNG Government Representatives (Department of Mining, Department of Environment & Conservation and Department of National Planning)
  - 1 PJV, 1 PDN
  - 1 Porgera District Women's Association
- Up to 9 members who bring to PEAK individual specialist expertise, knowledge or networks of relevance to its work, and which include:
  - At least one member who comes from the Porgera communities
  - At least two members with experience in NGOs or civil-society institutions
  - Specialists from any organization with expertise relevant to sustainable development, and representing a balance of social, economic and environmental backgrounds

3.3 In the case of the 5 members representing specific groups, the Chairperson will invite each of the member groups to nominate in writing an individual to represent them in PEAK.

3.4 A member group may withdraw its nominee from PEAK at any time by written notification to the Chairperson; however, the member group shall be expected to nominate a replacement at the same time.

3.5 A member group may also nominate, in writing to the Chairperson, an alternate to participate in PEAK activities should their primary nominee be unable to attend PEAK meetings.

3.6 Remaining members selected in an individual capacity would be selected by consensus of the full current committee, following nomination and seconding by any current PEAK members, and respecting the balances outlined in 3.1 and 3.2.

3.7 The Chairperson would be elected by a majority of the current committee. PEAK members representing PJV or PDN would not be eligible to stand as Chairperson.

3.8 The position of Chairperson shall be a three-year appointment, which can be extended with the agreement of all PEAK members.

3.9 The Chairperson may elect to stand down at any point during the term of his or her appointment.

3.10 All other members of the Komiti shall hold office for a three-year period, after which all current members will retire from office and 50% of the member's will offer their services for a one-term extension for the ensuing year.

3.11 In the event that an individual or member group fails to participate without apologies to the Chairperson of PEAK for two consecutive meetings, the Chairperson, with the agreement of the remaining members, may terminate that member's appointment to the Komiti and approach an alternate group seeking their nomination of an individual to join PEAK to replace the non-attending member.

3.12 In addition to PEAK members, other parties may be invited to serve on PEAK on a temporary, non-voting basis to strengthen its response to particular issues.

3.13 The PJV shall fund the involvement of all PEAK members (as required) covering travel and accommodation at PEAK meetings.

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4.0 PEAK EXECUTIVE OFFICER

4.1 PEAK will be supported by an Executive Officer with the role of:

- Supporting PEAK meetings, including convening, preparing materials, reporting meeting outcomes, and, where mandated by PEAK, conducting relevant follow-up
- Supporting the commissioning and implementation of external reviews and studies
- Developing and maintaining the knowledge bank
- Developing a wide program of communications – including the website, reports and ongoing networking with stakeholders.

4.2 The position of the Executive Officer would, in the first instance, be a part-time position with office facilities. The Executive Officer will report to, rather than be a member of, the Komiti, and would attend the meetings of PEAK ex-officio. Between meetings of PEAK the Executive Officer would report to the PEAK Chairperson.

4.3 The PJV will fund the cost of the Executive Officer until such time as other external resources can be secured.

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5.0 ISSUES CONSIDERATION

5.1 PEAK members shall familiarise themselves with the Environment Management and Monitoring Program (EMMP) for the Porgera operation with a view to comment on the Porgera Mine Closure and Sustainability Plan (MCP). The PJV management shall provide details of both programs to PEAK upon request. When available, PEAK members should also be familiar with other decisions of the Porgera Mine Closure Committee (PMCC), and other relevant materials provided to them.

5.2 PEAK shall NOT address any compensation issues associated with Porgera's environmental impact or activities in general.

5.3 Any issue to be raised by a PEAK member at a meeting is to be included on the agenda by advising the Chairperson in writing, as per clause 9.3, or may be raised under 'Other Business' for consideration at the next meeting.

5.4 In response to major issues raised at a meeting, PJV management may request through the Chairperson, an opportunity to prepare a detailed response for presentation at a subsequent meeting.

5.5 PEAK may also agree that a particular issue requires external assessment and input, and request through the Chairperson, that the PJV consider the involvement of independent external parties selected by PEAK.

5.6 Any information presented to or discussed within PEAK that is considered confidential will be identified and may not be disseminated without the permission of PEAK members.

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6.0 DECISION MAKING PROCESS

6.1 All members of PEAK shall have equal standing and shall be provided with equal opportunity to express their point of view or opinion.

6.2 PEAK does not have any powers to direct the PJV or its partners to undertake particular actions but shall have a mandate to request, respond and advise on issues associated with the operation and mine closure.

6.3 Decisions or positions shall be reached by PEAK through consensus and the agreement of all members present. Where it is difficult to reach consensus a majority decision will be accepted. Dissenting opinions may be documented and reported with the majority decision, if requested by the discerning person (s).

6.4 The content of all such decisions or positions shall be coordinated by the Chairperson and finalised for approval at the meeting.

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7.0 EXTERNAL REPORTING

7.1 The Chairperson shall be the only official spokesperson for PEAK.

7.2 In response to a particular issue, the Chairperson may express publicly a position previously approved by PEAK at a properly convened meeting, without consulting the members.

7.3 Where a particular issue arises publicly in the absence of an approved PEAK position, the Chairperson may respond to the issue after first consulting with and having the approval of all members.

7.4 PEAK shall report externally on its activities and general conclusions on an annual basis. This report may take the form of a short written document, which is prepared, each year by the Chairperson for review and approval of the PEAK members prior to public release.

7.5 PEAK shall maintain a web site including minutes of meetings and any additional information considered relevant by the committee.

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8.0 REVIEW

8.1 Its members may review the function and terms of reference of PEAK every three years.

8.2 Any changes to the function or terms of reference of PEAK shall be proposed by the Chairperson for approval by its members.

8.3 When updated terms of reference are produced, they are to be dated and endorsed by all PEAK members.

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9.0 ADMINISTRATION

9.1 Its members shall determine the frequency of PEAK meetings.

9.2 The location of PEAK meetings shall be determined by its members with all meetings to be held preferably at Porgera or in Port Moresby. Should the members decide to hold a meeting outside of Porgera or Port Moresby, such meetings must first be approved by PJV.

9.3 PEAK members shall advise the Chairperson in writing of any items to be included on the agenda at least one month prior to the meeting, and provide any supporting information for inclusion in the agenda papers.

9.4 An agenda for each meeting shall be developed by the Executive Officer in consultation with PEAK members and distributed to all members with any supporting information prior to the meeting.

9.5 Any PEAK member unable to attend a scheduled meeting is to advise the Chairperson in writing as soon as possible and indicate whether an alternate shall be attending in his or her place.

9.6 Where possible, PJV and Placer management personnel will attend PEAK meetings when requested by the Chairperson.

9.7 Under special circumstances, and with the agreement of all members, other parties may be permitted to attend specific meetings. Requests for such attendance shall be made in writing to the Chairperson.

9.8 The Executive Officer shall maintain a record of all meetings for endorsement by the Chairman and members. Draft minutes of each meeting shall be circulated to all members for comment and approval following each meeting.

9.9 The final minutes of each meeting shall be included in the agenda papers for the next PEAK meeting and listed as an agenda item requiring members' approval.

9.10 Unless otherwise determined by the Chairperson, the duration of the formal component of each PEAK meeting shall not exceed one full day.

9.11 The Chairperson and the Executive Officer in consultation with all PEAK members shall develop a schedule of meetings.

9.12 At the request of individual members, and in consultation with PJV, the Chairperson may convene special meetings to address particular issues.

- END -

(*) 'Komiti' is the 'Tok Pisin' word for Committee

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