

## **TITLE AND COMMENCEMENT**

---

These regulations refer to the Mines and Minerals Act 2009 (hereinafter “the Act”) and shall be called the “Regulation to the Mines and Minerals Act 2009” (hereinafter “the regulations”) as provided for in section 176 of the Act. They shall come into force on <DATE>.

## **CITATION**

---

These regulations may be cited as the Mines and Minerals Regulations.

## **DEFINITIONS**

---

“airborne survey” means any remote sensing or geophysical survey carried out using fixed-wing aircraft or helicopter, including pilotless craft;

“annual charge” means the annual charge payable by the holder of a mineral right under the provisions of section 152 of the Act;

“artisanal mining licence” means an artisanal mining licence acquired under Part X of the Act;

“artisanal mining licence area” means an area that is subject to an artisanal mining licence;

“artisanal mining operations” means mining operations that does exceed a depth of ten metres;

“associated minerals” means any mineral which occurs in mineralogical association with, and in the same ore deposit as the primary mineral being mined, where it is physically impossible to mine the primary mineral without also mining the mineral associated therewith;

“authorised officer” means a person designated as such under the provisions of section 10 of the Act;

“block system” means a convention used to identify areas on the cadastral survey map based on numbered squares defined by UTM coordinates;

“blocks” means units of the block system including macro-blocks, blocks, and sub-blocks;

“Board” means the Minerals Advisory Board as constituted under section 11 of the Act.

“body corporate” means a company or corporation;

“capital” means all cash contributions, plant, machinery, equipment, buildings, spare parts, raw materials, working capital and other business assets other than good will;

“child labour” means employment of children as defined by the Child Rights Act of 2007

“community development agreement” means a community development agreement approved pursuant to section 141 of the Act;

“company” means a body corporate incorporated or registered under the Companies Act of 2009;

“coordinates” means a set of numbers which together describe the exact position of land on a map

“cooperative” a business owned jointly by all its members who run it and share equally its profits and liabilities, and registered in Sierra Leone

“court” means any duly constituted court other than a local court;

“demarcation and survey” means the process establishing the location and boundaries of land pertaining to a mining right application

“designated disposal sites” means sites described by relevant authorities for the responsible disposal of hazardous materials

“declared area” means an area declared for licensing of artisanal and small-scale mineral operations pursuant to section 30 of the Act;

“Director” means the Director of Mines;

“discovery” means a discovery of a mineral deposit or a discovery of a mineral or group of minerals occurring in quantities or circumstances that indicate the presence of a mineral deposit;

“divert a water course” means obstructing and redirecting a flowing water course like a river to allow extraction of alluvial from the river bed

“dredging” means extracting alluvial material from the bottom of a river using mechanised or unmechanised methods

“environmental impacts” means the biophysical changes in the environment due to mining operations “environmental impact assessment” means an environmental impact assessment meeting all requirements of the Act and Act No. 11 of 2008;

“environmental management programme” means a plan meeting all requirements of this Act and the Environment Protection Agency Act of 2008;

“exploration licence” means an exploration licence acquired under Part IX of the Act;

“exploration licence area” means an area that is subject to a exploration licence;

“exploration operations” means operations carried out to explore;

“explore” means intentionally to search for minerals and mineral deposits and includes operations to test, the mineral bearing qualities of the land, define the extent and determine the economic value of mineral deposits;

“excavation” means any trench, pit, shaft or other open working;

“Government” means the Government of the Republic;

“hazardous materials” means solids, liquids and gaseous materials that can cause harm to people, animals, plants and environment which result may result in injury and/or death

- “holder” in relation to a mineral right means the holder of a mineral right in whose name the mineral right is registered under the Act;
- “interested parties” means people and entities that may be interested in the proposed mining operation
- “labourer” means a person employed on an artisanal mining operation to do unskilled work
- “lawful land owner” means a person who legally owns land and has title to the said land
- “lawful land occupier” means who is has permission from the owner of land to be in occupation
- “land” includes land beneath water, the seabed and sub- soil;
- “large-scale mining licence” means a large-scale mining licence acquired under the provisions of Part XII of the Act;
- “large-scale mining licence area” means an area that is subject to a large-scale mining licence;
- “licensee” means a person or entity licensed to operate an artisanal mining operation
- “licensed buyer” means a person or entity licensed by the Director to buy and sell a specific mineral
- “mercury retort” means a piece of equipment designed for efficient and safe separation of gold and mercury from an amalgam
- “mine” when used as a noun, means any place, excavation or working or by which any operation connected with mining is carried on together with all buildings, premises, erections and appliances belonging or appertaining to it, above and below the ground, for the purpose of winning, treating or preparing minerals, obtaining or extracting any mineral or metal by any mode or method or for the purpose of dressing mineral ores, and includes a quarry where minerals are mined;
- “mine” when used as a verb, means intentionally to win minerals and includes any operations directly or indirectly necessary for or incidental to mining operations;
- “mine manager” means a person registered with Director to manage an artisanal mining operation in the absence of the artisanal mining licence holder
- “mineral” means any substance, whether in solid, liquid or gaseous form, occurring naturally in or on the earth, in or under the water or in mine residue deposits and having been formed by or subjected to a geological process including sand, stone, rock, gravel and clay, as well as soil but excludes water, natural oil, petroleum, topsoil and peat;
- “mineral processing method” a method used for separation and recovery mineral of interest from an ore
- “mineral product” means a substance derived from an ore by mining or processing;
- “mineral right” means a right to explore for or to mine minerals by holding a valid reconnaissance licence, exploration licence, artisanal mining licence, small-scale mining licence, or large-scale mining licence, as the context requires;
- “mining area” includes an artisanal mining licence area, small-scale mining licence area, or a large-scale mining licence area, as the context requires;

“mining cadastre” means the mining cadastre established pursuant to the provisions of section 40 of the Act;

“Mining Cadastre Office” means the Mining Cadastre Office established pursuant to the provisions of section 39 of the Act;

“mining operations” means operations carried out in the course of mining;

“Minister” means the Minister of responsible for mineral resources or the successor minister charged with the responsibility for regulating the development and exploitation of mineral resources.

“mitigation” means activities to reduce the negative impacts of an artisanal mining operation on the environment

“north point” means an arrow on a map or plan pointing to the geodetic geographic north

“ore” means a natural aggregate of one or more minerals which may be mined and sold at a profit or from which some part may be profitably extracted;

“person” includes any company or association or body of persons corporate or unincorporated;

“personal protective equipment” means clothes or equipment to protect a person from hazards during work

“photo identity card” means a card issued to a mine manager authorised by the Director to manage an artisanal mining operation in the absence of the licence holder

“precious minerals” includes-

- (i) precious stones, namely amber, amethyst, beryl, cat’s eye, chrysotile, diamond, emerald, garnet, opal, ruby, sapphire, turquoise and all other substances of a similar nature to any of them;
- (ii) precious metals, namely gold, silver, platinum, iridium, or ores containing any of these metals provided that they are in commercially recoverable or payable quantities;

“prescribed” means prescribed by regulations made under the Act;

“programme of mining operations” means such a programme approved on the grant of a small-scale or large-scale mining licence and includes any amendments made to it in pursuance of the provisions of the Act;

“prospecting licence” means a prospecting licence or exclusive prospecting licence or exploration licence acquired under Part VII of the Mines and Minerals Act 1994

“radioactive mineral” means a mineral which contains by weight at least one twentieth of one percent (0.05 per centum) of uranium or thorium or any combination of it, and includes but is not limited to,

- (a) monazite sand and other ore containing thorium; and
- (b) carnotite, pitchblende and other ores containing uranium;

“reconnaissance licence” means a reconnaissance licence acquired under Part VIII of the Act;

“reconnaissance licence area” means an area that is subject to a reconnaissance licence;

- “reconnaissance operations” means operations and works to carry out the search for mineral resources by geophysical surveys, geochemical surveys, photo-geological surveys or other remote sensing techniques and non-invasive surface geology in connection therewith, but excludes drilling and excavations;
- “register of mineral rights applications” means the mining cadastre register of mineral rights applications established under section 40 of the Act.
- “register of mineral rights” means the mining cadastre register of mineral rights established under section 40 of the Act.
- “regulations” means regulations made under sections 176 and 177 of the Act;
- “rehabilitation” means the restoration to the satisfaction of the Director of the reconnaissance licence area, exploration licence area, or mining area in accordance with the environmental management programme to, as far as is practicable, its natural state or to a safe, stable, predetermined condition and end use which is compatible with a healthy environment and with the principle of sustainable development;
- “rehabilitation fund contribution” means money payable to the Ministry towards the Rehabilitation Fund as a condition for issuance of an artisanal mining licence
- “rehabilitation plan” means planned activities to manage the environmental impacts of artisanal mining
- “relevant tribal authority” means the tribal authority under which the area of an artisanal mining licence falls
- “remote sensing” – any survey technique that uses electromagnetic radiation including visible and infrared light, heat, or radio waves acquired by a sensor that is not in contact with the material being surveyed. It includes surveys undertaken using aircraft, helicopter and satellites.
- “Republic” means the Republic of Sierra Leone;
- “returns” means reports on the artisanal mining operation submitted to the Director as prescribed in the regulations
- “small-scale mining” means the intentional winning of minerals in mechanised operations not exceeding twenty metres in depth or involving the sinking of shafts, driving of adits, or other various underground openings;
- “small-scale mining licence” means a small-scale mining licence acquired under the provisions of Part XI of the Act;
- “small-scale mining licence area” means an area that is subject to a small-scale mining licence;
- “supporter” means a person or entity who provides financing for an artisanal mining operation with the expectation of sharing in the proceeds of the said mining operation
- “surface rent agreement” means a written agreement between an artisanal, small-scale, or large-scale mining licence applicant/holder and the lawful owner or occupier of the land, outlining the conditions under which the licence holder shall access land, and the land owner or occupier receives compensation for such access

- “surface structures” means structures on the land that will need to be reflected on the plan illustrating the land to which an artisanal mining licence application relates
- “surrender” mean the giving up of all or a portion of a mineral right;
- “technical ability” means the evidence of an individual or entity to effectively and efficiently run an artisanal mining operation
- “termination” means the lapse of a mineral right by expiry of time, surrender or cancellation; and where the surrender or cancellation is in respect of part only of the area covered by the mineral right, then the mineral right shall be deemed to have been surrendered or cancelled in respect of that surrendered or cancelled area;
- “transferor” means the present holder applying to transfer the mineral right;
- “transferee” means the company to which application is made to transfer the mineral right;
- “tributer” means a person who offers their labour as an investment in a partnership with an artisanal mining licence holder in return for a share of the proceeds of the said operation
- “Universal Transverse Mercator” means the map projection used for the cadastral survey map of Sierra Leone, abbreviated to UTM;
- “worker” means a tributer or labourer employed to work on an artisanal mining operation
- “water course” means any flowing body of water including rivers, streams, brook or creek

## **ADMINISTRATION**

---

### **1. MINERALS ADVISORY BOARD**

- (1) Pursuant to section 13 of the Act, the Director in his capacity as Secretary to the Minerals Advisory Board, shall advise the Chairman of the Minerals Advisory Board whenever there are mineral rights or other matters to discuss which, pursuant to section 12 of the Act, require a meeting of the Board, and the Chairman shall convene such meetings as soon as practicable thereafter having consideration for the time limits to dispose of mineral rights applications stated in the Act and its regulations.
- (2) Pursuant to section 13 (2) of the Act, the Minerals Advisory Board shall:
  - (a) through the Secretary, circulate to all members in advance of any meeting an agenda of items for discussion, including copies of any relevant papers;
  - (b) keep minutes of its meetings in accordance with the Guidelines E5 of the Fifth Schedule which shall at least include:
    - (i). date, time and location of meeting
    - (ii). members present, position on Board, co-opted persons, and apologies for absences;
    - (iii). for each agenda item: any disclosures of members’ interests; a record of discussions; results of voting; conclusions reached; certificates to be issued; a record of notices to be served on applicants to supply

additional information; actions to be taken and by whom; and any recommendations to be made to the Minister;

- (iv). any other business;
  - (v). signature of Chairman and Secretary
- (c) reject an application where the information provided does not satisfy any provision of the Act or its regulations or, at its discretion, the Director may, pursuant to section 29 (1) of the Act, serve notice on the applicant to supply such further information as may be required to the satisfaction of the Board within a given period (which shall not exceed thirty calendar days), failing which the application shall be refused;
- (d) issue certificates pursuant of section 12 (f) of the Act recommending the granting, renewal or transfer of mineral rights.
- (3) The Board shall maintain records of the dates of meetings; copies of minutes; numbers and types of mineral rights recommended to be granted, renewed, suspended or cancelled; certifications issued; recommendations made to the Minister; and reports on all matters including national minerals policy, the environment, national data collections related to mineral resources, and technological developments;
- (4) Pursuant of section 16 of the Act, the Minerals Advisory Board shall, not later than ninety calendar days after the end of each year, prepare an annual report, in accordance with Guidelines E5 of the Fifth Schedule for submission to the Minister.
- (5) A non-appointed Board member who is unable to attend a meeting may nominate a substitute to attend and vote in his place, subject to the approval of the Chairman.
- (6) Notwithstanding section 13 (3) of the Act, an application for a second renewal of an exploration licence or for the granting, renewal or transfer of a large-scale mining licence, shall not be considered unless the Chairman, the Director of Mines and/or the Director of Geological Survey and a representative of the Ministry responsible for the environments are present.
- (7) Notwithstanding section 4 and section 8 (1) (a) of the Act, where the Act refers to the Director's responsibility in respect of any matter concerning a geological work programme or geological report, the Director shall consult with, and act on the advice of, the Director of Geological Survey.

## **AQUISITION OF MINERAL RIGHTS**

---

### **2. CHARGES, FEES AND PENALTIES**

- (1) All charges and fees in respect of mineral rights shall be paid to the National Revenue Authority which shall issue an official receipt stating the amount and type of the fee and including a reference number to a licence or application.
- (2) Every application for a mineral right or renewal of a mineral right shall be subject to a non-refundable application fee, pursuant of section 28 (1) (b) of the Act, as prescribed in Table A1 of the First Schedule.

- (3) Pursuant to section 152 of the Act, every mineral right shall be subject to an annual charge payable on first granting and annually thereafter or on the date of renewal of the licence:
  - (a) Every reconnaissance licence, artisanal mining licence, large-scale mining licence, dredging permit and radioactive minerals permit shall be subject to a fixed annual charge as given in Table A2 of the First Schedule.
  - (b) Every exploration licence, and small-scale mining licence, shall be subject to an area-based annual charge, as given in Table A2 of the First Schedule.
- (4) An applicant for any mineral right, including renewals, who is advised that his application has been approved shall pay the annual charge as prescribed in Table A2 of the First Schedule within thirty calendar days of the offer of the licence or permit being made, and shall provide proof thereof, in the form of a receipt from the National Revenue Authority, to the Mining Cadastre Office. Failure to do so within this time limit will result in the offer being automatically cancelled.
- (5) The holder of a mineral right who contravenes this Act or any regulations made under it, commits an offence which, if the punishment is not already specified in the Act, may be subject to a penalty as set out in Table A6 of the First Schedule, notwithstanding that if the offence is not rectified the mineral right may still be liable to suspension or cancellation.

### **3. AREAS AND MINERALS FOR ARTISANAL AND SMALL-SCALE MINING LICENCES**

- (1) Pursuant to section 30 of the Act, areas declared by notice in the *Gazette* shall be eligible for the grant of artisanal or small-scale mining licences.
- (2) Where an area has been declared for licensing of artisanal or small-scale mining operations, the following mineral categories are prescribed:
  - (a) precious stones
  - (b) precious metals
  - (c) building and industrial minerals.

### **4. DESIGNATED EXPLORATION AND MINING AREAS**

- (1) Pursuant to section 25 of the Act, where an area has been designated by the Minister as an exploration or mining area, a mineral right shall only be granted by public tender. Notice of a public tender shall be published in the *Gazette* and shall include such details and conditions as the Minister on the advice of the Director may decide but shall at least include:
  - (a) the type of mineral right;
  - (b) the geographical location, defined in terms of the block system in accordance with Regulation 7 (2) and the area size;
  - (c) the mineral or minerals discovered;



- (d) a summary of information, data and reports available and times for inspection; and
  - (e) the date and time deadline for submission of applications.
- (2) Applications for a mineral right to be awarded by way of public tender shall be prepared in accordance with the conditions of the Act and its regulations as applicable to the mineral right applied for, except that section 27 of the Act shall not apply.
  - (3) Applications shall be submitted to the Mining Cadastre Office and shall be considered by the Minerals Advisory Board, which shall advise the Minister.
  - (4) In comparing applications submitted under a public tender, the Minerals Advisory Board shall consider the proposed work programme and expenditure commitment as well as any other information bearing on the ability of the applicant to conduct the exploration or mining operation.
  - (5) The Minerals Advisory Board's assessment of technical and financial proposals shall be scored and the results returned to bidding companies.

## **REGISTRATION, RECORDS AND CADASTRE**

---

### **5. REGISTRATION OF AN APPLICATION**

- (1) Pursuant to section 41 (3) of the Act, a “complete” application is one for which all documentation including forms, attachments, and supporting documentation as required under this Act and its regulations has been verified as present by the Mining Cadastre Office, and thus qualifies for registration; however, registration does not imply that such documentation fulfils all necessary criteria for granting such right which shall be determined by the Minerals Advisory Board.
- (2) Pursuant to section 42 (8) of the Act, an acknowledgement of receipt in respect of an application, report or other document shall be provided on Form D23.
- (3) Before forwarding any application for a mineral right to the Minerals Advisory Board, the Mining Cadastre Office shall check, pursuant to section 25 of the Act, whether the area has, in whole or in part, been designated as an exploration or mining area or, pursuant to section 27 of the Act, or whether there is a prior registered application for all or part of the same area or, pursuant to section 30 of the Act whether it has been declared an area for artisanal or small-scale mining for one or more minerals. If for these or any other reason the application is considered invalid it will be rejected, except that in the case of a prior registered application, it may be held in abeyance until the earlier application is determined.

### **6. REGISTRATION OF A LICENCE GRANTING A MINERAL RIGHT**

- (1) Pursuant to section 42 of the Act, every licence issued under a mineral right shall be assigned a unique alphanumeric number consisting of an alphabetical prefix denoting the licence type, and a numerical suffix comprising a sequence number and year code, separated by a forward slash (solidus).

- (a) The alphabetical prefix shall be: RL for a reconnaissance licence, EL for an exploration licence, AML for an artisanal mining licence, SML for a small-scale mining licence, and ML for a large-scale mining licence.
- (b) The sequence number shall in any year commence with 1 (one) for the first licence issued, and shall increase by one integer as each mineral right is registered, regardless of whether the licence type is an RL, EL, SML or ML; i.e. the sequence number shall not be repeated even where the licence category (alphabetic prefix) changes. (Thus, for example, EL1/09 and ML1/09 would not be allowed). However, this rule will not apply to the AML series which may repeat the sequence part of the number used under other licence types.
- (c) The year code shall consist of the last two digits of the year in which the licence was registered.
- (d) As illustration, an imaginary sequence of licences granted and registered in 2009 might be:

EL1/09; RL2/09; RL3/09; SML4/09;  
 EL5/09; EL6/09; SML7/09; ML8/09;  
 RL9/09; ML10/09; etc

and:

AML1/09; AML2/09; AML3/09; etc

- (2) Pursuant to section 43 of the Act and using Form C25 of the Third Schedule, it is incumbent on the holder of a mineral right to inform the Director via the Mining Cadastre Office of any change in respect of his mineral right including names, addresses, contact details, and any other pertinent matters.

## **7. CADASTRAL SURVEY MAP**

- (1) Pursuant to section 46 of the Act, the cadastral survey map shall be based on the DOS 1:50,000 scale topographic map series of Sierra Leone drawn on the Universal Transverse Mercator (UTM) projection.
- (2) The UTM 1 square kilometre grid plotted on these maps shall form the basis of a block system to define mineral rights licence areas.
- (3) Notwithstanding subsection (2) above, the mining cadastre shall also accommodate a coordinate polygon system for defining mineral rights as follows:
  - (a) mineral rights granted under the Mines and Minerals Act 1994, until such rights expire; and
  - (b) artisanal mining licences granted under the Mines and Minerals Act 2009.
- (4) The Sierra Leone block system for mineral rights shall comprise macro-blocks, blocks, and sub-blocks, defined as follows:
  - (a) a macro-block measures ten kilometres by ten kilometres (one hundred square kilometres);

- (b) a block measures one kilometre by one kilometre (one square kilometre); and
  - (c) a sub-block measures one hundred metres by one hundred metres (ten thousand square metres, or one hectare);
- (5) Macro-blocks, blocks, and sub-blocks covering Sierra Leone shall be uniquely identified according to a numbering system held within the mining cadastre.
- (6) Any applicant for a mineral right may request the Mining Cadastre Office to provide a copy of the relevant part of the cadastral survey map at a scale appropriate to the licence type, showing the block numbering system over the area of interest.
- (7) Pursuant to subsection (4) above:
- (a) A *reconnaissance licence* may be of any shape as defined by listing up to one hundred contiguous macro-blocks, giving a maximum area of ten thousand square kilometres.
  - (b) An *exploration licence* may be of any shape as defined by listing up to two hundred and fifty contiguous blocks giving a maximum area of two hundred and fifty square kilometres.
  - (c) An *artisanal mining licence* may be of any shape as defined by describing a polygon defined by up to eight corner UTM coordinates.
  - (d) A *small-scale mining licence* may be of any shape as defined by listing from one sub-block up to one hundred contiguous sub-blocks, giving an area of between one hectare and one hundred hectares (i.e. up to one square kilometre).
  - (e) A *large-scale mining licence* may be of any shape as defined by listing from one block up to one hundred and twenty five contiguous blocks giving an area of between one square kilometre and one hundred and twenty five square kilometres. In exceptional circumstances, a larger area of up to two hundred and fifty square kilometers may be granted
- (8) Any application for a mineral right shall include a plan showing the location of the proposed licence drawn at a scale sufficient to show important detail; it should include:
- (a) a title indicating the type of mineral right applied for, the geographical location of the area, and name of the applicant;
  - (b) the boundaries of the proposed mineral right;
  - (c) a scale, either in the form of a scale bar or a ratio (e.g. 1:50,000);
  - (d) a labelled grid coordinate system which may be a UTM grid or latitude/longitude;
  - (e) an arrow indicating true north;
  - (f) place names and any notable topographical features; and
  - (g) roads, rivers, landmarks, habitation and other information that may aid locational reference.

- (9) If there is any discrepancy between the identification of the proposed mineral right defined in terms of the block system in subsection (7) above and the plan in subsection (8) above, then the former (block system) shall be considered definitive.
- (10) Locations defined by the block system shall be determined on the ground using a Global Positioning System (GPS) instrument using coordinates provided by the Mining Cadastre Office, which shall hold the definitive GPS coordinate set for Sierra Leone.
- (11) A mineral right shall be demarcated on the ground by means of markers, fences or other devices as directed by the Director or an authorised officer.
- (12) Every mineral right boundary shall be considered to extend downwards, vertically, without limit.

## **8. PUBLIC ACCESS TO REPORTS SUBMITTED UNDER A MINERAL RIGHT**

- (1) All reports, work programmes and other technical or financial documents, whether in support of an application or in fulfilment of the obligations of a mineral right, shall be submitted through the Mining Cadastre Office who will register the item(s) in the mining cadastre and issue a receipt in the form of Form D23 of the Fourth Schedule. All geological work programmes and geological reports shall be forwarded to the Director of Geological Survey who shall assess them and, if they are non-compliant, may take such action as appropriate to secure compliant documents before advising the Director.
- (2) Pursuant to section 48 of the Act, a confidential report is any technical report, survey, raw or interpreted data set, analysis, result, or financial document, submitted by the holder of a mineral right, pertaining to work carried out in fulfilment of a mineral right.
- (3) A non-confidential report is any document intended for open circulation including promotional materials and brochures, published reports including company annual statements, etc. Any surrender or final report, environmental report, community development report, and any financial report pursuant to section 160 of the Act are by definition, non-confidential.
- (4) The Mining Cadastre Office shall maintain a secure digital database of all confidential reports.
- (5) All printed copies of confidential reports shall be kept locked in a secure store, with digital copies held in a data safe; access shall be restricted to the Director and Director of Geological Survey and officers nominated by them who have reason under the Act or its regulations to consult them.
- (6) All surrender and final reports shall immediately, and all confidential technical reports shall, ninety calendar days after expiry of a mineral right, pursuant to section 48 (1) of the Act, be entered into a digital database of non-confidential technical reports and shall be placed on open file in the Geological Survey under the authority of the Director of Geological Survey. Environmental reports shall, pursuant to section 133 (3) of the Act be available for inspection at the Mining Cadastre Office immediately upon submission. Pursuant of section 49 of the Act, non-confidential reports shall be open to inspection by members of the public

who may request copies on payment of a fee as prescribed in Table A3 of the First Schedule.

## **9. PUBLIC ACCESS TO INFORMATION HELD IN THE MINING CADASTRE**

- (1) Pursuant to section 49 of the Act, any member of the general public may inspect the register of mineral rights, the register of mineral rights applications, the cadastral survey map of rights and applications, and any non-confidential report on payment of a fee as prescribed in Table A3 of the First Schedule.
- (2) All mineral rights holders are required to notify the Mining Cadastre Office immediately in respect of any changes to the registered details to their licence or permit. Any such changes should be reported using Form C25 of the Third Schedule.

## **10. EVIDENTIARY PROVISION**

- (1) Pursuant to section 47 (1) of the Act, a request for a certificate verifying the details of a mineral right registered with the Mining Cadastre Office shall be made on Form B9 of the Second Schedule, and shall be subject to the fee in Table A3 of the First Schedule. The fee is payable for each item of information requested, whether or not the enquiry results in it being certified.

# **RECONNAISSANCE LICENCES**

---

## **11. PURPOSE**

A reconnaissance licence grants the holder, or anyone acting on behalf of the holder, the right to carry out geological reconnaissance operations for a limited period, over a large area, for all minerals, on a non-exclusive basis. A reconnaissance licence is intended to provide an opportunity to undertake preliminary studies to identify areas of potential interest before applying for an exploration licence. It provides an entry point for companies wishing to undertake ‘grass-roots’ exploration whilst not locking-up large areas to others. It is a non-transferable mineral right.

## **12. CONTENT OF RECONNAISSANCE LICENCE**

- (1) A reconnaissance licence area may be of any shape, defined in terms of the numbered macro-blocks, as described under Regulation 7 (7) (a), on the official cadastral map of Sierra Leone held by the Mining Cadastre Office
- (2) A reconnaissance licence shall exclude any area that is, at the time of the application, or subsequently becomes during the currency of the reconnaissance licence, the subject of an exploration licence, small-scale mining licence, large-scale mining licence or an area closed to exploration.

- (3) A company may hold more than one reconnaissance licence covering different areas.
- (4) Reconnaissance licences held by different companies may overlap in whole or in part.

### **13. APPLICATION FOR A RECONNAISSANCE LICENCE**

- (1) An application for a reconnaissance licence in terms of section 57 of the Act shall be submitted to the Mining Cadastre Office on Form B1 of the Second Schedule, together with all attachments and evidence that the appropriate non-refundable application fee, as specified in Table A1 of the First Schedule, has been paid to the National Revenue Authority.
- (2) The application shall include:
  - (a) a plan of the proposed reconnaissance licence area, drawn in such a manner and showing such particulars as required under Regulation 7 (8);
  - (b) a description of the contiguous macro-blocks comprising the proposed reconnaissance licence area, identified according to Regulation 7 (7) (a), which shall be considered definitive should there be any discrepancy with the plan submitted under paragraph (a) above;
  - (c) a proposed programme of reconnaissance operations prepared according to Guidelines E1 of the Fifth Schedule setting out in detail the work proposed for the next twelve month period together with the estimated cost in accordance with Table A4 of the First Schedule, with details of the equipment expected to be used in connection with it, and the names and particulars of the persons to be responsible for the conduct thereof; and
  - (d) any other information which the applicant wishes to be considered.

### **14. DISPOSAL OF APPLICATION FOR RECONNAISSANCE LICENCE**

- (1) The Mining Cadastre Office shall check the application and where satisfied that the documentation is complete, shall record all details in the register of mineral rights including the precise time of the registration and, having verified the area in the mining cadastre, shall forward it via the Director to the Minister for his decision. The Director shall consult with, and take advice from, the Director of Geological Survey before advising the Minister.
- (2) On receipt of an application for a reconnaissance licence, the Minister shall assess the application in light of any comments or recommendations from the Director and, if satisfied that the applicant is not barred under section 59 of the Act, shall approve the application and notify the applicant not later than sixty days after submission of the complete application. Where the Minister considers that the application is deficient in any respect, he may at his discretion as an alternative to refusal, ask the Director to request further information from the applicant pursuant to section 29 (1) of the Act or may refer the matter to the Minerals Advisory Board and on their recommendations, pursuant to section 29 (2) of the Act, cause further investigations or consultations to be made, and the application

shall not be considered complete until such enquiries are concluded to the satisfaction of the Minister. The applicant shall be notified of the Minister's decision in writing, and be given reasons if approval is refused.

- (3) An applicant whose application is approved shall, pursuant to section 60 (2) of the Act, notify the Minister of his acceptance within thirty calendar days, failing which the application shall lapse.
- (4) A reconnaissance licence shall be issued on Form D3 of the Fourth Schedule.

## **15. AMENDMENTS TO APPROVED WORK PROGRAMME FOR RECONNAISSANCE LICENCE**

The holder of a reconnaissance licence may from time to time, pursuant to section 67 of the Act, notify the Director of amendments he wishes to make to his work programme together with an explanation. Such request shall be made on Form B22 of the Second Schedule.

## **16. SURRENDER, SUSPENSION AND CANCELLATION OF RECONNAISSANCE LICENCE**

- (1) The holder of a reconnaissance licence may, pursuant to section 51 of the Act, at any time by application in writing to the Minister on Form B8 of the Second Schedule giving at least ninety calendar days notice, surrender all or part of the licence area. Where such application is for part only of the licence area, it must be accompanied by:
  - (a) a plan of the reduced licence area, drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8);
  - (b) a description of the macro-blocks to be surrendered identified according to Regulation 7 (7) (a);
  - (c) a description of the contiguous macro-blocks comprising the proposed reduced licence area, identified according to Regulation 7 (7) (a);
  - (d) a revised work programme and expenditure commitment for the remainder of the current year prepared according to the Guidelines E1 of the Fifth Schedule, or for the year ahead if the application is made on the licence anniversary concurrent with submission of the annual report pursuant to section 63 (3) (a) (i) of the Act; and
  - (e) a surrender report describing all work carried out since inception for that part of the area given up, prepared according to the reporting Guidelines E1 of the Fifth Schedule.
- (2) An application to surrender the whole of a licence area must be accompanied by:
  - (a) an annual report prepared according to Guidelines E1 of the Fifth Schedule covering the period since the last annual report; and
  - (b) a final report in the form of a surrender report prepared according to Guidelines E1 of the Fifth Schedule, covering the entire period of the licence.

- (3) Pursuant to section 51 (2) of the Act, where surrender is for part only of the licence area, the Minister shall issue a surrender certificate in the form of Form D10 of the Fourth Schedule, or where surrender is of the entire licence on Form D9 of the Fourth Schedule, and shall cause this to be entered in the register in the mining cadastre whereupon the surrender shall be effective.

## **17. APPLICATION TO RENEW A RECONNAISSANCE LICENCE**

- (1) The holder of a reconnaissance licence may, under the terms of section 63 of the Act, apply to the Mining Cadastre Office on Form B2 of the Second Schedule to renew the licence no later than ninety days before its expiry. A reconnaissance licence may be renewed once only for a period of up to one year.
- (2) The prescribed form shall be accompanied by:
  - (a) a report on reconnaissance operations carried out to date prepared according to the Guidelines E1 of the Fifth Schedule together with a statement of the expenses incurred in accordance with allowable expenditures shown in Table A4 of the First Schedule;
  - (b) a proposed programme of reconnaissance operations to be carried out during the renewal period prepared according to the Guidelines E1 of the Fifth Schedule together with the estimated cost thereof in accordance with Table A4 of the First Schedule;
  - (c) a plan identifying that part of the reconnaissance area for which renewal is sought drawn in such a manner and showing such particulars as required in Regulation 7 (8);
  - (d) a description of the blocks comprising the reconnaissance area for which renewal is sought, identified according to Regulation 7 (7) (a).
  - (e) particulars of any alteration in the matters stated in the application for the grant of the licence pursuant to section 57 (a) of the Act; and
  - (f) evidence that the appropriate non-refundable application fee, as prescribed under Table A1 of the First Schedule, has been paid to the National Revenue Authority.

## **18. DISPOSAL OF APPLICATION TO RENEW A RECONNAISSANCE LICENCE**

- (1) On receipt of an application to renew a reconnaissance licence, the Mining Cadastre Office shall check the application and if satisfied that the documentation is complete and that the application is valid, shall forward a complete copy to each member of the Minerals Advisory Board.
- (2) The Board or any member may, by notice from the Director, request further information from the applicant pursuant to section 29 (1) of the Act or, where still undecided, may refer the matter to the Minister with a recommendation that, pursuant to section 29 (2) of the Act, further investigations or consultations be carried out, and the application shall not be considered complete until such enquiries are satisfactorily concluded.



- (3) Upon the certified advice of the Board, the Minister may renew the licence with or without variations to the original conditions, and shall notify the applicant of his decision in writing within sixty calendar days, giving reasons if renewal is refused.

## **19. RIGHTS UNDER A RECONNAISSANCE LICENCE**

The holder of a reconnaissance licence may, pursuant to section 64 of the Act, carry out all forms of non-invasive mineral exploration in or over the reconnaissance area, subject to the exclusions set out in section 32 (1) and section 66 of the Act, including airborne and ground geophysical and remote sensing surveys, geochemical sampling of rocks, soils and water, and the collection of surface minerals and other geological samples (which may be sold with the permission of the Director).

## **20. OBLIGATIONS UNDER A RECONNAISSANCE LICENCE**

- (1) On learning that an application for a new or renewed reconnaissance licence has been approved, the applicant shall pay the annual charge set out in Table A2 of the First Schedule to the National Revenue Authority.
- (2) Pursuant to section 65 (1) (f) and (g) and section 132 of the Act, reconnaissance operations must be conducted with due respect to the environment, avoiding damage where possible, with land restored to a safe state, temporary structures removed, and land users compensated for any resources utilised and damage caused.
- (3) The licence holder shall maintain in Sierra Leone at an address to be registered with the Minister full and accurate records in regard to:
  - (a) minerals discovered;
  - (b) petrographic descriptions, mineral analyses and identifications;
  - (c) raw and interpreted data in digital and paper form as appropriate, including maps and plots, pertaining to mineralogical, geochemical and geophysical surveys, including remote sensing and airborne surveys;
  - (d) geological, geochemical and geophysical data, maps and interpretations;
  - (e) staff employed; and
  - (f) all other work carried out.
- (4) Pursuant to section 165 (2) of the Act, a licence holder wishing to send samples overseas for testing, analysis or sale must seek the permission of the Minister on Form B10 of the Second Schedule. However, in the case of samples sent for testing or analysis as a necessary part of an approved reconnaissance programme, the Minister may give multiple permissions for such samples to be sent.
- (5) The licence holder shall notify the Minister of any mineral discovery on Form C1 of the Third Schedule as follows:
  - (a) in the case of any mineral deposit of potential economic value, within a period of thirty calendar days pursuant to section 78 (1) (h) of the Act;

- (b) in respect of any radioactive mineral immediately, but in any case no later than seven calendar days pursuant to section 121 (1) of the Act; in the case of a radioactive mineral the holder shall in addition, pursuant to section 122 of the Act, and where a radioactive minerals permit has been applied for and granted, within the first week of every month furnish the Director with a report on the exploration operations conducted in the preceding month on Form C22 of the Third Schedule.
- (6) The licence holder shall keep the Minister informed of the details and timing of any airborne survey, including the company contracted to carry out the work, the plan of operations, aircraft and equipment to be used, and dates, and shall ensure that all necessary flying permissions are obtained in accordance with national civil aviation requirements. Following commencement, progress shall be reported to the Director and Director of Geological Survey through the Mining Cadastre Office on a weekly basis on Form C5 of the Third Schedule.
- (7) The licence holder shall, not later than the end of each year of the licence, submit to the Director and Director of Geological Survey a full and detailed technical report on all reconnaissance activities carried out, prepared according to the Guidelines E1 of the Fifth Schedule including, but not limited to, the information contained under subsection (3) above. It shall be accompanied by Form C4 of the Third Schedule. Notwithstanding, the holder must submit full results, data and interpretation of any airborne survey, in both digital and paper form, within six months of acquisition accompanied by Form C6 of the Third Schedule. All technical reports and data submitted shall be regarded as confidential under section 48 of the Act, but shall become non-confidential and the property of the Government of Sierra Leone ninety days after the expiry of the reconnaissance licence.
- (8) The Director, on the advice of the Director of Geological Survey, shall within thirty days of receipt of the annual report confirm its acceptability or otherwise and, where deemed incomplete or deficient, shall require the licence holder to remedy such deficiencies to the satisfaction of the Director within a further thirty day period of such notification, failure to do so will be considered an offence against the regulations and result in a penalty defined in Table A6 of the First Schedule.
- (9) The holder of a reconnaissance licence shall submit to the Director and Director of Geological Survey not later than ninety calendar days after the end of each year of the licence an audited statement of allowable expenditures in accordance with Table A4 of the First Schedule accompanied by Form C33 of the Third Schedule.
- (10) Pursuant to section 55 of the Act, upon termination of a reconnaissance licence, the holder shall provide to the Director:
  - (a) a copy of all records held under section 65 (2) of the Act;
  - (b) where the licence has been held for a second year, a final report, prepared according to Guidelines E1 of the Fifth Schedule, summarising all work carried out over the entire period that the licence was held including the principal results and conclusions of each phase of operations. The final report is required in addition to the annual report for the second year.

## **EXPLORATION LICENCES**

---

### **21. PURPOSE**

An exploration licence grants the holder, or anyone acting on behalf of the holder, the right to carry out exploration for all minerals over the exploration licence area on an exclusive basis. It is intended to cover all stages of mineral exploration prior to a mining licence including: sub-regional surveys, follow-up assessment of mineral prospects, detailed evaluation of discoveries, proving of reserves, feasibility studies, environmental impact assessment, and whole-of-life-cycle mine planning.

### **22. CONTENT OF EXPLORATION LICENCE**

- (1) An exploration licence area may be of any shape defined in terms of the numbered blocks on the official cadastral map of Sierra Leone held by the Mining Cadastre Office and described under Regulation 7 (7) (b).
- (2) An exploration licence shall not be granted over any land that that is the subject of an exploration licence, artisanal mining licence, small-scale mining licence or large-scale mining licence, whether existing at the time or subject to an earlier registered application. However, in accordance with section 81 of the Act, where any land subsequently becomes closed to exploration or mining, such closure shall not apply to an existing exploration licence area nor to any application for a small-scale or large-scale mining licence subsequently arising.
- (3) There is no restriction to the number of exploration licences that may be applied for or held by a company. Notwithstanding this every individual licence will have its own distinct obligations.

### **23. EXPENDITURES ON EXPLORATION OPERATIONS**

- (1) Minimum acceptable amounts to be expended on exploration annually are given in Table A4 of the First Schedule and comprise a fixed sum plus an area-based component escalating year on year calculated according to the formula:

$$E_n = F + A(R * 2^{(n-1)})$$

Where:	$E_n$	=	total annual expenditure in year n;
	$F$	=	fixed amount (irrespective of size of licence)
	$A_n$	=	size of licence area in km <sup>2</sup> in year n
	$R$	=	initial area-based rate (year 1)
	$n$	=	current year of licence

- (2) Notwithstanding the minimum annual expenditures shown in Table A4 of the First Schedule, where the expenditure is in any year of a licence is established at a higher level then, pursuant to 24 (2) (d) of the Regulations, the area-based

component shall increase in each subsequent year of the licence in line with the formula in subsection (1) above (i.e. it will double year on year). In order to calculate the expenditure per square kilometre in any subsequent current year, the fixed amount indicated in Table A4 of the First Schedule should be subtracted from the total expenditure commitment for that year, and the result divided by the number of square kilometres.

#### **24. APPLICATION FOR AN EXPLORATION LICENCE**

- (1) An application for an exploration licence pursuant of section 70 of the Act shall be submitted to the Mining Cadastre Office on Form B3 of the Second Schedule, together with all attachments and evidence that the appropriate non-refundable application fee as shown in Table A1 of the First Schedule has been paid to the National Revenue Authority.
- (2) The applicant shall provide:
  - (a) a plan of the proposed exploration licence area, drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8);
  - (b) a description of the contiguous blocks comprising the proposed exploration licence area, identified according to Regulation 7 (7) (b), which shall be considered definitive should there be any discrepancy with the plan submitted under paragraph (a) above;
  - (c) a proposed programme of work appropriate to the current state of knowledge of the geology and prospectivity of the area, taking account of all past geological and exploration work, and designed to significantly advance the metallogenic understanding of the area and lead to the discovery of a mineral deposit. The work programme should be prepared in accordance with the Guidelines E1 of the Fifth Schedule. It should set out in detail the exploration proposed for the next twelve month period together with the estimated cost, details of the equipment expected to be used, and the names and particulars of the persons to be responsible for the conduct thereof. It should also include an indicative programme of work for the remainder of the period applied for;
  - (d) Pursuant to subsection (c) above, the expenditure commitment shall be commensurate with the proposed work programme; and
  - (e) any other information which the applicant wishes to be considered.

#### **25. DISPOSAL OF AN APPLICATION FOR AN EXPLORATION LICENCE**

- (1) The Mining Cadastre Office shall check the application and where satisfied that the documentation is complete, shall record the details in the register of mineral rights and, after checking that the area applied for is valid, shall forward a complete copy to each member of the Minerals Advisory Board.
- (2) The Minerals Advisory Board shall assess the application in regard to the proposed work programme and expenditure commitment. Where the Minerals Advisory Board considers that the application is materially deficient in any

respect the Director may, pursuant to section 29 (1) of the Act, require the applicant to provide further information, or the Minister may, pursuant to section 29 (2) of the Act and on the advice of the Minerals Advisory Board, require investigations or consultations to be carried out. The application shall not be considered complete until such further information is supplied or such investigations are undertaken to the satisfaction of the Board.

- (3) Where satisfied that the application has met all the necessary criteria, and that the application is not invalid under section 73 of the Act, the Minerals Advisory Board shall certify to the Minister on Form D1 of the Fourth Schedule that it advises that the application be approved, or if not satisfied it shall cause the applicant to be advised accordingly giving reasons.
- (4) The Minister shall consider the advice of the Board and shall notify the applicant in writing not later than sixty days after all required information has been provided of his decision whether to grant or reject the application, giving reasons if the application is refused.
- (5) An exploration licence shall be issued in the form of Form D4 of the Fourth Schedule.

## **26. AMENDMENT TO APPROVED WORK PROGRAMME UNDER AN EXPLORATION LICENCE**

The holder of an exploration licence may from time to time, pursuant to section 82 of the Act, notify the Minister of amendments he wishes to make to his work programme together with an explanation or justification. Such request should be made on Form B22 of the Second Schedule.

## **27. SURRENDER, SUSPENSION AND CANCELLATION OF EXPLORATION LICENCE**

- (1) Notwithstanding the surrender of ground on first renewal under section 76 (2) of the Act, the holder of an exploration licence may, pursuant to section 51 of the Act, at any time by application in writing to the Minister on Form B8 of the Second Schedule giving at least ninety calendar days notice, surrender all or part of the licence area.
- (2) Where such application is for part only of the licence area, it must be accompanied by:
  - (a) a plan of the reduced licence area, drawn in such a manner and showing such particulars as prescribed under Regulation 7(8);
  - (b) a description of the blocks to be surrendered identified according to Regulation 7 (7) (b);
  - (c) a description of the contiguous blocks comprising the reduced licence area, identified according to Regulation 7 (7) (b);
  - (d) a revised work programme prepared according to the Guidelines E1 of the Fifth Schedule and expenditure commitment for the remainder of the current year, or for the year ahead if the application is made on a licence

- anniversary concurrent with submission of the annual report prepared pursuant to section 76 (3) (a) (i) of the Act; and
- (e) a surrender report describing all work carried out since inception for that part of the area given up, prepared according to reporting Guidelines E1 of the Fifth Schedule.
- (3) An application for surrender of the whole of a licence area must be accompanied by:
    - (a) an annual report and expenditure statement prepared according to reporting Guidelines E1 of Fifth Schedule covering the period since the last annual report; and
    - (b) a final report in the form of a surrender report for the entire licence period prepared according to the reporting Guidelines E1 of the Fifth Schedule.
  - (4) Pursuant to section 51 (2) of the Act, where surrender is for part only of the licence area, the Minister shall issue a surrender certificate on Form D10 of the Fourth Schedule, or where surrender is of the entire licence on Form D9 of the Fourth Schedule, and shall cause this to be entered in the register in the mining cadastre whereupon the surrender shall be effective.
  - (5) Failure to comply with payment, reporting or operational obligations as specified in regulations will result in penalty as specified in Table A6 of the First Schedule.
  - (6) If the licence holder fails to address any offence against the regulations they may be served a suspension order defining specific required actions and a date by which they must act.
  - (7) If a licence holder continues to defy instructions within a suspension order they may be further notified of an impending cancellation, the cancellation order must specify the required action and date by which the licence holder must act.
  - (8) Final cancellation will be certified by the Board and recorded in the registry of mineral rights.

## **28. APPLICATION FOR FIRST RENEWAL OF AN EXPLORATION LICENCE**

- (1) The holder of an exploration licence may, pursuant to section 76 of the Act, apply to the Mining Cadastre Office on Form B4 of the Second Schedule no later than ninety calendar days before its expiry for a first renewal of the licence in respect of not more than one hundred and twenty five square kilometres of the exploration licence area, except that where the results of exploration to date indicate a more extensive mineral deposit he may request to keep such larger area as is appropriate. Any part of a licence area in excess of one hundred and twenty-five square kilometres shall, from licence year five onwards, be liable to a higher annual charge rate, as prescribed in Table A2 of the First Schedule.
- (2) The renewal application form shall be accompanied by:
  - (a) a detailed technical report on exploration for the previous year prepared according to the Guidelines E1 of the Fifth Schedule together with an annual financial report of allowable expenses as prescribed in Table A4 of the First Schedule for the same period;

- (b) a detailed surrender report covering all work carried out over any ground to be surrendered since inception of the exploration licence including all results, data, information and interpretation prepared according to the Guidelines E1 of the Fifth Schedule;
- (c) a proposed programme of exploration operations to be carried out during the first year of the renewal period prepared according to the Guidelines E1 of the Fifth Schedule, together with the estimated cost thereof in accordance with Table A4 of the First Schedule;
- (d) a plan identifying that part of the exploration area for which renewal is sought drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8);
- (e) a description of the contiguous blocks comprising the reduced area for which renewal is sought, identified according to Regulation 7 (7) (b);
- (f) a description of the blocks to be surrendered, identified according to Regulation 7 (7) (b);
- (g) particulars of any changes to the matters stated in the application for the grant of the licence pursuant to section 70 (a) of the Act; and
- (h) evidence that the appropriate non-refundable application fee set out in Table A1 of the First Schedule has been paid to the National Revenue Authority.

## **29. APPLICATION FOR SECOND RENEWAL OF AN EXPLORATION LICENCE**

- (1) The holder of an exploration licence which has been once renewed may, pursuant to section 76 (7) and (8) of the Act, apply via the Mining Cadastre Office for a second renewal on Form B5 of the Second Schedule no later than ninety calendar days before its expiry.
- (2) An application for a second renewal for an area exceeding one hundred and twenty five square kilometres shall include evidence for the existence of an extensive mineral deposit requiring such large area, which is to be the subject of the proposed feasibility studies.
- (3) The second renewal application form shall be accompanied by:
  - (a) an annual report for the last year and statement of expenditure prepared according to Guidelines E1 of the Fifth Schedule;
  - (b) a detailed summary report covering all exploration operations carried out since inception prepared according to the Guidelines E1 of the Fifth Schedule together with a summary of allowable direct costs incurred according to Table A4 of the First Schedule;
  - (c) evidence that a mineral discovery of potential commercial value has been made and reported on Form C1 of the Third Schedule;
  - (d) a proposed programme of feasibility studies and an environmental impact assessment covering the entire period of the second renewal, prepared according to the Guidelines E2 of the Fifth Schedule, together with an

estimate of direct costs to be incurred in accordance with Table A4 of the First Schedule;

- (e) a plan identifying that part of the exploration licence area for which renewal is sought prepared as described in Regulation 7 (8);
- (f) a description of the blocks comprising the exploration licence area for which renewal is sought, identified in the manner described in Regulation 7 (7) (b);
- (g) a description of the blocks being surrendered (if any), identified in the manner described in Regulation 7 (7) (b);
- (h) where part of the licence area is being surrendered, a detailed surrender report covering all work carried out since inception over that part of the licence area, prepared according to the Guidelines E1 of the Fifth Schedule; and
- (i) particulars of any alteration in the matters stated in the application for the grant of the licence pursuant to section 70 (a) of the Act.
- (j) Evidence that the appropriate non-refundable application fee set out in Table 1 of the First Schedule has been paid to the National Revenue Authority.

### **30. DISPOSAL OF APPLICATION TO RENEW AN EXPLORATION LICENCE**

- (1) On receipt of an application to renew an exploration licence for a first or second time, the Mining Cadastre Office shall check the application and if satisfied that the documentation is complete shall forward a complete copy to each member of the Minerals Advisory Board.
- (2) The Minerals Advisory Board shall assess the renewal application in regard to the proposed work programme and expenditure commitment. It shall consider also the performance of the licence holder over the previous period and whether all obligations under the Act and its regulations have been met, in particular the timely submission of annual technical reports and forward work programmes, and financial reports verifying that the annual minimum expenditures on allowable items prescribed under Table A4 of the First Schedule or specified in the licence have been met. It shall also consider whether the results so far justify the further renewal and whether the work proposed to be carried out is appropriate and adequate.
- (3) Where the Minerals Advisory Board considers that the application is materially deficient in any respect the Director may, pursuant to section 29 (1) of the Act, serve notice on the applicant to provide further information, or may recommend to the Minister, pursuant to section 29 (2) of the Act, that investigations or consultations be carried out to help decide the renewal. The application shall not be considered complete until such further information is supplied or such further investigations have been concluded to the satisfaction of the Director and the Board.
- (4) Where satisfied that the application for renewal has met all the necessary criteria, including:



- (a) in the case of an application to renew more than one hundred and twenty five square kilometers, that the technical evidence submitted justifies retaining the area requested;
- (b) in the case of a second renewal that, notwithstanding (a) above, a mineral discovery of potential economic significance has been reported; and
- (c) that the proposed work programme and expenditure are appropriate and sufficient; then:

the Minerals Advisory Board shall certify to the Minister on Form D1 of the Fourth Schedule that it advises that the application be approved, or if not satisfied it shall cause the applicant to be advised accordingly together with reasons.

### **31. RIGHTS UNDER AN EXPLORATION LICENCE**

No person other than the licence holder shall be granted a small-scale mining licence or large-scale mining licence in respect of land that constitutes the exploration licence or part thereof, or in the case of an artisanal mining licence without the consent of the exploration licence holder.

### **32. OBLIGATIONS UNDER AN EXPLORATION LICENCE**

- (1) On learning that an application for a new exploration licence has been approved, and thereafter at the beginning of each licence year, the holder shall pay the annual area-based annual charge as set out in Table A2 of the First Schedule to the National Revenue Authority.
- (2) The holder must within fifteen days inform the Director if there is any change in ownership of the licence where any single interest exceeds forty percent, failure to do so will result in a penalty.
- (3) Pursuant to section 78 (1) (f) of the Act, the licence holder shall inform all landowners and users of land within the exploration licence area about general exploration activities by public notice in a regional office, or as may be directed by the Director. In addition, and wherever practicable, the holder shall individually inform landowners and users, and the Paramount Chief as appropriate, of specific activities where these are likely to involve disruption to the land surface including excavations, drilling and the erection of camps, temporary buildings and machinery.
- (4) Pursuant to section 78 (1) (i) and (j) and section 132 of the Act, exploration operations must be conducted with due respect to the environment, avoiding damage where possible, but in any event restoring the land and excavations to a safe state, temporary structures and machinery removed (unless the Director stipulates otherwise), and land users compensated for any resources utilised and damage caused.
- (5) The licence holder shall maintain in Sierra Leone at an address to be registered with the Minister full and accurate records in regard to:
  - (a) raw and interpreted information, data and analyses, including maps and plots in paper and digital formats as appropriate, pertaining to all

geological, mineralogical, petrographical, geochemical, geophysical, remote sensing and other surveys carried out including surveys under or over the ground;

- (b) detailed stratigraphic logs of all boreholes drilled together with any samples;
  - (c) minerals discovered;
  - (d) staff employed;
  - (e) all other work done in connection with the exploration licence including contracts and agreements with landowners;
  - (f) all expenditures made that satisfy the annual prescribed programme of exploration operations expenditure requirements; and
  - (g) such other matters as prescribed or that the Director may require.
- (6) Pursuant to section 166 of the Act, the licence holder must preserve all drill cores and drilling samples either at the registered address or at another location and, when no longer required or at termination of the licence, shall advise the Director and Director of Geological Survey who may, within thirty days request that they be handed over.
- (7) Notwithstanding the rights under section 77 (2) of the Act, a licence holder wishing to send samples overseas for testing, analysis or sale must, pursuant to section 165 (2) of the Act, seek the permission of the Minister on Form B10 of the Second Schedule which is to be submitted via the Mining Cadastre Office. However, in the case of samples sent for testing or analysis as part of an approved exploration programme, the Minister may give his permission on a multiple basis for such samples to be sent.
- (8) The licence holder shall at the end of each six-month period submit to the Director and Director of Geological Survey a confidential report on Form C2 of the Third Schedule, summarising progress and expenditure against the approved work programme.
- (9) The licence holder shall notify the Minister of any mineral discovery on Form C1 of the Third Schedule as follows:
- (a) in the case of any mineral deposit of potential economic value, within a period of thirty calendar days pursuant to section 78 (1) (h) of the Act;
  - (b) in respect to any radioactive mineral immediately, but in any case not later than seven calendar days pursuant to section 121 (1) of the Act; in the case of a radioactive mineral, the holder shall in addition, pursuant to section 122 of the Act where a radioactive minerals permit has been applied for and granted, within the first week of every month furnish the Director with a report on the exploration operations conducted in the preceding month on Form C22 of the Third Schedule.
- (10) The licence holder shall keep the Minister informed of the details and timing of any airborne survey, including the company contracted to carry out the work, the plan of operations, aircraft and equipment to be used, and dates, and shall ensure that all necessary flying permissions are obtained in accordance with national civil aviation requirements. Following commencement, progress shall be reported

to the Director and Director of Geological Survey via the Mining Cadastre Office on a weekly basis on Form C5 of the Third Schedule.

- (11) The licence holder shall not later than the end of each year of the licence submit to the Director and the Director of Geological Survey a full and detailed technical report on all exploration activities carried out prepared according to the Guidelines E1 of the Fifth Schedule including, but not limited to, the information contained under subsection (5) above, and shall be accompanied by Form C3 of the Third Schedule. Notwithstanding, an exploration licence holder who undertakes any airborne remote sensing or geophysical survey shall submit full results, data and interpretation of all work undertaken, in both digital and paper form, within six months of acquisition accompanied by Form C6 of the Third Schedule. All technical reports and data submitted shall be regarded as confidential under section 48 of the Act, but shall become non-confidential and the property of the Government of Sierra Leone ninety days after the expiry of the licence.
- (12) To accompany each annual report, the licence holder shall submit a work plan for the year ahead together with an indicative programme for the remainder of the licence period prepared according to the Guidelines E1 of the Fifth Schedule, and proposed expenditures subject to the minimum amounts shown in Table A4 of the First Schedule. The revised programme shall on each occasion build on the results obtained to date, and shall be designed to extend the knowledge of the geology and prospectivity of the area. It should include details of the equipment expected to be used, and the names and particulars of the persons to be responsible for the work.
- (13) Where a company holds more than one exploration licence, the holder shall submit separate six-monthly reports, annual reports and any other technical reports and associated expenditures for each exploration licence, even where the licences are contiguous and/or the exploration activities form part of a related programme.
- (14) The Director of Mines or Director of Geological Survey shall within thirty days of receipt of the annual report and forward work programme confirm its acceptability or, where deemed incomplete or deficient, shall require the licence holder to remedy such deficiencies to his satisfaction within a further thirty day period of such notification.
- (15) The holder of an exploration licence shall submit to the Director and Director of Geological Survey not later than ninety calendar days after the end of each year of the licence an audited statement of itemized allowable expenditures in accordance with Table A4 of the First Schedule , and any moneys required to be spent as a condition of the licence but not spent shall be a debt to the Government of Sierra Leone. Notwithstanding this, where the approved expenditure for the year following that in which the debt was incurred exceeds the minimum expenditure required according to Regulation 23 (2) by an amount greater than the debt, the licence holder may ask the Minister to waive the debt, and the Minister may accept or reject such request. A request for expenditure carry over submitted in writing may be made once only in the life of any exploration licence.
- (16) Pursuant to section 55 of the Act, upon termination of an exploration licence, the holder shall provide to the Director:

- (a) a copy of all records held under section 78 (2) of the Act;
- (b) a final report, prepared according to Guidelines E1 of the Fifth Schedule, summarising all work carried out over the entire period during which the licence was held including the principal results and conclusions of each phase of operations. The final report is required in addition to the annual report for the final year.

### **33. TRANSFER OF AN EXPLORATION LICENCE**

- (1) Pursuant to section 83 of the Act, the holder of an exploration licence may apply to the Mining Cadastre Office on Form B11 of the Second Schedule to transfer the licence.
- (2) No transfer shall be considered within the first two years of the licence.
- (3) The Mining Cadastre Office shall register the application and, after checking that the documentation is complete, shall forward a complete copy to each member of the Minerals Advisory Board
- (4) The Minerals Advisory Board shall consider the transfer in light of the performance of the licence holder to date and, where it requires further information may request it from the applicant who shall supply it within the time limit specified before the application is considered. Where the Board is satisfied that both the applicant for the transfer and the transferee have met all requirements under the Act and regulations, the Board shall certify their recommendation to the Minister on Form D2 of the Fourth Schedule, or if not satisfied shall cause the applicant to be advised accordingly, giving reasons.
- (5) On the certified advice of the Minerals Advisory Board, the Minister may grant the transfer subject to such conditions as he considers appropriate, or reject it, and shall inform the applicant in writing of his decision, giving reasons if the application is refused.
- (6) Upon the registration of the transfer of an exploration licence in the mining cadastre, pursuant to the provisions of section 83 of the Act, the transferee shall assume and be responsible for all rights, liabilities and duties of the transferor under the exploration licence including any liabilities or obligations incurred before the date of transfer.

### **34. TRANSITIONAL ARRANGEMENTS IN RESPECT OF PROSPECTING AND EXPLORATION LICENCES**

- (1) Pursuant to section 178 (3), an exclusive prospecting licence (EPL) or exploration licence (EXPL) issued under the Mines and Minerals Act 1994 shall continue in force until it expires by the passage of time, but shall be subject to any regulations made under the repealed Act in so far as they are consistent with the present Act and its regulations.
- (2) Pursuant to section 178 (4) and (5) of the Act, an EPL or EXPL shall not be extended or renewed except that the holder, subject to this regulation, may apply for an exploration licence under the new Act on a priority basis.

- (3) An application for an exploration licence made on a priority basis, pursuant to subsection (2) above and also to section 70 of the Act, shall be submitted to the Mining Cadastre Office on Form B6 of the Second Schedule not later than ninety calendar days before expiry of the EPL or EXPL, together with all attachments and evidence that the non-refundable application fee as prescribed in Table A1 of the First Schedule has been paid to the National Revenue Authority.
- (4) Notwithstanding section 178 (4) and (5) of the Act, any such application shall:
- (a) be subject to all conditions of the new Act and its regulations;
  - (b) be limited in size to an area not exceeding two hundred and fifty square kilometres, pursuant to section 75 of the Act, except that more than one exploration licence may be applied for over different parts of the former EPL or EXPL;
  - (c) be defined in terms of blocks, described according to regulation 7 (4) (b), which may include any block all or part of which falls within the former EPL or EXPL licence defined under the coordinate system;
  - (d) be accompanied by a plan identifying the licence area applied for in terms of blocks and showing the boundaries of the expiring EPL or EXPL drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8), together with a description of the contiguous blocks comprising the licence area identified according to Regulation 7 (7) (b), which shall be considered definitive if there is any discrepancy with the plan;
  - (e) be for a period not exceeding that defined under subsection (6) below determined on the basis of the time the previous licence has been held;
  - (f) include a work programme and expenditure commitment which is commensurate with the current state of knowledge of the geology and prospectivity of the area applied for, taking account of all work carried out by the applicant under the previous licence, and designed to significantly advance the geological understanding of the area leading to the proving of an economic mineral deposit;
  - (g) include a full and detailed technical report covering all work carried over the entire licence area since inception, prepared according to the Guidelines E1 of the Fifth Schedule, which report shall remain confidential if this application, or any associated application, for an exploration licence covering part or parts of the former EPL or EXPL is granted;
  - (h) include a full and detailed surrender report, prepared according to the Guidelines E1 of the Fifth Schedule, covering all areas of the former EPL or EXPL not subject to the new application or to any other associated exploration licence applied for under the priority right.
- (5) The time that an expiring EPL and/or EXPL has been held shall be taken into account in deciding the entry point and duration of the exploration granted under the priority right. For this purpose, the new exploration licence will be ascribed a 'notional entry point' discounted from actual years according to subsection (6) below. The notional entry point will define an 'equivalent start year' for the licence which will in turn determine:

- (a) the initial annual charge specified in Table A2 of the First Schedule A;
  - (b) the initial minimum exploration expenditure specified in Table A4 of the First Schedule, notwithstanding that this will depend also on the stage of exploration previously reached;
  - (c) the initial duration; and
  - (d) the number and length of possible renewal(s), each of which shall be subject to the same conditions as for all exploration licences according to Regulations 28 and 29.
- (6) Pursuant to section (5) above, the ‘equivalent start year’ for the new exploration licence will be determined as follows:
- (a) where an EPL and/or EXPL has been held for 2 or 3 years in total, the new exploration licence will have an entry point at the start of Year 2; it will be granted for 3 years initially with opportunity for 2 renewals;
  - (b) where an EPL and/or EXPL has been held for 4 or 5 years in total, the new exploration licence will have an entry point at the start of Year 3; it will be granted for 2 years initially with opportunity for 2 renewals;
  - (c) where an EPL and/or EXPL has been held for 6 or 7 years in total, the new exploration licence will have an entry point at the start of Year 4; it will be granted for 1 year initially with opportunity for 2 renewals;
  - (d) where an EPL and/or EXPL has been held for 8 or 9 years in total, the new exploration licence will have an entry point at the start of Year 5; it will be granted for up to 3 years initially, subject to subsection (7) below, with opportunity for only 1 renewal;
  - (e) where an EPL and/or EXPL has been held for 10 or more years, there will be no priority right to apply for a new exploration licence.

In summary:

<b>Actual total time EPL and/or EXPL held</b>	<b>Discounted time</b>	<b>Equivalent start year for exploration licence</b>	<b>Initial duration of exploration licence</b>	<b>Possible renewals allowed</b>
2 or 3 years	1 year	Year 2	3 years	2 further renewals (3 years and 2 years)
4 or 5 years	2 years	Year 3	2 years	2 further renewals (3 years and 2 years)
6 or 7 years	3 years	Year 4	1 year	2 further renewals (3 years and 2 years)
8 or 9 years	4 years	Year 5	up to 3 years	1 further renewal of 2 years
10 or 11 years	No priority right to apply for exploration licence			

- (7) Notwithstanding subsection (6)(d) above, where an expiring EPL and/or EXPL has been held for 8 or 9 years and a mineral discovery has been declared, the Minister may, on the advice of the Minerals Advisory Board:

- (a) limit the duration of the new exploration licence to such period as he may decide, with or without the right to apply for renewal, subject to a specific programme of proving to be carried out including a feasibility study, environmental impact study etc; or may
  - (b) refuse the application where feasibility investigations have already been completed and where his opinion is that sufficient information exists either to apply for a mining licence or decide that the deposit is uneconomic.
- (8) Notwithstanding subsection (4) (h) above, where more than one exploration licence is applied for over a former EPL or EXPL and where some but not all of the applications are granted by the Minister, the applicant shall at the request of the Director thereafter submit a revised surrender report covering all parts of the former licence not subject to the new licence or licences, and the licence or licences shall not take effect until such report is submitted to the satisfaction of the Director. Where such surrender report is not provided within thirty calendar days of receiving the Director's notice, the approval or approvals in respect of the new licence or licences shall lapse.
- (9) An applicant whose application for an exploration licence under a priority right is successful shall notify the Minister of his acceptance within thirty calendar days, failing which the approval shall lapse.
- (10) Notwithstanding anything under this regulation, an EPL or EXPL that is in serious default of its obligations, including persistent non-performance or non-payment of fees, shall not be entitled to priority consideration, pursuant to section 178 (4) of the Act, nor shall the confidentiality of past exploration reports, results and data be preserved after expiry. Nevertheless, the former licence holder shall on expiry be entitled to apply for an exploration licence over part or all of the former EPL or EXPL on an equal basis with other applicants, in which case it shall be for the Minister, on the advice of the Minerals Advisory Board, to decide whether any default is so serious as to refuse the application on that basis alone.
- (11) Notwithstanding anything under this regulation, the holder of an EPL or EXPL who does not apply for a new exploration licence upon expiry shall nevertheless be required to submit a final surrender report.

## **ARTISANAL MINING LICENCES**

---

### **35. PURPOSE**

An artisanal mining licence grants the holder the exclusive right to carry out mineral exploration and shallow mining over a limited area for a specified mineral or minerals. Its purpose is to permit the exploitation of mineral deposits by labour intensive methods by Sierra Leonean citizens. The licence is granted for a limited period and is renewable for similar periods. It is a non-transferable mineral right.

### **36. CONTENTS OF AN ARTISANAL MINING LICENCE**

- (1) An artisanal mining licence as described in section 88 of the Act shall be issued in the form of Form D5 of the Fourth Schedule of these regulations.

- (2) An artisanal mining licence as described in section 88 of the Act shall contain the following information:
  - (a) particulars of the licence holder;
  - (b) a unique licence certificate number;
  - (c) the mineral commodity for which the licence is granted;
  - (d) description of the area over which the licence is granted;
  - (e) the duration of the licence;
  - (f) the area under which the claim falls under;
  - (g) the Regional Office under which the claim falls; and
  - (h) terms and conditions on which the licence is granted as set forth in Guidelines E4 of the Fifth Schedule.
- (3) An artisanal mining licence shall be valid for a period of one year as defined in section 90 (1) of the Act.
- (4) An artisanal mining licence may be renewed up to three times for a period not exceeding one year at a time subject to section 90 (2) of the Act.
- (5) An artisanal mining licence permits mining in an area not more than one half hectare pursuant to section 89 (1).
- (6) An artisanal mining licence permits mining up to a depth of 10 metres from original surface.

### **37. REGISTRATION FOR AUTHORIZATION TO APPLY FOR AN ARTISANAL MINING RIGHT**

- (1) Eligibility to apply for an artisanal mining licence in terms of section 84 of the Act, will be restricted to citizens of Sierra Leone, or partnerships or cooperatives or body corporate registered in Sierra Leone and consisting of Sierra Leone citizens only.
- (2) A cooperative or partnership or joint venture or body corporate wishing to submit an application for an artisanal mining licence must apply for authorisation from the Director pursuant to section 84 (3) of the Act
- (3) The application referred to in (2) shall be in the form of Form B13 of the Second Schedule.
- (4) The application shall contain the following:
  - (a) a copy of the registration certificate of the entity applying for registration;
  - (b) the commodities for which the authorisation is requested; and
  - (c) particulars of the person submitting the application on behalf of the applying entity.
- (5) The authorisation referred to (2) shall be in form of Form D17 of the Fourth Schedule.



### **38. APPLICATION FOR AN ARTISANAL MINING LICENCE**

- (1) An application for an artisanal mining licence in terms of section 85 of the Act shall be made to Director in the form as prescribed in Form B12 of the Second Schedule of these regulations, and delivered to the Government Area Engineer at the Regional Offices in whose region the land is situated.
- (2) An application contemplated in (1) must contain the following:
  - (a) the full particulars of the applicant;
  - (b) in the case of an individual, provide a copy of their national identity card;
  - (c) in the case of a partnership or a cooperative, provide a copy the articles of association or registration certificate;
  - (d) in the case of a partnership or cooperative or joint venture or body corporate provide documentary proof that the person submitting the application has obtained the necessary authority to submit the application on behalf of the partnership or cooperative or joint venture or body corporate as the case may be;
  - (e) pursuant to section 84 (3) of the Act, in the case of a partnership or cooperative or joint venture or body corporate, provide documentary proof that the applicant has obtained the necessary authority from the Director to be considered for the granting of an artisanal mining right;
  - (f) a plan of the land to which the applications relates must contain:
    - (i). coordinates;
    - (ii). a north point;
    - (iii). the location where applicable;
    - (iv). the extent of the land to which the application relates;
    - (v). the boundaries of the land to which the application relates; and
    - (vi). surface structures;
  - (g) documentary proof of consultation with relevant chiefdom authority;
  - (h) documentary proof of surface rent agreement, as prescribed in form of Form C12 of the Third Schedule of these regulations must contain the following information:
    - (i). the name and particulars of the rightful owner or occupier of the land to which the application relates;
    - (ii). location of the land to which the application relates;
    - (iii). details of the compensation and payment terms to the rightful owner or occupier of the land to which the application relates;
  - (i) documentary proof of the applicant's financial ability to run an artisanal mining operation, including but is not limited to:
    - (i). an approved budget of the proposed artisanal mining operation;
    - (ii). a loan agreement entered into to finance the proposed artisanal mining operation;

- (iii). a resolution by a financier to support the artisanal mining operation; and
  - (iv). another scheme providing the necessary finance to support the artisanal mining operation in form of Form D15 of the Third Schedule.
- (j) documentary proof of the applicant's technical ability or access thereof to run an artisanal mining operation;
  - (k) a mining work plan for the duration of the proposed artisanal mining operation in the form of Form C14 of the Third Schedule will have the following details:
    - (i). mineral deposit concerned, with the type of mineral;
    - (ii). mining method and equipment to be used;
    - (iii). mineral processing method and the type of equipment to be used;
    - (iv). how the mineral product will be marketed;
    - (v). scheduling of the different phases of the mining operation;
    - (vi). finances of the mining operation;
    - (vii). the number and types of workers, and whether a mine manager will be employed;
    - (viii). health and safety risk assessment, and mitigation plan; and
    - (ix). an environmental management programme.
- (3) An artisanal mining licence annual charge shall be as prescribed in Table A2 of the First Schedule.
  - (4) An artisanal mining licence shall not be issued unless the charge referred to in Table A2 of the First Schedule has been paid to the National Revenue Authority.
  - (5) Instruction to pay the charge referred to in (3) shall be in the form of Form D20 of the Fourth Schedule.

### **39. DISPOSAL OF AN APPLICATION FOR AN ARTISANAL MINING LICENCE**

- (1) Applications consisting of the application form and associated documentation, as required under section 38 (2) of the Regulations, shall be made to the Government Mining Engineer at a Regional Office of the Ministry of Mineral Resources.
- (2) The Government Mining Engineer shall allocate the processing of an application to a Mine Warden who will:
  - (a) acknowledge receipt of the application;
  - (b) check that the supporting documents are included and adequately completed;
  - (c) register the application in the Mining Cadastre, checking the availability of land, and initiates the application tracking system using Form F8 of the Sixth Schedule;

- (d) if the land is not available or additional information is required from the applicant, notify the applicant.
- (3) Based on complying with (2) and the application being accepted, the Government Mining Engineer on behalf of the Director must make it known that an application contemplated has been accepted by way of notice on the notice board of the Regional Office or at any other designated place accessible to the public.
- (4) The notice referred to in (3) shall be in the form of Form D19 of the Fourth Schedule, and shall contain:
  - (a) the name of the applicant and description of the land to which the application relates; and
  - (b) name and designation contact details of the official to whom comments will be sent.
- (5) The notice shall be displayed for 14 days.
- (6) The Mine Warden shall undertake a site inspection utilizing Form C9 of the Third Schedule to ensure the land is permissible for mining, to evaluate the suitability of the environmental management programme, to survey and demarcate the land and to then input information to the mining cadastre system.
- (7) Based on a Mine Warden's recommendation, the Government Mining Engineer may endorse the decision to award the applicant an artisanal mining licence and request the applicant pay an artisanal mining licence annual charge by way of an order to pay issued on Form D20 of the Fourth Schedule.
- (8) Once the applicant pays the necessary annual charge and provides proof of payment:
  - (a) the Mining Cadastre Office will issue the original and duplicate artisanal mining licence certificate on Form D5 of the Fourth Schedule;
  - (b) the Government Mining Engineer will sign the original and duplicate terms and conditions for an artisanal mining licence and the licence certificate;
  - (c) the applicant will be notified and required to sign and collect the licence certificate and the terms and conditions for an artisanal mining licence;
  - (d) the Mine Warden will return the signed copies of the licence certificate and terms and conditions to the Mining Cadastre Office and the licence holder.

#### **40. SURRENDER, SUSPENSION AND CANCELLATION OF AN ARTISANAL MINING LICENCE**

- (1) Pursuant to section 51 of the Act, the holder of an artisanal mining licence may at any time surrender all or part of the licence area by application in writing to the Director giving at least ninety calendar days notice.
- (2) The Director may revoke a licence if he believes the holder of a licence is not a Sierra Leonean citizen or if no mining operations have commenced within one hundred and eighty days from the date of registration or renewal of the licence.
- (3) An authorized officer may suspend artisanal mining operations if they deem any practice to be dangerous or likely to cause bodily injury to any person. All notices

of suspensions shall include the reason for suspension and specific instructions for the licence holder with a period within which they must address any deficiency. Failure to address the deficiency within the specified time shall lead to the cancellation of such artisanal mining licence. Appeals to such suspensions will be lodged with the Director who shall inquire into the matter and his decision shall be final.

#### **41. APPLICATION FOR A RENEWAL OF AN ARTISANAL MINING LICENCE**

- (1) Application for a renewal of an artisanal mining right in terms of section 90 of the Act shall be completed in the form of Form B14 of the Second Schedule.
- (2) The application for the renewal referred to in regulation (1) shall be accompanied by evidence that the application fee in Table A2 of the First Schedule has been paid to the National Revenue Authority.
- (3) Application for renewal of an artisanal mining licence pursuant to regulation (1) shall be submitted to the Director no later than sixty days before the licence expires.

#### **42. RIGHTS UNDER AN ARTISANAL MINING LICENCE**

- (1) The holder of an artisanal mining licence shall have the exclusive right, pursuant to section 91 (2) of the Act, to explore for, mine, process, dispose of, and sell, all minerals specified in the licence, subject to the limitations set out in section 32 (1) of the Act and any other conditions specified in the licence.

#### **43. OBLIGATIONS OF AN ARTISANAL MINING LICENCE HOLDER**

- (1) An artisanal mining licence holder may register a mine manager pursuant to section 91 (3) (d) of the Act through;
  - (a) applying for the registration of an artisanal mine manager to the Director in the form of Form B24 of the Second Schedule.
  - (b) the application for the registration of an artisanal mine manager referred to in subsection (1) above shall be accompanied by;
    - (i). evidence that the application fee in Table A1 of the First Schedule has been paid to the National Revenue Authority;
    - (ii). a passport size photograph of the applicant;
    - (iii). details of the artisanal mining licence on which the mine manager will be operating; and
    - (iv). the endorsement of the artisanal mining licence holder.
  - (c) a certificate for the registration of a mine manager shall be issued to the artisanal mining licence holder in the form of Form D18 of the Fourth Schedule.
  - (d) a photo identity card shall be issued to the registered artisanal mine manager in the form of Form D21 of the Fourth Schedule.

- (2) An artisanal mining licence holder shall enter into an agreement with their labourers or tributers in the form of Form D16 of the Fourth Schedule. Relations between artisanal mining licence holder and the tributer shall be governed by the conditions set out in this agreement.
- (3) An artisanal mining operation shall adhere to provisions for basic conditions of work provided for in these regulations including that a labourer or tributer shall:
  - (a) be entitled to fair remuneration;
  - (b) be entitled to terminate his employment after a reasonable period of notice;
  - (c) not regularly work for more than 45 hours per week;
  - (d) if working more than 45 hours per week, be entitled to compensation at special overtime rates. Overtime rates referred shall be agreed upon between the artisanal mining licence holder and the labourer or tributer at the time of engagement; and
  - (e) be entitled to social support from the artisanal mining licence holder. The social support shall be agreed upon between the artisanal mining licence holder and the labourer or tributer at the time of engagement, and may include access to medicine and health facilities.
- (4) The number of miners allowed on an artisanal mining operation shall not exceed fifty per half hectare or a proportion thereof with respect to the size of the claim pursuant to section 91 (3) (e) of the Act. An artisanal mining licence holder shall record and submit to Director a list of labourers and/or tributers, including the date or birth of each labourer working on his mining operation in the monthly reports.
- (5) No child labour shall be permitted on an artisanal mining operation, pursuant to section 53 (1) (d) of the Act.
- (6) An artisanal mining licence holder may enter into an agreement with a financial supporter in the form of Form D15 of the Fourth Schedule. Relations between an artisanal mining licence holder and a supporter shall be governed by the conditions set out in this agreement.
- (7) Subject to the provisions of section 168 of the Act a labourer or tributer may not remove or sell minerals found on the artisanal mining operation on which they are engaged to work, and a supporter of an operation may not remove or sell or buy any minerals found on the mining operation he is supporting unless:
  - (a) the supporter is licenced by the Director to buy such minerals; and
  - (b) such removal, buying or selling is in pursuit of the normal business as a licenced buyer.
- (8) Pursuant to section 91 (3) (f) of the Act, an artisanal mining licence holder shall sell the minerals obtained from his mining operation as directed by the Director and:
  - (a) shall keep records of sales of minerals obtained from his mining operation in the form of Form C7 of the Third Schedule; and
  - (b) all sales of precious minerals shall be recorded in the form of Form C11 of the Third Schedule.

- (9) An artisanal mining licence holder shall keep records of the activities of the artisanal mining operation as prescribed in Form C7 of the Third Schedule which shall be:
  - (a) updated and checked on a regular basis;
  - (b) made available to an official making an inspection of the mine; and
  - (c) submitted to the Regional Office a report on the artisanal mining operation in the form of Form C8 of the Third Schedule on the tenth day of each calendar month.
- (10) An artisanal mining licence holder shall pursuant to section 127 (2) of the Act, be required to declare if they will be using dredging for ore extraction on their operation.
  - (a) An artisanal mining licence holder shall be required in consideration of section 126 (1) of the Act, to apply for a dredging permit using Form B29 of the Second Schedule before proceeding with dredging in their mining operation.
  - (b) An artisanal mining licence holder pursuant to (a) above shall be required to provide additional information in their mining work plan to indicate the type of equipment they will be using for the dredging and to indicate if dredging is the only viable option for mining the resource

#### **44. ENVIRONMENTAL PROTECTION AND MANAGEMENT FOR ARTISANAL MINING**

- (1) An artisanal mining license application shall be accompanied by an environmental management programme and shall be in the form of Form C13 of Third Schedule and shall contain the following:
  - (a) an undertaking by the artisanal mining license applicant to implement the environmental management programme pursuant to section 132 of the Act;
  - (b) a description of the land to which the application relates;
  - (c) a description of the expected environmental impacts of the artisanal mining operation proposed in the application;
  - (d) a mitigation and management plan for the environmental impacts; and
  - (e) details of how the mine will be closed effectively and efficiently and of the proposed rehabilitation plan.
- (2) A contribution to the Rehabilitation Fund shall be payable on issuance of the artisanal mining licence and shall be the amount as set forth in Table A2 of the First Schedule. Payments to the Rehabilitation Fund do not exempt the artisanal mining licence holder from his responsibilities towards management and mitigation of the environmental impacts of his mining operation.
- (3) An artisanal mining licence holder shall in the implementation of the environmental management programme, adhere as practicably as possible to the plan as submitted to the Director.

- (a) The implementation of the environmental management programme shall be monitored by a relevant government official and shall include but not be limited to site inspections by the relevant government official;
  - (b) Records of site inspection shall be in the form of Form C9 of the Third Schedule.
- (4) An artisanal mining licence holder intending to divert a water course as part of their mining operation must mention it in their application for an artisanal mining licence, and must make provision in their environmental management programme.
- (5) The use of a mercury on an artisanal mining operation shall be regulated and a licence applicant or licence holder intending to use mercury as part of the mineral processing on their mining operation shall make provisions in their environmental management programme which must include but not be limited to the following:
- (a) proper storage of the mercury at the mining site;
  - (b) proper disposal of mercury at designated disposal sites;
  - (c) use of an efficient and effective mercury retort; and
  - (d) give an undertaking not intentionally to release mercury into the environment.

#### **45. HEALTH AND SAFETY IN ARTISANAL MINING OPERATIONS**

- (1) Pursuant to section 132 of the Act an application for an artisanal mining licence shall be accompanied by a pollution risk assessment and management plan with regards to air quality, noise, shock, soil and water and shall be incorporated in the environmental management programme referred to in Regulation 44 (1).
- (2) An artisanal mining operation shall adhere to provisions for basic conditions of work with reference to health and safety including:
- (a) providing personal protective equipment for all labourers and tributers engaged on his mining operation;
  - (b) providing a first aid kit on his mining operation;
  - (c) ensuring that at least one of this workers is trained in first aid;
  - (d) labourers and tributers on an artisanal mining operation shall not regularly work for more than 45 hours per week; and
  - (e) labourers and tributers shall be entitled to health support from the artisanal mining licence holder.
- (3) A labourer and tributer on an artisanal mining operation shall undertake to take all necessary measures to ensure compliance with all health and safety requirements of the mining operation.
- (4) An artisanal mining licence holder shall undertake to provide labourers and tributers with a toilet and drinking water at the mining site.
- (5) An artisanal mining licence holder shall undertake to adhere to all standards for handling hazardous materials as set out by relevant authorities including:

- (a) to dispose of hazardous materials according to standards set by the relevant authority; and
  - (b) to report the use of such hazardous materials as set out by relevant authorities.
- (6) All accidents, injury and loss of life on an artisanal mining operation shall be reported to the relevant authorities, including the Police and the Director, and:
- (a) a record of all accidents, injury and loss of life on an artisanal mining operation shall be kept by the artisanal mining licence holder; and
  - (b) a record of accidents, injuries and loss of life shall be in the form of Form C21 of the Third Schedule.

## **SMALL-SCALE MINING LICENCES**

---

### **46. PURPOSE**

A small-scale mining licence grants the holder, or anyone acting on behalf of the holder, the exclusive right to carry out mineral exploration and shallow mining excluding underground workings over a limited area for a specified mineral or minerals. Its purpose is to permit the exploitation of mineral deposits by methods not involving substantial expenditure or the use of specialized technology by operators which include at least twenty-five percent Sierra Leone citizens. The licence is granted for a limited period and is renewable for similar further periods without limit. It is a non-transferable mineral right.

### **47. CONTENT OF A SMALL-SCALE MINING LICENCE**

- (1) A small-scale mining licence area shall be not less than one hectare or more than one hundred hectares (one square kilometre) and may be of any shape defined according to the numbered sub-blocks on the official cadastral map of Sierra Leone held by the Mining Cadastre Office and described under Regulation 7 (7) (d)(7)(b).
- (2) A small-scale mining licence shall not be granted over any land that that has been designated for artisanal mining under section 30 of the Act or is the subject in whole or in part of an exploration licence not held by the applicant.
- (3) There is no restriction to the number of small-scale mining licences that may be applied for or held.

### **48. APPLICATION FOR A SMALL-SCALE MINING LICENCE**

- (1) An application for a small-scale mining licence, pursuant of section 96 of the Act, shall be submitted to the Mining Cadastre Office on Form B15 of the Second Schedule, together with all attachments and evidence that the appropriate non-refundable application fee as prescribed in Table A1 of the First Schedule has been paid to the National Revenue Authority.
- (2) The application shall:



- (a) confirm that the applicant is a body corporate incorporated or registered in Sierra Leone or a co-operative society registered in Sierra Leone comprising at least twenty-five percent citizens of Sierra Leone;
  - (b) shall identify the name and qualifications of the person responsible for supervising the proposed programme of mining operations;
- (3) The application shall, among other items required under section 96 (2) of the Act, include:
- (a) a plan of the proposed small-scale mining licence area, drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8);
  - (b) a description of the contiguous sub-blocks comprising the proposed small-scale mining licence area, identified according to Regulation 7 (7) (d), which shall be considered definitive should there be any discrepancy with the plan submitted under paragraph (a);
  - (c) documentary evidence that the Chiefdom Mining Allocation Committee and/or the rightful occupiers and/or owners of the land have given their consent in principle to the proposed mining;
  - (d) a technical report on the geology and mineralization of the proposed mining area sufficient to demonstrate that an economically viable mineral deposit exists;
  - (e) a proposed programme of mining operations which in addition to the items specified under section 96 (2) of the Act shall include:
    - (i). a technical report on the mining and treatment methods to be employed prepared according to Guidelines E2 of the Fifth Schedule.
    - (ii). proposals for an environmental management programme intended to mitigate any damaging impacts on the environment and local populations, including specific measures to be employed in the case of risks associated with health or safety and general compensation.
- (4) An applicant who has not obtained an environmental impact assessment licence in respect to the area applied for consistent with Part XV of the Act may nevertheless apply subject to it being subsequently obtained, but the licence will not be granted until such licence is provided.

#### **49. DISPOSAL OF AN APPLICATION FOR A SMALL-SCALE MINING LICENCE**

- (1) The Mining Cadastre Office shall check the application and where satisfied that the documentation is complete, shall record all details in the register of mineral rights applications including the precise time of the registration and, after checking the cadastral map to ensure the application is valid, shall forward a complete copy to each member of the Minerals Advisory Board.
- (2) The Minerals Advisory Board shall assess the application in regard to the proposed mining operation and the supporting information. Where the Board considers that the application is materially deficient in any respect the Director may, pursuant to section 29 (1) of the Act, serve notice on the applicant to provide further information, or the Board may recommend to the Minister,

pursuant to section 29 (2) of the Act, that further investigations or consultations be undertaken. Where no environmental impact assessment licence is provided according to 48 (4) of the Regulations, the Board may, if the application is otherwise satisfactory, give the applicant the opportunity to provide this. The application shall not be considered complete until any and all such further information is supplied to the satisfaction of the Board.

- (3) Where satisfied that the application has met all the necessary criteria, and is not invalid under section 98 of the Act, the Minerals Advisory Board shall certify to the Minister on Form D1 of the Fourth Schedule that it advises that the application be approved, or if not satisfied shall cause the applicant to be advised accordingly together with reasons.
- (4) Notwithstanding that an area has been designated for small-scale mining under section 30 of the Act, the Minister may, in exceptional circumstances and on the advice of the Minerals Advisory Board under (2) above, refuse the grant of a small-scale mining licence where there is compelling evidence to suggest that the mineral deposit applied for is, or may be, more appropriately the subject of a large-scale mining licence because:
  - (a) the results of exploration suggest that the deposit may be of a type, size, form or have a potential vertical extent indicative of a more substantial ore body which the Minister considers merits further exploration and feasibility work in order to determine how best it might be exploited in the best interests of the State; and/or
  - (b) the mining operation requires more extensive technical expertise and resources for its safe and efficient exploitation than are available to the applicant or is not considered appropriate to small-scale mining.
- (5) Where the Minister refuses a small-scale mining licence under (4) above, he shall make such recommendations to the applicant with respect to the further proving of the mineral deposit and/or guidance on expanding the applicant's technical or other resources leading to either:
  - (a) approval of the application for a small-scale mining licence on such terms and conditions that the Minister may decide; or
  - (b) submission of an application for an exploration licence or large-scale mining licence, either alone or in partnership with others, in which event the Minister may issue a notice in the *Gazette* pursuant to section 30 (3) of the Act revoking the status of the area as set aside for small-scale mining.
- (6) An applicant whose application for a small-scale mining licence is successful shall notify the Minister of his acceptance with thirty calendar days, failing which the approval shall lapse.
- (7) A small-scale mining licence shall be issued in the form of Form D6 of the Fourth Schedule.

## **50. SURRENDER, SUSPENSION AND CANCELLATION OF A SMALL-SCALE MINING LICENCE**

- (1) Pursuant to section 51 of the Act, the holder of a small-scale mining licence may at any time surrender all or part of the licence area by application in writing to the Minister giving at least ninety calendar days notice.

- (2) Where such application is for part only of the licence area, it shall be accompanied by:
  - (a) a plan of the proposed reduced licence area, drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8);
  - (b) a description both of the sub-blocks to be surrendered and of the contiguous sub-blocks comprising the proposed reduced licence area, identified according to Regulation 7 (7) (d);
  - (c) where any exploration or mining has been carried out over the ground to be surrendered, a surrender report describing all work carried out since inception for that part of the area given up, prepared according to reporting Guidelines E2 of the Fifth Schedule.
- (3) An application for surrender of the whole of a licence area must be accompanied by a final report in the form of a surrender report for the entire licence period prepared according to the reporting Guidelines E2 of the Fifth Schedule.
- (4) Pursuant to section 51 (2) of the Act, where surrender is for part only of the licence area, the Minister shall issue a surrender certificate on Form D10 of the Fourth Schedule, or where surrender is of the entire licence on Form D9 of the Fourth Schedule, and shall cause this to be entered in the register in the mining cadastre whereupon the surrender shall be effective.
- (5) If the licence holder fails to address any offence against the regulations they may be served a suspension order defining specific required actions and a date by which they must act.
- (6) If a licence holder continues to defy instructions within a suspension order they may be further notified of an impending cancellation, the cancellation order must specify the required action and date by which the licence holder must act.
- (7) Final cancellation will be certified by the Board and recorded in the registry of mineral rights.

## **51. APPLICATION FOR RENEWAL OF A SMALL-SCALE MINING LICENCE**

- (1) Pursuant to section 101 (1) of the Act, the holder of a small-scale mining licence may apply via the Mining Cadastre Office using Form B17 of the Second Schedule, not later than ninety calendar days before its expiry, to renew the licence for a period not exceeding three years on each occasion.
- (2) The prescribed form shall be accompanied by:
  - (a) a report summarizing exploration and mining carried out to date in the licence area prepared according to the Guidelines E2 of the Fifth Schedule, including both technical and financial information on the operation sufficient to demonstrate that the holder has carried out his obligations competently;
  - (b) evidence that economic mineral reserves remain to be extracted;
  - (c) a proposed programme of mining operations to be carried out during the renewal period indicating any changes in regard to any of the matters referred to in Regulation 48 (3) (e);

- (d) where land has been surrendered, a plan identifying that part of the licence area for which renewal is sought drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8), together with a description of the contiguous sub-blocks comprising both the reduced area for which renewal is sought and the sub-blocks being surrendered, all identified according to Regulation 7 (7) (d);
- (e) particulars of any changes to the matters stated in the application for the grant of the licence pursuant to section 96 (2) (h), (i), (j), (k), (l), (m) and (n) of the Act; and
- (f) evidence that the appropriate non-refundable application fee set out in Table A1 of the First Schedule has been paid to the National Revenue Authority.

## **52. DISPOSAL OF APPLICATION FOR RENEWAL OF A SMALL-SCALE MINING LICENCE**

- (1) On receipt of an application to renew of a small-scale mining licence, the Mining Cadastre Office shall check the application and if satisfied that the documentation is complete and that the application is valid shall forward a complete copy to each member of the Minerals Advisory Board.
- (2) The Minerals Advisory Board shall assess the renewal application including the performance of the licence holder over the preceding licence period and whether all obligations under section 101 (2) of the Act and its regulations have been met.
- (3) Where the Minerals Advisory Board considers that the application is materially deficient in any respect the Director may, pursuant to section 29 (1) of the Act, require the applicant to provide further information, or may recommend to the Minister, pursuant to section 29 (2) of the Act, that he causes investigations or consultations to be carried out. The application shall not be considered complete until such further information is supplied to the satisfaction of the Board.
- (4) Where satisfied that the application for renewal has met all the necessary criteria pursuant to section 101 (2) of the Act, the Minerals Advisory Board shall certify their recommendation to the Minister on Form D1 of the Fourth Schedule, or if not satisfied shall cause the applicant to be advised accordingly together with reasons.
- (5) Having received the recommendation of the Minerals Advisory Board, the Minister may grant the renewal with or without variations to the original conditions for a period of up to three years, or may refuse the renewal, giving reasons.

## **53. RIGHTS UNDER A SMALL-SCALE MINING LICENCE**

- (1) The holder of a small-scale mining licence shall have the exclusive right, pursuant to section 102 (1) of the Act, to explore for, mine, process, dispose of, and sell, all minerals specified in the licence, subject to the limitations set out in section 32 (1) of the Act and any other conditions specified in the licence,

provided always that the holder shall be liable for royalty payment subject to section 148 of the Act. By written notice of discovery submitted by the licence holder on Form C1 of the Third Schedule, similar exclusive rights shall apply to any additional minerals subsequently encountered within the licence area and requested by the holder to be included, and the licence shall be amended accordingly.

- (2) The right to undertake exploration shall include the carrying out of geological, geochemical, geophysical and remote sensing surveys, and the collection of soil, rock, mineral, air and water samples as necessary for determination and analysis.

#### **54. OBLIGATIONS AND CONDUCT UNDER A SMALL-SCALE MINING LICENCE**

- (1) Upon approval of an application for a small-scale mining licence, and thereafter at the beginning of each licence year, the holder shall pay the annual charge as prescribed in Table A2 of the First Schedule.
- (2) The holder shall inform the Director if there is any change in ownership of the licence such that citizens of Sierra Leone no longer constitute at least twenty-five percent ownership.
- (3) Pursuant to section 102 (2) (h) and section 132 of the Act, exploration and mining operations shall be conducted having due respect to the environment, with rehabilitation and reclamation of mined out areas being carried out, as far as is practicable, as mining proceeds but in any event restoring the land and excavations to a safe state.
- (4) The licence holder shall maintain in Sierra Leone at an address to be registered with the Minister full and accurate records in regard to:
  - (a) minerals extracted and minerals sold;
  - (b) expenditures and income;
  - (c) all technical information, data and analyses, including maps and plots, in paper and digital formats as appropriate, in respect to all mining and exploration activities including any analyses and surveys carried out in or over the ground;
  - (d) detailed stratigraphic logs of all boreholes drilled;
  - (e) any minerals discovered in potentially economic amounts that are not specified in the licence;
  - (f) the staff employed;
  - (g) all other work done in connection with the licence including contracts and agreements with landowners; and
  - (h) such other matters as prescribed or as the Director may specify.
- (5) Pursuant to section 166 of the Act, the licence holder shall preserve all drill cores and drilling samples either at the registered address or at another location and, when no longer required or at termination of the licence, shall advise the Director and Director of Geological Survey who may, within thirty days request that they be handed over.

- (6) Notwithstanding the rights under section 102 of the Act, a licence holder wishing to send samples overseas for testing, analysis or sale must, pursuant to section 165 (2) of the Act, must seek permission using Form B10 of the Second Schedule. However, in the case of samples sent for testing or analysis as part of an approved exploration programme, the Minister may give permission on a multiple basis for such samples to be sent.
- (7) The holder of a small-scale mining licence shall submit the following reports on exploration and mining:
  - (a) a monthly mineral production return on Form C15 of the Third Schedule; and
  - (b) an annual report prepared according to Guidelines E2 of the Fifth Schedule accompanied by Form C16 of the Third Schedule.
- (8) The holder shall notify the Minister of the discovery of any mineral not specified in the licence on Form C1 of the Third Schedule as follows:
  - (a) in the case of any mineral deposit of potential economic value, within a period of thirty calendar days pursuant to section 78 (1) (h) of the Act;
  - (b) in respect to any radioactive mineral immediately, but in any case not later than seven calendar days pursuant to section 121 (1) of the Act; in the case of a radioactive mineral where a radioactive minerals permit has been applied for and granted, the holder shall in addition within the first week of every month, pursuant to section 122 of the Act, furnish the Director with a report accompanied by Form C22 of the Third Schedule on the exploration operations conducted in the preceding month.
- (9) Pursuant to section 55 of the Act, upon termination of a small-scale mining licence, the holder shall provide to the Director:
  - (a) a copy of all records held under (4) above;
  - (b) a final report, prepared according to Guidelines E2 of the Fifth Schedule summarising all exploration and mining work carried out over the entire period the licence was held.

## **55. TRANSITIONAL ARRANGEMENTS IN RESPECT TO SMALL-SCALE MINING LICENCES**

- (1) Notwithstanding section 178 (3) of the Act, a small-scale mining licence issued prior to the Act has no legal basis under the new Act, irrespective of its date of expiry, except that the holder may apply for a small-scale mining licence on a priority basis as described herein.
- (2) To establish a priority right, the holder of a small-scale mining licence must complete Part 1 of Form B16 of the Second Schedule confirming his intention to apply for a small-scale mining licence under a priority right and submit it to the Mining Cadastre Office within thirty calendar days of the date of commencement of these regulations. The Mining Cadastre Office will record the holder's expression of interest in the register of mineral rights applications, and will validate the form with a registration number; this validated form shall be used when submitting the complete application.

- (3) Failure to register within thirty calendar days will result in the automatic cancellation of the small-scale mining licence and the loss of the priority right; in this event, the Mining Cadastre Office will notify the licence holder and the ground will immediately be opened up to mineral rights applications from any person or party qualified to do so.
- (4) Once registered, pursuant to (2) above, no application for a mineral right over part or all of the same ground shall be accepted from any person other than the holder of the expiring small-scale mining licence until:
  - (a) a period of one hundred and eighty calendar days has elapsed from the date of commencement of these regulations and no complete application has been received; or
  - (b) after a priority application, duly submitted according to subsection (6) below, has been determined.
- (5) Pursuant to (2) above, the holder of an expiring small-scale mining licence who has registered his intention to apply for a small-scale mining licence on a priority basis, may continue to carry out mining operations unhindered within the time permitted for such complete application to be made. During this period the holder will be subject to all former conditions and regulations of the licence in so far as they are consistent with the new Act and regulations.
- (6) A complete application for a small-scale mining licence over part or all of a former small-scale mining licence area made under a priority right by a licence holder who has registered his interest pursuant to subsection (2) above, shall be submitted to the Mining Cadastre Office on the previously-validated copy of Form B16 of the Second Schedule, not later than one hundred and eighty calendar days after the date of commencement of these regulations, together with all attachments described under subsection (10) below and evidence that the appropriate non-refundable application fee as prescribed in Table A1 of the First Schedule has been paid to the National Revenue Authority.
- (7) Where an application pursuant to section (6) above has been duly made and accepted as complete by the Mining Cadastre Office, the expiring small-scale mining licence shall be deemed to continue in force over the those parts of the former licence area applied for until the application has been determined, during which period the former licence conditions shall apply. Any ground constituting part of the expiring licence not subject to such application will become immediately open to mineral rights applications from any person or party who is qualified.
- (8) The priority right in respect of a small-scale mining licence holder who has registered the intention to apply but has not submitted a complete application will lapse one hundred and eighty calendar days of the date of commencement of these regulations. Thereafter, a former licence holder who wishes to apply for a small-scale mining licence over the area may do so on an equal basis with all any other qualified persons.
- (9) Where an application for a small-scale mining licence made under a priority right includes areas which did not form part of the former licence but are contiguous with it, the priority right shall not extend to such areas. Nonetheless, such ground will be accepted as part of the application provided there are no prior-registered applications pertaining to all or part of the additional ground.

- (10) Notwithstanding subsection (9), all sub-blocks defined according to subsection (11) (c), shall be considered to be part of the priority right.
- (11) Any application submitted under a priority right shall:
- (a) satisfy the requirements under section 95 (2) of the Act;
  - (b) be limited in size to an area not exceeding one hundred hectares (one square kilometre), pursuant to section 100 (1) of the Act, provided always that more than one small-scale mining licence may be applied for;
  - (c) be defined in terms of sub-blocks, described according to regulation 7 (4) (c), which may include any sub-block all or part of which falls within the former small-scale mining licence defined according to the coordinate system; and shall
  - (d) be for a period not exceeding three years.
- (12) An application shall be accompanied by:
- (a) a plan identifying the licence area applied for showing both the sub-blocks and the boundaries of the expiring small-scale mining licence, all drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8), together with a description of the contiguous sub-blocks comprising the licence area identified according to Regulation 7 (7) (d), which shall be considered definitive if there is any discrepancy with the plan;
  - (b) a report summarizing exploration and mining carried out to date under the expiring small-scale mining licence prepared according to the Guidelines E2 of the Fifth Schedule, including both technical and financial information on the operation sufficient to demonstrate that the holder has carried out his obligations competently and that mineral reserves remain that can be economically extracted;
  - (c) a proposed programme of mining operations to be carried out which shall include:
    - (i). a technical report on the mining and treatment methods to be employed prepared according to Guidelines E2 of the Fifth Schedule.
    - (ii). a limited environmental impact assessment, prepared according to Guidelines E2 of the Fifth Schedule, as appropriate to the state of mining that has already taken place in the area but sufficient for the purposes of developing an environmental management programme;
    - (iii). proposals for an environmental management programme, prepared according to Guidelines E2 of the Fifth Schedule, intended to mitigate any damaging impacts on the environment and communities, including rehabilitation and measures to cover the risks associated with health or safety;
    - (iv). proposed marketing arrangements for the sale of minerals mined;
    - (v). goods or services available in Sierra Leone that will be used;
    - (vi). proposals with respect to the employment of citizens of Sierra Leone;
    - (vii). proposals for any anticipated infrastructure requirements; and



- (viii). a financial plan for the proposed mine including capital investment, operating costs and revenues and anticipated source of financing.
  - (d) an environmental impact assessment licence in respect to the area applied for consistent with Part XV of the Act;
  - (e) documentary evidence in the form of that the Chiefdom Mining Allocation Committee and/or the rightful occupiers and/or owners of the land have given their consent in principle to the proposed mining;
  - (f) a surrender report, prepared according to the Guidelines E2 of the Fifth Schedule, covering all areas of the former small-scale mining licence not subject to the new application or to any other associated small-scale mining licence applied for in parallel over the former small-scale mining licence area.
- (13) Notwithstanding subsection (12) (f) above, where more than one small-scale mining licence is applied for over a former small-scale mining licence area under a priority right but not all of the applications are granted by the Minister, the applicant shall thereafter, following a notice from the Director, provide a revised surrender report covering all parts of the former licence not subject to the new licences, and the new licence or licences shall not take effect until such report is submitted to the satisfaction of the Director. Where such surrender report is not provided within thirty calendar days of receiving the Director's notice, the approval or approvals of licences approved by the Minister shall lapse.
- (14) An applicant whose application for a small-scale mining licence under a priority right is successful shall notify the Minister of his acceptance within thirty calendar days of the date of the offer, failing which the approval shall lapse.
- (15) Notwithstanding anything under this regulation, an expiring small-scale mining licence that is in serious default of its obligations, including persistent non-performance or non-payment of fees, shall not be entitled to priority consideration, whether or not the holder registers according to subsection (2) above, nor shall the confidentiality of past exploration reports, results and data be preserved. Nevertheless, the former small-scale mining licence holder shall be entitled to apply for a small-scale mining licence over part or all of the former mining lease area on an equal basis with other persons, in which case it shall be for the Minister, on the advice of the Minerals Advisory Board, to decide whether any default is so serious as to refuse the application on that basis alone.
- (16) Notwithstanding anything under this regulation, the holder of a small-scale mining licence who does not register or who does not apply for a new small-scale mining licence shall nevertheless be required to submit a final surrender report.

## **LARGE-SCALE MINING LICENCES**

---

### **56. PURPOSE**

A large-scale mining licence grants the holder, or anyone acting on behalf of the holder, the exclusive right to carry out mining for a specified mineral or minerals and to undertake mineral exploration over the licence area. Its purpose is to permit the

exploitation of large mineral deposits using surface and/or sub-surface mining methods that require significant technical expertise, substantial long-term capital investment, and extended security of tenure. Holders of a large-scale mining licence will be expected to establish their company head office at the mine site.

## **57. CONTENT OF A LARGE-SCALE MINING LICENCE**

- (1) A large-scale mining licence area may be of any shape defined according to the numbered blocks on the official cadastral map of Sierra Leone held by the Mining Cadastre Office and described under Regulation 7 (7) (e).
- (2) A large-scale mining licence shall not be granted over any land that has been designated for artisanal or small-scale mining under section 30 of the Act or is the subject in whole or in part of an exploration licence not held by the applicant.
- (3) There is no limit on the number of large-scale mining licences that a company may apply for or hold.

## **58. APPLICATION FOR A LARGE-SCALE MINING LICENCE**

- (1) An application for a large-scale mining licence, pursuant of section 106 of the Act, shall be submitted to the Mining Cadastre Office on Form B18 of the Second Schedule together with all attachments and evidence that the appropriate non-refundable application fee as prescribed in Table A1 of the First Schedule has been paid to the National Revenue Authority.
- (2) Where one or more prospecting licences, which shall include exclusive prospecting licences and exploration licences, granted under the Mines and Minerals Act 1994 partly or wholly extends over the area being applied for, the application shall include, pursuant to section 108 (2) of the Act, a statement on Form B21 of the Second Schedule signed by every prospecting licence holder consenting to the application.
- (3) Where an application is made for a large-scale mining licence area exceeding one hundred and twenty five square kilometres, convincing evidence must be presented in the feasibility study demonstrating the existence of a very large mineral deposit or other justifications in support of the area applied for.
- (4) The application shall, together with other items under section 106 (2) of the Act, include:
  - (a) a plan of the proposed large-scale mining licence area, drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8);
  - (b) a description of the contiguous blocks comprising the proposed large-scale mining licence area, identified according to Regulation 7 (7) (e), which shall be considered definitive should there be any discrepancy with the plan submitted under paragraph (a);
  - (c) in support of the statement required under section 106 (2) (d) of the Act, a detailed technical report on the geology and mineralization in and around the proposed mining area, prepared according to Guidelines E2 of the Fifth Schedule, sufficient to demonstrate that a full evaluation has been undertaken and that an economically viable ore body exists;
  - (d) full feasibility investigations undertaken and reported according to Guideline E2 of the Fifth Schedule which shall include:

- (i). a proposed programme of mining operations pursuant to section 106 (2) (i) of the Act;
  - (ii). a technical report on the mining and treatment possibilities and methods to be employed pursuant to section 106 (2) (h) of the Act;
  - (iii). an environmental impact assessment, pursuant to section 106 (2) (i) (vi) of the Act;
  - (iv). proposals for an environmental management programme intended to mitigate any damaging impacts on the environment and local populations pursuant to, but not limited by, section 106 (2) (i) (v) and (vii) of the Act; and
  - (v). a comprehensive financial plan for the proposed mine, pursuant to section 106 (2) (j) of the Act presenting and demonstrating the viability of the business model; and
- (e) an environmental impact assessment licence consistent with the provisions of Part XV of the Act.

## **59. DISPOSAL OF AN APPLICATION FOR A LARGE-SCALE MINING LICENCE**

- (1) The Mining Cadastre Office shall check an application for a large-scale mining licence and where satisfied that the documentation is complete, shall enter it into the register of mineral rights applications and, after confirming that the area applied for is valid, shall forward a complete copy to each member of the Minerals Advisory Board.
- (2) The Minerals Advisory Board shall assess the application in regard to the proposed mining operation and may, in seeking a comprehensive recommendation, consult with stakeholders, or co-opt any outside expertise it deems appropriate, or consult with other government ministries or local authorities. Where the Board considers that the application is materially deficient in any respect the Director may, pursuant to section 29 (1) of the Act, require the applicant to provide further information, or the Board may recommend to the Minister, pursuant to section 29 (2) of the Act, that further investigations or consultations be carried out, or that pursuant to section 107 (4) of the Act the applicant be required to commission independent studies to enable the application to be disposed of. The application shall not be considered complete until any and all such further information is supplied to the satisfaction of the Board.
- (3) Where satisfied that the application has met all the necessary criteria, and that the application is not invalid under subsections (1), (2) or (3) of section 108 of the Act, the Minerals Advisory Board shall certify to the Minister on Form D1 of the Fourth Schedule that it advises that the application be approved, or if not satisfied it shall cause the applicant to be advised accordingly giving reasons.
- (4) The Minister may, on the advice of the Minerals Advisory Board, grant on such conditions as he may determine, or reject, the large-scale mining licence. Where the application is refused the Minister shall give reasons for such refusal and may, at his discretion, give opportunity for the applicant to address such deficiency to the satisfaction of the Minister within such time limit as he may specify.
- (5) A large-scale mining licence shall be issued in the form of Form D7 of the Fourth Schedule.

- (6) Subject to section 110 (2) (b) of the Act, no large-scale licence shall be issued unless and until the applicant has provided a certified copy of an agreement, prepared as a consequence of sections 106 (2) (k) and (l) of the Act, between the applicant and the owners of the land over which the large-scale mining licence is to be granted.

## **60. SURRENDER, ENLARGEMENT, TERMINATION, SUSPENSION OR REDUCTION OF PRODUCTION UNDER A LARGE-SCALE MINING LICENCE**

- (1) The holder of a large-scale mining licence who proposes to permanently terminate, temporarily suspend, or reduce production from the mine under section 118 (1) and (2) of the Act, or who wishes to surrender all or part of a licence area under section 51 of the Act, does so without prejudice to any ongoing liabilities or obligations under the licence, especially in regard to health and safety, workers' rights, environmental protection and management, community development agreements and other agreements entered into under or in connection with the licence.
- (2) An application made by the holder of a large-scale mining licence in respect to changes in production under section 118 (1) of the Act, or surrender under section 51 of the Act, or enlargement under section 113 (7) and 113 (8) of the Act, shall be made on Form B23 of the Second Schedule and shall be considered by the Minerals Advisory Board who will advise the Minister. The Minister may cause such further investigations to be undertaken as considered necessary or appropriate before reaching a decision.
- (3) The holder of a large-scale mining licence who wishes to enlarge his licence area, pursuant to section 113 (7) and (8) of the Act shall give reasons why such enlargement is necessary or would lead to the more efficient exploitation of the deposit. The application in respect to the added area shall include:
  - (a) an amended programme of mining operations;
  - (b) any plans to improve the infrastructural provision; and
  - (c) any other information that he may wish to present.
- (4) A notification by the holder of a large-scale mining licence, pursuant to section 118 (2) of the Act, that production, suspension or reduction in production has, for reasons beyond his control, already taken place, should be submitted direct to the Minister as soon as possible and in any event within fourteen calendar days.
- (5) Where an application is made for surrender of part only of the licence area, it shall be accompanied by:
  - (a) a plan of the proposed reduced licence area, drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8);
  - (b) a description both of the blocks to be surrendered and of the contiguous blocks comprising the proposed reduced licence area, identified according to Regulation 7 (7) (e);
  - (c) where any exploration or mining has been carried out over the ground to be surrendered, a surrender report describing all work carried out since inception for that part of the area given up, prepared according to reporting

Guidelines E2 of the Fifth Schedule, or if no work has been carried out, a statement to that effect.

- (6) Pursuant to section 51 (2) of the Act, where the Minister is satisfied that all ongoing liabilities and obligations have been, or will be, met, he shall issue a surrender certificate on Form D10 of the Fourth Schedule where in respect to part only of the licence area, or on Form D9 of the Fourth Schedule in respect to the entire licence, and shall cause this to be entered in the register of mineral rights in the mining cadastre whereupon the surrender shall be effective.
- (7) Pursuant to section 55 of the Act, upon termination of a large-scale mining licence, either by surrender or cancellation, the holder shall provide to the Director:
  - (a) a copy of all records held under section 115 (2) (a) of the Act;
  - (b) a final report, prepared according to Guidelines E2 of the Fifth Schedule summarising all exploration, development and mining work carried out over the entire period that the licence was held.

#### **61. APPLICATION FOR RENEWAL OF A LARGE-SCALE MINING LICENCE**

- (1) Pursuant to section 112 (1) of the Act, the holder of a large-scale mining licence may apply via the Mining Cadastre Office on Form B20 of the Second Schedule, not later than one year before its expiry, to renew the licence for a period not exceeding fifteen years on each occasion.
- (2) The prescribed form shall, in addition to the items specified under section 112 (2) of the Act, be accompanied by:
  - (a) a report summarizing the geological exploration, development and mining carried out hitherto in or over the licence area prepared according to the Guidelines E2 of the Fifth Schedule, including both technical and financial information on the operation, sufficient to demonstrate that the holder has carried out his obligations competently;
  - (b) evidence, pursuant to section 112 (2) (b) (i) of the Act, that mineral reserves remain that can be economically extracted in line with the period of renewal applied for;
  - (c) a proposed programme of mining operations to be carried out during the renewal period indicating any changes to the original plan in regard to any of the matters referred to in section 106 (2) (i) of the Act
  - (d) pursuant to section 112 (2) (c) of the Act, where land has been surrendered, a plan identifying that part of the licence area for which renewal is sought drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8), together with a description of the contiguous blocks comprising both the reduced area for which renewal is sought and the blocks being surrendered, all identified according to Regulation 7 (7) (e);
  - (e) further to subsection (d) above, where land has been surrendered, a surrender report, prepared according to Guidelines E2 of the Fifth Schedule for the area being given up;
  - (f) certified copies of audited accounts for the preceding five years;

- (g) record of Sierra Leone citizens employed during the preceding five years;
- (h) a report summarizing environmental protection, rehabilitation and reclamation measures undertaken to date;
- (i) particulars of any changes to the matters stated in the application for the grant of the licence pursuant to section 106 (2) (n), (o), (p), (q), and (r) of the Act; and
- (j) evidence that the appropriate non-refundable application fee set out in Table A1 of the First Schedule has been paid to the National Revenue Authority.

## **62. DISPOSAL OF APPLICATION FOR RENEWAL OF A LARGE-SCALE MINING LICENCE**

- (1) On receipt of an application to renew of a large-scale mining licence, the Mining Cadastre Office shall check the documentation and where satisfied that it is complete and, after confirming that the area applied for is valid, shall forward a complete copy to each member of the Minerals Advisory Board
- (2) The Minerals Advisory Board shall assess the renewal application in regard to the proposed mining operations for the period of the extension, taking account of the performance of the licence holder over the preceding licence period including whether all obligations under section 115 of the Act and any applicable regulations have been met.
- (3) Where the Minerals Advisory Board considers that the application is deficient in any respect, the Director, pursuant to section 29 (1) of the Act, may require the applicant to provide further information, or may recommend to the Minister, pursuant to section 29 (2) of the Act, that further investigations or consultations to be undertaken. The renewal application shall not be considered complete until such further information is supplied to the satisfaction of the Board.
- (4) Where satisfied that the application for renewal has met all the necessary criteria, the Minerals Advisory Board shall certify its recommendation to the Minister on Form D1 of the Fourth Schedule, or if not satisfied it shall advise the applicant accordingly, giving reasons.
- (5) On the advice of the Minerals Advisory Board, and where he is satisfied that the licence holder has also met the conditions under section 112 (5) of the Act, the Minister may renew the licence with or without variations to the original conditions for a period of up to fifteen years. The Minister shall not refuse a renewal based on section 112 (5) of the Act unless the applicant has been given opportunity to remedy or otherwise satisfy the Minister and has failed to do so.

## **63. RIGHTS UNDER A LARGE-SCALE MINING LICENCE**

- (1) The holder of a large-scale mining licence shall have the exclusive right, pursuant to section 114 of the Act, to explore for, mine, process, dispose of, and sell, all minerals specified in the licence, subject to the limitations set out in section 32 (1) and any other conditions specified in the licence, provided always that the holder shall be liable for royalty payment subject to section 148 of the Act. By

written notice of discovery submitted by the licence holder on Form C1 of the Third Schedule, similar exclusive rights shall apply to any additional minerals subsequently encountered within the licence area and requested by the holder to be included, and the licence shall be amended accordingly.

- (2) The right to undertake exploration shall include the carrying out of geological, geochemical, geophysical and remote sensing surveys, and the collection of soil, rock, mineral, air and water samples as necessary for determination and analysis.

#### **64. OBLIGATIONS AND CONDUCT UNDER A LARGE-SCALE MINING LICENCE**

- (1) Upon approval of an application for a large-scale mining licence, and thereafter at the beginning of each licence year, the holder shall pay the annual charge as given in Table A2 of the First Schedule.
- (2) Pursuant to section 166 of the Act, the licence holder shall preserve all drill cores and drilling samples either at the registered address or at another location and, when no longer required or at termination of the licence, shall advise the Director and Director of Geological Survey who may, within thirty days, request that they be handed over.
- (3) Notwithstanding the rights under section 102 of the Act, a licence holder wishing to send samples overseas for testing, analysis or sale must, pursuant to section 165(2) of the Act, must seek the permission of the Minister on Form B10 of the Second Schedule. However, in the case of samples sent for testing or analysis as a necessary part of an approved or ongoing exploration programme, or in association with mining, the Minister may give permission on a multiple basis for such samples to be sent.
- (4) The holder of a large-scale mining licence shall submit the following reports on exploration and mining:
  - (a) a monthly mineral production return on Form C17 of the Third Schedule;
  - (b) an annual report prepared according to Guidelines E2 of the Fifth Schedule accompanied by Form C18 of the Third Schedule.
- (5) Pursuant to section 55 of the Act, upon termination of a large-scale mining licence, the holder shall deliver to the Director:
  - (a) a copy of all records held under section 115 (2) (a) of the Act;
  - (b) a final report, prepared according to Guidelines E2 of the Fifth Schedule summarising all exploration, development and mining work, including production figures, carried out over the entire period that the licence was held.

#### **65. AMENDMENT TO PROGRAMME OF MINING OPERATIONS UNDER A LARGE-SCALE MINING LICENCE**

- (1) The holder of a large-scale mining licence who proposes to amend the programme of mining operations, or the environmental management programme, or the programme of employment and training pursuant to section 113 (1) of the

Act, shall notify the Minister, whereupon it shall take immediate effect unless the Minister considers, pursuant to section 113 (3) of the Act, that the amendment constitutes a substantial alteration to any provision of the licence or that it might have an adverse affect the environmental management programme, in which case he will advise the holder and shall refer the matter to the Minerals Advisory Board who will consult with any other experts or parties as considered necessary before providing its advice.

- (2) Pursuant to section 113 (5) of the Act, the holder of a large-scale mining licence shall notify the Director of the discovery of any mineral on Form C1 of the Third Schedule as follows:
  - (a) in respect to any mineral for which he holds the licence, within a period of thirty calendar days, but only where the discovery relates to a discrete mineral deposit separate from the known ore body for which the licence was granted; or
  - (b) in respect to any other mineral deposit of potential economic value not included in the licence, within a period of thirty calendar days; or
  - (c) in respect to any radioactive mineral, immediately, but in any case not later than seven calendar days pursuant to section 121 (1) of the Act. Furthermore, in the case of a radioactive the holder shall in addition, pursuant to section 122 of the Act, and where a radioactive minerals permit has been applied for and granted, within the first week of every month furnish the Director with a report on the exploration operations conducted in the preceding month on Form C22 of the Third Schedule.
- (3) Pursuant to subsection (2) above, the licence holder may request on Form C1 of the Third Schedule that the mineral be included in the licence and shall in this case attach, as appropriate, a proposed programme of proving, development or mining (immediately or at a later date) in respect thereof.

## **66. TRANSFER OF A LARGE-SCALE MINING LICENCE**

- (1) Pursuant to section 119 of the Act, the holder of a large-scale mining licence may apply to the Mining Cadastre Office on Form B25 of the Second Schedule to transfer the licence, and shall supply such other information as the Minerals Advisory Board, or the Minister on the advice of the Board, may require according subsection (5) below.
- (2) Except in the case of bankruptcy or insolvency by the licence holder, no application for transfer shall be considered until mine development is complete and the mine has been in production for at least one year.
- (3) The application shall include:
  - (a) a summary technical report on the geology and mineralization in and around the mine, including production since mine inception, and the latest proven, estimated and inferred reserves;
  - (b) a copy of the latest annual report;
  - (c) a report summarizing environmental protection, rehabilitation and reclamation measures undertaken to date by the current holder;



- (d) full details of the company to which the licence will be transferred (transferee), its Directors, shareholders with more than a five percent interest, names of related companies, company profile, evidence of technical and financial resources, audited accounts for the preceding year, and any other information that the Minister may decide;
  - (e) information on any proposed changes to the management, staffing and operation of the mine as a consequence of the transfer; and
  - (f) a declaration that the transferee accepts the current programme of mining operations, environmental management programme, community agreements, employment and training guarantees relating to Sierra Leone citizens and all other liabilities and obligations of the transferor, including proposals for transferring the financial surety.
- (4) The Mining Cadastre Office shall register the application and, after checking that the documentation is complete, shall forward a complete copy to each member of the Minerals Advisory Board.
  - (5) The Minerals Advisory Board shall consider the application and where required shall seek further information or clarification, which the applicant shall supply. Where the Board is satisfied that both the applicant for the transfer and the transferee have met all requirements under the Act and regulations, the Board shall certify to the Minister on Form D2 of the Fourth Schedule that it advises the application be approved, together with any special conditions, or if not satisfied shall cause the applicant to be advised accordingly, with reasons.
  - (6) The Minister shall give or refuse the transfer, including any special conditions, and will in the case of refusal give his reasons.
  - (7) The transfer shall not be registered, and the original licence holder shall remain liable for all obligations, until all conditions pertaining to the transfer have been met including evidence that financial surety, pursuant to section 136 (4) of the Act, is in place in the name of the transferee.
  - (8) Upon the registration of the transfer of a large-scale mining licence in the mining cadastre, pursuant to the provisions of section 43 of the Act, the transferee shall assume and be responsible for all rights, liabilities and duties of the transferor under the large-scale mining licence including any liabilities or obligations incurred before the date of transfer.

## **67. TRANSITIONAL ARRANGEMENTS IN RESPECT OF A LARGE-SCALE MINING LICENCE**

- (1) Pursuant to section 178 (3), any mining lease issued under the Mines and Minerals Act 1994 and its regulations shall continue in force until it expires by the passage of time, but shall be subject to any regulations made under the repealed Act in so far as they are consistent with the present Act and its regulations.
- (2) Notwithstanding section 178 (3), the holder of a mining lease shall be expected to uphold the spirit and intent of the new Act and in particular shall be subject to certain conditions under this Act. These include:

- (a) a community development agreement;
  - (b) an environmental management programme including rehabilitation at mine closure;
  - (c) financial surety for mine closure;
  - (d) employment of Sierra Leone nationals and training programmes;
  - (e) health and safety;
  - (f) financial obligations including fees charges and royalties; and
  - (g) reporting requirements.
- (3) Pursuant to subsection (2) above, the holder of a mining lease will:
- (a) submit a community development agreement for approval by the Minister within one calendar year of the date of commencement of these regulations;
  - (b) submit an environmental impact assessment, subject to the limitations unavoidably resulting from an operational mine, together with an environmental management programme for approval by the Minister on the advice of the Minerals Advisory Board, within one calendar year of the date of commencement of these regulations;
  - (c) based on the environmental impact assessment and the mine closure plan, put in place financial assurance according to section 136 (4) of the Act within one calendar year of the date of commencement of these regulations;
  - (d) submit a report on the employment of Sierra Leone citizens plus a plan of training programmes within one calendar year of the date of commencement of these regulations;
  - (e) comply with all health and safety provisions under Part XVII the Act; and
  - (f) comply with all reporting provisions for large-scale mining licences under the Act and regulations.
- (4) Pursuant to section 178 (4) and (5) of the Act, a mining lease shall not be extended or renewed except that the holder may apply, subject to (10) below, for a large-scale mining licence under the new Act on a priority basis.
- (5) An application for a large-scale mining licence under a priority right, pursuant to subsection (2) above, shall be submitted to the Mining Cadastre Office on Form B19 of the Second Schedule not later than one year before expiry of the mining lease, together with all attachments and evidence that the appropriate non-refundable application fee as prescribed in Table A1 of the First Schedule has been paid to the National Revenue Authority.
- (6) Where application for a large-scale mining licence under a priority right is duly made according to subsection (5) above, no other application for a large-scale mining licence over part or all of the same ground shall be accepted from any other person until the priority application has been determined, and the expiring mining lease shall be deemed to continue until such time.
- (7) Notwithstanding section 178 (4) and (5) of the Act, any such application shall:
- (a) satisfy the requirements under section 105 of the Act;
  - (b) be for a period not exceeding fifteen years;

- (c) pursuant to section 108 (3) (b) of the Act, be limited in size to an area reasonably required to carry out the programme of mining operations whilst including all existing infrastructure;
  - (d) where application is made for an area exceeding one hundred and twenty five square kilometres, provide clear evidence demonstrating the existence of a very large mineral deposit or other justifications in support of the area applied for; and
  - (e) be defined in terms of blocks, described according to regulation 7 (4) (b), which may include any block all or part of which falls within the former mining lease as defined according to the coordinate system.
- (8) The application shall be accompanied by:
- (a) a plan of the proposed large-scale mining licence area applied for showing both the blocks and the boundaries of the expiring mining lease, all drawn in such a manner and showing such particulars as prescribed under Regulation 7 (8) together with a description of the contiguous blocks comprising the proposed large-scale mining licence area, identified according to Regulation 7 (7) (e), which shall be considered definitive should there be any discrepancy with the plan;
  - (b) a limited feasibility report summarizing the future economic viability of the mining operation including a technical report on the geology and mineralization in and around the proposed mining area, together with the latest measured, indicated and inferred ore reserves;
  - (c) a proposed programme of mining operations including planned production;
  - (d) a technical report on the mining and treatment methods to be employed prepared according to Guidelines E2 of the Fifth Schedule;
  - (e) a detailed technical report covering all work carried over the expiring mining lease since inception, prepared according to the Guidelines E2 of the Fifth Schedule, which shall remain confidential where this application, or any associated application, for a large-scale mining licence covering part or parts of the former mining lease is granted;
  - (f) a surrender report, prepared according to the Guidelines E2 of the Fifth Schedule, covering all areas of the former mining lease not subject to the new application or to any other associated large-scale mining licence applied for in parallel over the former lease area;
  - (g) an environmental impact assessment, subject to the unavoidable limitations resulting from an operational mine, identifying any likely future damaging impacts on the environment and on communities;
  - (h) a report summarizing the environmental management programme and rehabilitation measures undertaken to date over the expiring mining lease, together with an environmental management programme for the period of the new licence;
  - (i) audited accounts for the preceding five years;
  - (j) a report summarizing Sierra Leone citizens employed under the expiring mining lease in the preceding five years; and

- (k) a comprehensive financial plan and business model including the capital investment to be made and production costs and revenue forecasts.
- (9) Notwithstanding subsection (8) (f) above, where more than one large-scale mining licence is applied for over a former mining lease but not all of the applications are granted, the applicant shall thereafter submit, following a notice from the Director, a revised surrender report covering all parts of the former mining lease not subject to the new licence or licences. Where such surrender report is not provided within thirty calendar days of receiving the Director's notice, the approval(s) of the new licence(s) shall lapse.
- (10) Any expiring mining lease granted under the Mines and Minerals Act 1994 that is in serious default of its obligations, including persistent non-performance under the 1994 Act or under these regulations insofar as they apply, non-payment of fees, failure to adequately protect and rehabilitate the environment, or failure to honour community and social responsibilities, shall not by right be entitled to priority consideration, pursuant to section 178 (4) of the Act, nor shall the confidentiality of past reports, results and data be preserved after the expiry of the lease. Nevertheless, the former mining lease holder shall be entitled to apply for a large-scale mining licence over part or all of the former mining lease upon expiry of the lease on an equal basis with other applicants, in which case it shall be for the Minister, on the advice of the Minerals Advisory Board, to decide whether any default is so serious as to refuse the application on that basis alone.

## **RADIOACTIVE MINERALS**

---

### **68. ACQUISITION OF A RADIOACTIVE MINERALS PERMIT**

- (1) Pursuant to section 121 of the Act, a radiometric anomaly recorded either using a hand-held meter or resulting from an airborne survey, which is within the normal range of variation found in rocks, shall not be considered to constitute the discovery of a radioactive mineral nor shall geochemical analyses showing elevated levels of radioactive isotopes be so considered. Exploration and follow-up of such anomalies shall be allowed under a mineral right without the need for a radioactive minerals permit up to the point where the results suggest the presence of minerals containing uranium or thorium in amounts as defined in Part I of the Act.
- (2) Pursuant to section 121 of the Act, a report of a radioactive mineral discovery, should be made on Form C1 of the Third Schedule.
- (3) A permit to explore for, mine, treat, possess or export or otherwise dispose of any radioactive mineral, pursuant to section 123 (2) of the Act shall be submitted to the Mining Cadastre Office on Form B27 of the Second Schedule, together with evidence that the appropriate application fee as given in Table A1 of the First Schedule has been paid to the National Revenue Authority.
- (4) The Mining Cadastre Office shall register an application duly made and shall forward it to the Minerals Advisory Board for consideration and recommendation to the Minister. In assessing the application, the MAB will need

to be assured that the mineral(s) will be explored for or extracted safely without endangering the health of the applicant, their employees or any member of the public, or contaminating the environment.

- (5) A radioactive minerals permit shall not be issued other than to the holder of an exploration licence, small-scale mining licence or large-scale mining licence, except that a permit may be applied for in conjunction with an application for such licence. In this event, the permit will not be granted unless the mineral right is also approved.
- (6) Pursuant to section 122 of the Act, the holder of a radioactive minerals permit shall submit a monthly report to the Director on Form C22 of the Third, Schedule.
- (7) A radioactive minerals permit shall be issued on Form D25 and shall valid for one year subject to renewals of one year at a time. Notwithstanding, a permit will automatically cease to be valid when the associated exploration, small-scale mining, or large-scale mining licence terminates.

## **DREDGING FOR MINERALS**

---

### **69. ACQUISITION OF A DREDGING PERMIT**

- (1) An applicant for an exploration licence, artisanal mining licence, small-scale mining licence or large-scale mining licence who proposes to undertake dredging shall indicate his intention on his application.
- (2) A permit to dredge for minerals shall be submitted to the Mining Cadastre Office using Form B29 of the Second Schedule, together with evidence that the fee prescribed in Table A1 of the First Schedule, which is payable in addition the fee applicable to the mineral right, has been paid to the National Revenue Authority.
- (3) Pursuant to section 126 of the Act, a dredging permit shall be issued on Form D8 and shall be valid for the same period as the associated exploration licence, artisanal mining licence, small-scale mining licence or large-scale mining licence, A renewal must be applied for at the same time a renewal for the associated exploration or mining licence is sought.
- (4) The holder of an exploration licence, artisanal mining licence, small-scale mining licence or large-scale mining licence, who does not hold a dredging permit but who wishes to undertake dredging under the licence, may apply on Form B29 of the Second Schedule, and shall include evidence that the application fee prescribed in Table A1 of the First Schedule has been paid to the National Revenue Authority.
- (5) Pursuant to section 128 (2) (b) of the Act, an application for a dredging licence shall be accompanied by a performance bond which shall be in the form of a surety bond issued by a bank registered in Sierra Leone. The amount of the bond shall be at least equal to the estimated cost of rehabilitation as provided under subsection 5 to 7 below.

- (6) Where a dredging permit accompanies an application for a small-scale mining licence or large-scale mining licence, the environmental impact assessment should specifically address the consequences of the dredging in and beyond the licence area, and shall include proposals to mitigate and rehabilitate the area, including a plan and detailed estimate of the costs involved.
- (7) An application made by the holder of a small-scale mining licence or large-scale mining licence who wishes to include dredging under his licence must submit an assessment of the specific environmental impacts of the dredging operation on areas in and beyond the licence area, which shall include proposals to mitigate the effects of dredging and rehabilitate the area, together a detailed estimate of the costs involved.
- (8) Where a dredging permit is in respect of an exploration licence or artisanal mining licence, the applicant must submit an assessment of the impacts of dredging in and beyond the licence area, and shall include proposals to mitigate the effects of dredging and rehabilitate the area, and a plan and detailed estimate of the costs involved.
- (9) The Mining Cadastre Office shall register an application duly made and shall forward it to the Minerals Advisory Board who will certify to the Minister on Form D1 of the Fourth Schedule that it recommends the permit be approved, or if not satisfied shall notify the applicant accordingly giving reasons.
- (10) On the advice of the Minerals Advisory Board, the Minister will decide whether to approve the permit with or without special conditions, or to reject it, in which case he will give reasons for his refusal.

## **PROTECTION OF THE ENVIRONMENT**

---

### **70. PREPARING AN ENVIRONMENTAL IMPACT ASSESSMENT**

- (1) These regulations should be read in conjunction with the regulations relating to small-scale and large-scale mining licences insofar as they refer to environmental requirements.
- (2) All applications for a small-scale or large-scale mining licence must be accompanied by an environmental impact assessment as described under section 133 of the Act and Guidelines E2 of the Fifth Schedule.
- (3) The details of the environmental impact assessment will depend on the nature and extent of the proposed mining operation and whether the licence is for a small-scale or large-scale mine. The environmental impact assessment must comprehensively address all aspects of the environment that will potentially be affected by the proposed operation. Further information on preparing an environmental impact assessment report is provided in Guidelines E2 of the Fifth Schedule.
- (4) The environmental impact assessment is an essential element in developing a mine plan and is carried out during the feasibility stage of investigations. Applicants should enter into a dialogue with the Director of Mines and Director of Geological Survey so that the design and scope of the environmental impact

assessment is agreed at an early stage. The environmental impact assessment should be carried out in parallel with geological feasibility studies and should inform and feed into decisions on the planning of the mining operation. The environmental impact assessment forms the basis of the environmental management programme.

- (5) The environmental impact assessment and the environmental management programme shall be considered non-confidential reports and open to public scrutiny and comment. Pursuant to section 133 (2) (a) of the Act, the applicant or holder of a mining licence shall maintain a public dialogue with stakeholders and with other parts of civil society that may have an interest, throughout the course of the studies. An environmental impact assessment report should be completed and published at least a month prior to submitting an application for a mining licence in order that any objections may be voiced and, if appropriate, changes made to the environmental management programme or the plan of mining operations. Evidence that this procedure has been followed will be required before a mining licence is issued.

## **71. PREPARING AN ENVIRONMENTAL MANAGEMENT PLAN**

- (1) Guidance on the preparation of the annual environmental management programme report pursuant to section 134 of the Act is provided in Guidelines E2 of the Fifth Schedule.

## **72. PROVIDING FINANCIAL SURETY**

- (1) Pursuant to section 136 (3) of the Act, the amount of the financial assurance required for performance in relation to environmental rehabilitation, reclamation and compensation as a consequence of mining or exploration shall be determined by the Minerals Advisory Board based upon the results of the environmental impact assessment and environmental management programme. The applicant shall be advised of the amount required at the time of notification of the approval of his application together with a notice of demand, pursuant of section 136 (6) of the Act which shall specify the time limit for providing the security.

# **COMMUNITY DEVELOPMENT**

---

## **73. PREPARING A COMMUNITY DEVELOPMENT AGREEMENT**

- (1) Where the rate of production or the employment at a proposed small-scale or large-scale mine is expected to exceed the limits given in section 139 (1) of the Act, an application for a small-scale or large-scale mining licence should be accompanied by a community development agreement entered into with the primary host community.
- (2) Where efforts to establish the primary host community have failed, the Minister may be asked for his decision on the matter.
- (3) Pursuant to section 141 (1) of the Act, a community Development Agreement is decided by the Minister.

- (4) Provided that efforts have been made towards an agreement, a mining licence application may be submitted in advance of a final community development agreement being concluded. In this case, the application must include a statement as to progress achieved to date in finalizing such an agreement including any major issues that are outstanding. The licence application may be considered by the Minerals Advisory Board and certified to the Minister, but the licence shall not be finally decided nor the licence issued until the community development agreement had been agreed and the Minister has approved it.
- (5) Where a signed community development agreement accompanies an application for small-scale or large-scale mine which the Minerals Advisory Board then recommends and certifies to the Minister, their recommendation is subject to approval by the Minister of the community development agreement. The Minerals Advisory Board may, if it so decides, comment on the community development agreement but it is for the Minister to approve in deciding whether to approve or refuse the mining application.
- (6) Any application for renewal of a mining licence shall include a community development agreement reviewed and agreed within the last five years.
- (7) A small-scale or large-scale mining licence holder shall report annually to the Minister on activities and expenditures in respect of the community development agreement over the previous twelve months using Form C20 of the Third Schedule.

---

## **HEALTH AND SAFETY**

---

### **74. MAINTAINING RECORDS AND REPORTING ACCIDENTS**

- (1) Pursuant to section 142 of the Act, all holders of mineral rights will promote a safe and healthy work environment through:
  - (a) providing all those who work or visit a reconnaissance, exploration, small-scale or large-scale mining operation with the appropriate protective clothing;
  - (b) providing all those who work or visit a reconnaissance, exploration, small-scale or large-scale mining operation with the appropriate safety briefing or training to ensure full awareness of the risks and procedures in case of an incident; and
  - (c) displaying signs in and around a work area to inform workers or visitors of potential hazards and required safety precautions.
- (2) All large-scale mining operations must develop and put in place a response mechanism, defining procedures to follow in the event of an incident; including rescue, first aid, emergency preparedness and response.
- (3) In undertaking mining operations a mineral right holder will take all necessary precautions to ensure acceptable air quality, rock stability, and the safe use of explosives. In all cases suitability qualified professionals shall be involved in planning and undertaking mining activities.



## **75. MAINTAINING RECORDS AND REPORTING ACCIDENTS**

- (1) All mineral right holders are required to maintain records and report all incidents that result in a fatality or an injury resulting in any person incapacitated from working for a single work day.
- (2) All incidents that result in a fatality or an injury likely to result in the injured person being incapacitated from doing his usual work for at least fourteen days shall be reported to the Director or to an authorized office using Form C21 of the Third Schedule as soon as possible but no longer than five days in the event of a serious injury and not longer than one day in the event of a fatality.
- (3) All records maintained under this provision, including those not submitted to the Director, will need to be kept for at least five years.

## **76. MINES INSPECTIONS**

- (1) Pursuant to section 6 and 147 of the Act, the Director or an authorized officer may, at all reasonable times enter upon any licensed exploration or mining area for the purpose of inspecting operations.
- (2) Pursuant to section 52 of the Act, the Director may in writing order a reconnaissance, exploration or mining operation be temporarily suspended if he believes that there is a serious danger to life, property or the environment. This order to suspend an operation must also include details on the reasons for the suspension and an order to remedy the specific situation. The order to suspend an operation shall lapse after twenty one days if not confirmed by the Minister.

# **FINANCIAL**

---

## **77. CALCULATING ROYALTIES**

- (1) Pursuant to section 148 of the Act all holders of mineral rights who obtain minerals shall be required to pay a royalty based on a percentage of the market value of the mineral. For the purpose of this calculation, market value shall mean the sale value receivable in an arms length transaction without discount, commissions or deductions for the mineral or mineral products. The following methods will be used in determining market value for specific minerals:
  - (a) the market price for precious stones and special stones (those precious stones individually valued above five hundred thousand United States dollars) will be determined through an evaluation process managed by the Government Gold and Diamond Office. The process involves three distinct evaluations; the first evaluation is provided by the mineral right holder; the second evaluation is conducted by Government diamond evaluators; the third evaluation is conducted by an independent evaluator. All evaluations will be based on current market prices for wholesale rough diamonds. The highest of the three evaluations will be used in calculating royalties for precious and special stones. Royalty payments will be made at the time of evaluation prior to the export of all precious or special stones.

- (b) the market price for precious metal, namely gold, silver or platinum will be calculated based on the average spot price from the previous week. At the end of each week the Government will calculate the average price based on the spot prices realized at the end of each trading day. For gold, the Government will use the weekly average of the London PM Fix price in United States Dollars per fine troy ounce. All exports or domestic sales carried out in a week will be assessed using this weekly average. Mineral right holders with an inventory of precious metal produced but not sold for longer than one month will be required to pay royalties.
- (c) the market price for all other bulk minerals, namely bauxite, rutile, and iron ore will be calculated using the realized gross price for a sale free-on-board (fob) at the point of export from Sierra Leone or point of delivery within Sierra Leone, and pursuant to section 154 of the Act based on or equivalent to arms length sales. Royalty payments will be paid on conclusion of the transaction and payable to the Commissioner of Non-Tax Revenue within the National Revenue Authority.

## **78. ANNUAL CHARGES**

- (1) Pursuant to section 152 of the Act, all mineral rights and permits will be charged an annual fee payable on the grant of a mineral right or permit and after that annually on the anniversary of the grant until the termination of the mineral right.
- (2) Pursuant to section 2 of the Regulations, annual charges for mineral rights and permits are defined in Table A2 of the First Schedule and penalties for late or non-payment of annual charges are defined in Table 6 of the First Schedule.
- (3) All outstanding fees and compounding penalties will be considered a debt to government and recoverable in a court of competent jurisdiction. Annual charges associated with a mineral right that has been suspended, relinquished or cancelled will not be prorated or refunded.

## **79. SEPARATE ACCOUNTING FOR ALL LARGE-SCALE MINING LICENCES**

- (1) For the purpose of assessing taxable income and pursuant to section 155 of the Act, all large-scale mining operations will be required to account separately from all other operations undertaken by the company on any other mineral right.
- (2) Pursuant to section 23 of the Regulations and for the purpose of assessing minimum expenditure requirements a company will be required to maintain separate accounts for activities undertaken on each exploration licence; however a company holding multiple exploration and reconnaissance licences will be allowed to pool accounts for the purpose of assessing taxable income.
- (3) Notwithstanding the requirements under (1) a company may, apply to the Minister for approval to deduct exploration or reconnaissance expenditure in determining chargeable income attributable to any large-scale mining licence. All such applications must be made using Form B31 of the Second Schedule.
- (4) Applications to merge financial accounting of a large-scale operation with other mineral rights will be assessed by the Minerals Advisory Board. All decision made by the Minister will be formally communicated to the National Revenue Authority's Commissioner of Income Tax.

## **80. FINANCIAL TRANSPARENCY AND REPORTING**

- (1) Pursuant to section 159 of the Act and the Extractive Industries Transparency Initiative (EITI) the Minister in collaboration with the National Revenue Authority will maintain a register of all payments received from mineral rights holders.
- (2) Pursuant to section 160 of the Act and the Extractive Industries Transparency Initiative (EITI) all mineral rights holders are required to complete and a report on activities and revenue payments made to Government, landowners, lawful occupiers, or Chiefdoms using Form C23 of the Third Schedule by the fifteen day after the end of each quarter year. All reports are to be submitted to both the Director and the EITI Secretariat.
- (3) Information acquired under (1) and (2) will be submitted to the EITI Secretariat, reconciled, consolidated and published annually.

## **MISCELLANEOUS**

---

## **81. TRAINING AND EMPLOYMENT PROGRAMME**

- (1) All mineral right holders shall give employment preferences to citizen of Sierra Leone possessing the necessary qualification and experiences in all phases of operation and shall endeavor to train local employees to subsequently fill positions filled by foreign nationals.
- (2) Pursuant to section 164 of the Act all holders of small-scale and large-scale mining licences shall use Form C24 of the Third Schedule to submit a report to the Director on the number of personnel employed, their nationality, their positions and the status of any training programmes for Sierra Leonean citizens.
- (3) All reports are to be submitted annually on the anniversary of the grant until the termination of a small-scale mining licence or a large-scale mining licence.

# **SCHEDULES**

---

## **FIRST SCHEDULE**

### **FEES AND EXPENDITURES**

Table A1: Application and renewal fees

Table A2: Annual charges for minerals rights

Table A3: Fees for supply of information

Table A4: Minimum expenditures under reconnaissance and exploration licences

Table A5: Allowable items of expenditure under reconnaissance and exploration licences

Table A6: Penalties

## **SECOND SCHEDULE**

### **APPLICATION AND RELATED FORMS**

Form B1: Application for a reconnaissance licence

Form B2: Application for renewal of a reconnaissance licence

Form B3: Application for an exploration licence

Form B4: Application for first renewal of an exploration licence

Form B5: Application for second renewal of an exploration licence

Form B6: Application for an exploration licence based on a priority right

Form B7: Request to withdraw a submitted application

Form B8: Surrender of part/all of a reconnaissance or exploration licence

Form B9: Request for certificate relating to a mineral right

Form B10: Request to export minerals or samples

Form B11: Request to transfer ownership of an exploration licence

Form B12: Application for an artisanal mining licence

Form B13: Application for Certificate of Registration for the Grant of Artisanal Mining Right to Corporation/Partnerships/Cooperatives

Form B14: Application for renewal of artisanal mining licence

Form B15: Application for a small-scale mining licence

Form B16: Application for a small-scale mining licence based on a priority right

Form B17: Application to renew a small-scale mining licence

Form B18: Application for a large-scale mining licence

Form B19: Application for a large-scale mining licence based on a priority right

Form B20: Application to renew a large-scale mining licence

Form B21: Statement by holders of (exclusive) prospecting licence or exploration licence issued under 1994 Act consenting to large-scale mining licence

Form B22: Application to amend the work programme associated with a reconnaissance or exploration licence

Form B23: Application to part-surrender or enlarge large-scale mining licence or to make changes to production

Form B24: Application for registration of a mine manager of artisanal mine  
Form B25: Application to transfer a large-scale mining licence  
Form B26: Description of licence area according to block system  
Form B27: Application for radioactive minerals permit  
Form B28: Application to renew a radioactive minerals permit  
Form B29: Application for dredging permit  
Form B30: Application to renew dredging permit  
Form B31: Application to merge financial accounts of a company holding multiple mineral rights

## **THIRD SCHEDULE**

### **REPORTING FORMS**

Form C1: Form to report a mineral discovery  
Form C2: Six-monthly report on an exploration licence  
Form C3: Form to accompany submission of an annual report on exploration licence  
Form C4: Form to accompany submission of an annual report on a reconnaissance licence  
Form C5: Weekly progress reports of an airborne survey  
Form C6: Form to accompany submission of the results and data of an airborne survey  
Form C7: Form to be completed in regard to artisanal mining operations records  
Form C8: Form to be completed in regard to artisanal mining operations reports  
Form C9: Artisanal mine site inspection  
Form C10: Form for recording surveying and demarcation information for artisanal mining operation  
Form C11: Form to be completed to record precious mineral sales under artisanal mining licence  
Form C12: Form to be completed to record surface rent agreement under artisanal mining licence  
Form C13: Environmental management plan in respect to artisanal mining licence  
Form C14: Artisanal mining work plan  
Form C15: Monthly production report on a small-scale mining operation  
Form C16: Form to accompany annual report on a small-scale mining operation  
Form C17: Monthly production report on a large-scale mining operation  
Form C18: Form to accompany annual report on a large-scale mining operation  
Form C19: Form to accompany annual report on environmental management  
Form C20: Form to accompany annual report on Community Development activities & expenditures  
Form C21: Form for reporting accident under mineral right  
Form C22: Monthly report associated with a radioactive minerals permit  
Form C23: Form to accompany submission of financial transparency report  
Form C24: Form to accompany submission of annual report on employment and training  
Form C25: Report of change to registered details of a mineral right

## **FOURTH SCHEDULE**

### **CERTIFICATES, NOTICES AND AGREEMENTS**

- Form D1: Certificate from Minerals Advisory Board to Minister advising on a mineral rights application
- Form D2: Certificate from Minerals Advisory Board advising on the transfer of a licence
- Form D3: Reconnaissance licence certificate
- Form D4: Exploration licence certificate
- Form D5: Artisanal mining licence certificate
- Form D6: Small-scale mining licence certificate
- Form D7: Large-scale mining licence certificate
- Form D8: Dredging Permit
- Form D9: Certificate of surrender of a mineral right
- Form D10: Certificate of surrender of part of a mineral right area
- Form D11: Notice of impending suspension or cancellation
- Form D12: Temporary suspension order
- Form D13: Suspension order
- Form D14: Cancellation order
- Form D15: Model agreement between supporter and artisanal mining licence holder
- Form D16: Model agreement between tributer and artisanal mining licence holder
- Form D17: Certificate to be issued for authorizing of a corporate entity to apply for artisanal mining licence
- Form D18: Certificate to be issued for registration of an artisanal mine manager
- Form D19: Notification to public of an application for an artisanal mining licence
- Form D20: Notice to pay the annual charge in respect of artisanal mining licence
- Form D21: Artisanal mine manager identity card
- Form D22: Certificate from Mining Cadastre Office confirming matters relating to a mineral right
- Form D23: Acknowledgement of receipt of an application or document
- Form D24: Certificate permitting the export of minerals or samples
- Form D25: Radioactive Minerals Permit

## **FIFTH SCHEDULE**

### **GUIDELINES**

- Guidelines E1: Guidelines for preparing work programmes and technical reports for reconnaissance and exploration licences
- Guidelines E2: Guidelines for preparing applications and technical reports required for mining licences
- Guidelines E3: Preparing an application for an artisanal mining licence

Guidelines E4: Conduct of artisanal mining operations  
Guidelines E5: Conduct of the Minerals Advisory Board  
Guidelines E6: Procedures for the processing of mineral right applications

## **SIXTH SCHEDULE**

### **INTERNAL MINISTRY FORMS**

Form F1: Tracking and assessment of application to grant a reconnaissance licence  
Form F2: Tracking and assessment application to renew a reconnaissance licence  
Form F3: Tracking and assessment of an application to grant an exploration licence  
Form F4: Tracking and assessment of an application to renew an exploration licence  
Form F5: Tracking and assessment of an application to grant an exploration licence based on a priority right  
Form F6: Tracking and assessment of an application to surrender part/all of a reconnaissance or exploration licence  
Form F7: Tracking and assessment of an application to transfer ownership of an exploration licence  
Form F8: Evaluation and tracking of an artisanal mining licence application  
Form F9: Tracking and assessment of application to grant a small-scale mining licence  
Form F10: Tracking and assessment of application to grant a small-scale mining licence based on a priority right  
Form F11: Tracking and assessment of application to renew a small-scale mining licence  
Form F12: Tracking and assessment of application to grant a large-scale mining licence  
Form F13: Tracking and assessment of application to grant a large-scale mining licence based on a priority right  
Form F14: Tracking and assessment of application to renew large-scale mining licence  
Form F15: Tracking and assessment of application to transfer a large-scale mining licence  
Form F16: Tracking and assessment of application to amend work programme associated with a reconnaissance or exploration licence  
Form F17: Tracking and assessment of application to part-surrender or enlarge large-scale mining licence or to make changes to production  
Form F18: Tracking and assessment of application for radioactive minerals permit  
Form F19: Tracking and assessment of application to renew radioactive minerals permit  
Form F20: Tracking and assessment of application for dredging permit  
Form F21: Tracking and assessment of application to renew dredging permit  
Form F22: Tracking and assessment of request to merge financial accounts of a company holding multiple mineral rights