Amendment No. 3 to the Administration Agreement between the European Union, represented by the European Commission, and the International Bank for Reconstruction and Development and the International Development Association concerning the Multi-Donor Trust Fund for EITI Implementation Support (TF053509)

Dear Mr. Joulia:

1. Reference is made to the Administration Agreement between the European Union, represented by the European Commission (the “Donor”), on the one hand, and the International Bank for Reconstruction and Development (“IBRD”) and the International Development Association (“IDA”) (collectively, the “Bank”), on the other hand, concerning the Multi-Donor Trust Fund for Extractive Industries Transparency Initiative (“EITI”) Implementation Support (“TF053509”), effective April 22, 2008, as amended (the “Agreement”). TF053509 is part of the EITI Implementation Support Facility (the “Facility”).

2. Pursuant to recent discussions between the Donor and the Bank concerning: (a) the extension of the term of TF053509; (b) the World Bank Policy on Access to Information; and (c) the termination as of March 3, 2011 of the Memorandum of Understanding (MoU) in accordance with its terms, and in particular, Section 9.1 of the MoU, that had entered into force between members of the Management Committee, the Administrator and EITI, and was effective as of March 27, 2008 and the consequent need to delete sections 4.1 and 4.2 of Annex 3 of this Administration Agreement, which are not relevant following the termination of the MoU, the Bank and the Donor agree to amend the Agreement as follows:

(a) Section 8.1. of Annex 2 of the Agreement (“Standard Provisions Applicable to TF053509”) shall be amended by deleting it in its entirety and replacing it with the following:
“8.1. It is expected that the Contributions will be fully disbursed by the Bank in accordance with the provisions of this Agreement by June 30, 2016. The Bank will only disburse Contributions for the purposes of this Agreement after such date with the written approval of the Donors.”

(b) Section 9 of Annex 2 of the Agreement (“Standard Provisions Applicable to TF053509) shall be amended by deleting it in its entirety and replacing it with the following:

“9. Disclosure

9.1. The Bank will disclose this Agreement and related information on TF053509 and the Facility in accordance with the World Bank Policy on Access to Information. By entering into this Agreement, the Donor consents to disclosure of this Agreement and related information on TF053509 and the Facility.”

(c) Section 4 of Annex 3 of the Agreement (“Governance Terms Applicable to the EITI Implementation Support Facility”) shall be amended by deleting it in its entirety and replacing it with the following:

“4. Coordination with EITI

4.1. [Intentionally deleted.]

4.2. [Intentionally deleted.]

4.3. If EITI alters its principles and criteria, and the EITI Secretariat and the Bank propose a modification to or replacement of the EITI Principles and Criteria for purposes of this Agreement, such modified or replaced terms shall become applicable to this Agreement upon a decision to accept such terms by the Management Committee in accordance with Section 3 above.”

3. All other terms of the Agreement remain unchanged.
4. Please confirm your agreement with the foregoing, on behalf of the Donor, by signing, dating, and returning to us the enclosed copy of this Amendment. This Amendment shall become effective as of the date that the last of the then-current donors to TF053509 provides to the Bank its countersignature to its respective amendment regarding the subject matter herein.

Sincerely,

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
INTERNATIONAL DEVELOPMENT ASSOCIATION

S. Vijay Iyer
Director
Sustainable Energy Department

CONFIRMED AND AGREED:
EUROPEAN UNION
REPRESENTED BY THE EUROPEAN COMMISSION

By: ____________________________  Date: 26/5/2012
Name: Jean Paul Joulia
Title: Head of Unit of C5 - Energy