



**GOVERNMENT OF TUVALU
OFFICE OF THE ATTORNEY-GENERAL
VAIAKU, FUNAFUTI, TUVALU**

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28th May, 2015

LEGAL OPINION OF THE FINANCE AGREEMENT FOR THE PACIFIC ISLANDS REGIONAL OCEANSCAPE PROGRAM PROJECT AND THE GLOBAL ENVIRONMENT FACILITY GRANT AGREEMENT - TUVALU PROJECT, GRANT NUMBER D016-TV and GEF TF018605

1. I refer to the **Financing Agreement** dated 20th April 2015 between **Tuvalu** (*the Recipient*) and the **International Development Association** (*the Association*) under the **Pacific Islands Regional Oceanscape Program Project** for the amount of 4,800,000 SDR (the Financing Agreement) and the **Global Environment Facility Grant Agreement (GEF)** dated 20th April 2015 between **Tuvalu** and the **International Bank for Reconstruction and Development** (*the World Bank*) under the **Pacific Islands Regional Oceanscape Program Project** for the amount of 910,000 USD (GEF Grant Agreement).
2. I confirm that I am duly authorised to give this opinion on behalf of the Recipient, I furnish this legal opinion pursuant to section 7.03 of the **Standard Conditions for Grants Made by the World Bank Out of Various Funds** dated February 15, 2012 and section 8.02 of the Association's **General Conditions for Credits and Grants** dated July 31, 2010.
3. In issuing this opinion, I have considered and examined the following documents :
 - a) A signed copy of the above mentioned *Financing Agreement for Grant Number DO16-TV, Global Environment Facility Grant Agreement for Grant Number GEF TF018605*, the *Standard Conditions for Grants Made by the World Bank Out of Various Funds* and the *General Conditions for Credits and Grants*.
 - b) The *Constitution of Tuvalu* and the *Public Finance Act* which empower the Government of Tuvalu to receive funds by ways of grants from a foreign Government or an International agency.
 - c) The *International Monetary Fund and World Bank Group Membership Act 2010*, which authorises the Recipient to become a member of the Association and to receive funds from the Association and domesticate Article VIII, section 2 to 9 of the Association's Articles of Agreement into the Recipient's national laws.
 - d) Such other laws, decision and notices of the Recipient which I consider relevant for the purposes of giving this legal opinion.
4. Based on the above, I hereby certify that:

- a) the Financing Agreement and the GEF Grant Agreement has been duly authorized, executed, ratified and delivered on behalf of the Recipient by **Hon Maatia Toafa**, *Minister for Finance and Economic Development*, and needs no further ratification.
- b) the Recipient has acted in conformity with the laws and other requirements currently in force in undertaking the financial and other obligations resulting from the terms of the Financing Agreement and the GEF Grant Agreement.

5. Accordingly, the Financial Agreement and GEF Grant Agreement is legally binding upon the Recipient in accordance with its terms.

In witness hereof, I, the undersigned, set my hand and affix my seal on the ____ day of May 2015.

Yours faithfully,


Laigane Italeli Maina
Attorney General (Ag)