

STATUTORY INSTRUMENTS

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STATUTORY INSTRUMENTS SUPPLEMENT

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STATUTORY INSTRUMENTS

2004 No. 71.

THE MINING REGULATIONS, 2004.

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STATUTORY INSTRUMENTS

2004 No. 71.

The Mining Regulations, 2004.

(Under section 121 of the Mining Act, 2003, Act No. 9 of 2003).

IN EXERCISE of the powers conferred upon the Minister by section 121 of the Mining Act, 2003, these Regulations are made this 2nd day of September, 2004.

PART I—PRELIMINARY.

1. These Regulations may be cited as the Mining Regulations, 2004.

2. (1) In these Regulations, unless the context otherwise requires—

“Act” means the Mining Act, 2003, Act 9 of 2003;

“lode” or “reef” includes all true fissure veins, bedded veins, contact veins, segregated veins, pipes, contact deposits, stockworks, impregnations, metalliferous conglomerates other than hardened alluvial deposits of modern origin, metalliferous and lateritic cappings, such irregular deposits as conform generically to the above classification and beds of any mineral such as beds of ironstone and coal seams;

“mineral rent” means the amount payable under section 106 of the Act as specified in Third Schedule to these Regulations;

“NEMA” means the National Environment Management Authority established under the National Environment Statute, Cap. 153;

“win minerals” means intentionally to mine for minerals and includes any mining or mineral processing operations.

(2) Any word, term or expression used in these Regulations, and which has been defined in the Act, shall have the meaning assigned to it by the Act.

PART II—PROSPECTING LICENCES.

3. (1) An application for the grant of a prospecting licence under section 19 of the Act shall be made to the Commissioner in Form I in the First Schedule to these Regulations, and shall—

(a) contain the particulars required in the Form; and

(b) be accompanied by the fee specified in the Third Schedule to these Regulations.

(2) Where the application is required to be supported by a power of attorney, Form XVI in the First Schedule to these Regulations shall be used.

4. A prospecting licence may be granted by the Commissioner or by an authorized officer and shall be in Form XVIII in the First Schedule to these Regulations.

5. (1) Every holder of a prospecting licence, who intends to prospect under the authority of his or her licence in any district, shall notify the Chief Administrative Officer concerned in writing of his or her entry into the district to prospect.

(2) Every holder of a prospecting licence when intending to leave a district in which he or she has been prospecting, shall notify the Chief Administrative Officer concerned in writing of his or her intended departure.

(3) The holder of a prospecting licence, unless prospecting in the area of his or her exploration licence, retention licence, location licence or mining lease, shall keep a record in triplicate in Form XXV in the First Schedule to these Regulations, showing the sub-county or administrative sub-divisions in which he or she prospects each day and the kinds and quantities of minerals obtained, if any, in the course of the prospecting operations.

(4) Every holder of a prospecting licence shall send a copy of the record referred to in sub-regulation (3) of this regulation to the nearest office of the Commissioner so as to be received by the Commissioner not later than fourteen days after the end of the month to which the record relates.

PART III—PRIORITY.

6. Where more than one person applies for the grant of a mineral right, other than a prospecting licence, and the lands or areas which form the subject of the applications overlap, the person who, in the opinion of the Commissioner, has duly marked out the land or area in question and applied for the grant of mineral right in respect of such land or area, shall be accorded priority over the other applicants; and where two or more persons have, in the opinion of the Commissioner, duly marked out the land or area in question and duly applied for the grant of a mineral right, then the first person to mark out the area shall have priority over the other person or persons.

7. Where priority cannot, in the opinion of the Commissioner, be established in accordance with regulation 6 of these Regulations, the Commissioner shall, in his or her reasonable discretion, decide which application shall be accorded priority and approved.

8. On the receipt of an application for a mineral right, other than a prospecting licence, at the office of the Chief Administrative Officer of a district, the Chief Administrative Officer concerned or an officer authorized by him or her shall—

- (a) certify in ink on each copy of the application the date and time at which the application was received;
- (b) append his or her signature in ink and an official stamp to the application; and
- (c) endorse each page of the application and any accompanying documents, after which the applicant shall submit the application to the Commissioner.

PART IV—EXPLORATION LICENCES.

9. An area which is the subject of an application for exploration licence, shall be rectangular in shape with a minimum width of not less than one-third of the length; except that the Commissioner may, in his or her discretion, allow the area to be other than rectangular in shape where it is desired that a boundary may be identical with the boundary of another area or for other good cause; and in such a case the minimum width may be less than one-third of the length.

10. Before an application is made for an exploration licence, temporary beacons, as defined in regulation 55 of these Regulations, shall be erected and trenches dug in the following manner—

- (a) a temporary beacon, to be known as “the location beacon”, shall be erected at one corner of the proposed exploration area;
- (b) the remaining corners of the proposed exploration area shall be marked out with temporary beacons which shall be known as “corner beacons”;
- (c) a temporary beacon shall be erected on one of the boundary lines forming the corner at which the location beacon is placed, visible and at a distance of not less than thirty metres from the location beacon and such beacon shall be known as “direction beacon”;
- (d) temporary beacons shall be erected at points where paths, roads, railways, telegraph lines or water courses cross the boundaries of the proposed exploration area in question, and such beacons shall be known as “boundary beacons”;
- (e) temporary beacons shall consist of a post as described in regulation 55(2) of these Regulations with a notice board fixed on it and shall bear the following information clearly written on the board—
 - (i) the number of the applicant’s prospecting licence;

- (ii) the nature of the beacon, whether a corner, direction or boundary beacon;
- (iii) the applicant's name and the name of any person for whom the applicant is acting;
- (iv) the date and time of the erection of the beacon;
and in the case of location and corner beacons—
- (v) the magnetic bearing and the length of the boundary line forming the corner; and
- (vi) where the area is not rectangular, a plan of the area.

11. An application for an exploration licence shall—

- (a) be in Form II in the First Schedule to these Regulations;
- (b) be lodged (in 5 copies) with the Chief Administrative Officer of the relevant district for processing in accordance with regulation 8 of these Regulations within thirty days of erection of a location beacon for forwarding to the Commissioner;
- (c) contain the required particulars;
- (d) be accompanied by the mineral rent and fees specified in the Third Schedule to these Regulations; and
- (e) comply with section 26 to section 29 of the Act.

12. (1) An application for an exploration licence shall be accompanied by—

- (a) a map (in five copies) on the scale 1: 50,000 of the area concerned—
 - (i) showing the position of the proposed exploration area in such a manner as will enable it to be located by the Commissioner;
 - (ii) giving the dimensions of the proposed exploration area;
 - (iii) indicating any beacons bordering the area applied for; and
 - (iv) signed by the applicant;
- (b) a programme of exploration operations which the applicant undertakes to perform on the area applied for if the licence is granted;

(c) a statement of the approximate number of workers the applicant intends to employ on continuous exploration if the licence is granted; and

(d) a project brief as outlined in regulation 64 (1) of these Regulations.

(2) All maps submitted with the application shall be certified to be correct by the applicant.

(3) For the purpose of preparing the maps referred to in sub-regulation 1(a) of this regulation, reference materials may be obtained from the Commissioner or the Department of Surveys and Mapping.

13. (1) An application for an exploration licence under section 26 of the Act shall be dealt with in accordance with regulation 8 of these Regulations.

(2) An exploration licence granted by the Commissioner under section 27 of the Act shall be in Form XIX in the First Schedule to these Regulations.

14. Within fourteen days after the receipt of an exploration licence, the holder shall clearly mark and keep marked during the period of the exploration licence the number assigned to the licence by the Commissioner on every notice board.

15. An application for consent to transfer a share in an exploration licence shall be in Form VII and the transfer instrument shall be in Form XXIX both in the First Schedule to these Regulations; and an application to surrender a licence shall be in writing accompanied by a surrender instrument in Form XLI in the First Schedule to these Regulations and the fee specified in the Third schedule in these Regulations.

16. (1) The working obligations in respect of an exploration licence shall be as specified in the Second Schedule to these Regulations.

(2) An application for a certificate of cessation, suspension or curtailment of working obligations in an exploration area shall be in Form IX in the First Schedule to these Regulations and shall be accompanied by the fee specified in the Third Schedule to these Regulations.

(3) Where the Commissioner is satisfied that good cause has been shown for such cessation, suspension, or curtailment, the Commissioner may grant a certificate in Form XXXIII in the First Schedule to these Regulations for such period and subject to such conditions as he or she may determine.

(4) Where the Commissioner is satisfied that good cause has been shown for further cessation, suspension or curtailment, a certificate of cessation, suspension or curtailment of working obligations may be renewed for such further periods as the Commissioner may determine.

(5) Where work is not resumed at the expiration of the period of cessation, suspension or curtailment, or where the conditions specified in the certificate are not complied with, the licence may be revoked by the Commissioner.

(6) A certificate of cessation, suspension or curtailment obtained through fraud or misrepresentation shall be null and void and the licence shall be liable to revocation, without prejudice to any penalty specified under regulation 83 of these Regulations.

17. (1) An application for the renewal of an exploration licence shall—

(a) be made to the Commissioner in Form X in the First Schedule to these Regulations;

(b) comply with the requirements of section 30 of the Act; and

(c) be accompanied by—

(i) the certified maps showing that beacons have been erected in accordance with these Regulations to demarcate the reduced area(s); and

(ii) the documents required under regulation 12 of these Regulations; except that—

(aa) failure to make an application by the date prescribed by section 31 of the Act without good cause shown to the satisfaction of the Commissioner, may be considered grounds for refusal of the renewal; and

(bb) an application for renewal received by the Commissioner after the date of expiration of the exploration licence shall not be considered.

(2) Mineral rent and fees as specified in the Third Schedule to these Regulations and the original licence shall accompany an application for the renewal of an exploration licence.

(3) Where an application under sub-regulation (1) of this regulation has been made but the holder has not received notice that his or her licence has been renewed before the date on which such licence expires, the holder may continue with exploration operations until so notified; and if granted, the renewal shall take effect from the date on which the licence would, but for such renewal, have expired.

18. The provisions of Parts IX and X of these Regulations shall, with necessary modifications, apply to an exploration licence.

PART V—RETENTION LICENCES.

19. (1) An application for a retention licence shall be—

(a) in Form III in the First Schedule to these Regulations;

- (b) lodged (in five copies) with the Chief Administrative Officer of the relevant district within thirty days of erection of a location beacon, for forwarding to the Commissioner,
- (c) contain the required particulars; and
- (d) accompanied by the applicable mineral rent and fees specified in the Third Schedule to these Regulations.

(2) An applicant for a retention licence shall mark out the area over which he or she desires a licence in accordance with regulation 10 of these Regulations.

(3) An application for a retention licence shall be dealt with in the office of the Chief Administrative Officer in accordance with regulation 8 of these Regulations.

(4) Where the Commissioner is satisfied that good cause has been shown for the grant of a retention licence, the Commissioner may grant the licence in Form XX in the First Schedule to these Regulations for a period not exceeding three years and subject to such conditions as the Commissioner may determine.

20. (1) The rights and obligations of the holder of a retention licence are as specified in section 39 of the Act.

(2) Without prejudice to sub-regulation (1) of this regulation, the holder of a retention licence shall clearly mark out and keep marked out during the period of the retention licence, the number assigned to the licence by the Commissioner on every concrete of the beacon.

21. (1) Application for consent to transfer a retention licence shall be in Form VII in the First Schedule to these Regulations and the transfer shall be effected in accordance with the requirements of Form XXIX in the First Schedule to these Regulations.

(2) An application to surrender a retention licence shall be in writing accompanied by a surrender instrument in Form XLI in the First Schedule to these Regulations and the fee specified in the Third Schedule to these Regulations.

(3) An application for renewal of a retention licence shall be in Form X in the First Schedule to these Regulations and shall be accompanied by the applicable mineral rent and fees specified in the Third Schedule to these Regulations and by the original licence for endorsement.

(4) Where the Commissioner is satisfied that there is good cause for renewing a retention licence, the Commissioner may renew the licence for a single period not exceeding two years; and where no work has been done during the period of the retention licence or where the conditions specified in the retention licence have not been complied with, the licence shall be liable to revocation.

(5) A retention licence obtained through fraud or misrepresentation shall be null and void and the licence shall be liable to revocation without prejudice to any penalty specified in regulation 83 of these Regulations.

22. The provisions of Parts IX and X of these Regulations shall, with necessary modifications, apply to a retention licence.

PART VI—LOCATION LICENCES.

23. (1) An application for a location licence shall—

- (a) with respect to a location licence other than Class V and Class VII location licence, be in Form IV; and with respect to a Class V and Class VII location licence as specified in regulation 28 of these Regulations, in Form V both in the First Schedule to these Regulations;
- (b) be lodged (in five copies) with the Chief Administrative Officer of the district concerned within thirty days of the erection of a location beacon for forwarding to the Commissioner;
- (c) be accompanied by a map on scale 1: 50,000 (in five copies) signed by the applicant from available Government map showing the position of the location licence area in such a manner as will enable it to be identified by the Commissioner, and a sketch map (in five copies), giving the dimensions of the area;
- (d) contain the required particulars;
- (e) be accompanied by a statement describing the state of the environment, the mining plan to be implemented and a costed reclamation plan; and
- (f) be accompanied by the applicable mineral rent and fees as specified in the Third Schedule to these Regulations.

(2) The application shall be dealt with in the office of Chief Administrative Officer concerned in accordance with regulation 8 of these Regulations.

(3) A location licence shall be in Form XXI in the First Schedule to these Regulations.

24. Within fourteen days after the receipt of a location licence the holder shall clearly mark and keep marked during the period of the location licence, the number assigned to the licence by the Commissioner on every notice board.

25. (1) The working obligations of the holder of a location licence shall be as specified in the Second Schedule to these Regulations.

(2) An application for a certificate of cessation, suspension or curtailment of working obligations shall be in Form IX in the First Schedule to these

Regulations and shall be accompanied by the fee specified in the Third Schedule to these Regulations.

(3) Where the Commissioner is satisfied that good cause has been shown for such cessation, suspension or curtailment, the Commissioner may grant a certificate in Form XXXIII in the First Schedule to these Regulations for such period and subject to such conditions as he or she may determine.

(4) Where the Commissioner is satisfied that good cause has been shown for further cessation, suspension or curtailment, a certificate of working obligations may be renewed for further periods as the Commissioner may determine.

(5) Where work is not resumed at the expiration of the period of cessation, suspension or curtailment, or where the conditions specified in the certificate are not complied with, the licence may be revoked by the Commissioner.

(6) A certificate of cessation, suspension or curtailment obtained through fraud or misrepresentation shall be null and void and the licence shall be liable to revocation, without prejudice to any penalty specified in regulation 83 of these Regulations.

26. (1) An application for consent to transfer a location licence shall be in Form VII and the transfer shall be in Form XXX in the First Schedule to these Regulations.

(2) An application to surrender a location licence shall be in writing accompanied by a surrender in Form XLII in the First Schedule to these Regulations.

(3) An application for the renewal of a location licence under section 59 of the Act shall be made to the Commissioner in Form X in the First Schedule to these Regulations at least three months before the expiration of the location licence, and shall be accompanied by the applicable mineral rent and fees specified in the First Schedule of these Regulations and by the original licence for endorsement; and failure to make the application by such date without good cause shown to the satisfaction of the Commissioner may be considered grounds for refusal of the renewal.

(4) An application for renewal of a location licence received by the Commissioner after the date of expiration of the licence shall not be considered.

(5) Where the holder of a location licence has made an application for the renewal of his or her licence and has not received notification that his or her licence has been renewed before the date on which such licence expires, the holder of the licence may continue his or her prospecting and mining operations until so notified; and where the renewal is refused, the Commissioner may grant an extension of the

licence for a period not exceeding two months subject to the payment of rent for the extended period at the rate of two and a half currency points per month.

27. (1) An application to amalgamate location licences for working purposes shall be made to the Commissioner in Form VIII in the First Schedule to these Regulations, and shall be accompanied by the applicable fees specified in the Third Schedule to these Regulations; and the Commissioner may grant a certificate of amalgamation in Form XXXII in the First Schedule to these Regulations.

(2) No application for amalgamation shall be entertained unless the applicant shows in a statement to be attached to his or her application, with maps in support where practicable, that—

- (a) some of the location licence areas that are the subject of the application have been extensively prospected, and amalgamation is desired for the purpose of fulfilling obligations in respect of all the location licence areas by concentrating prospecting operations on the unprospected location licence areas on a scale sufficient to meet obligations on the entire group; or
- (b) the mineral deposits in the location licence areas proposed to be amalgamated have been extensively prospected and amalgamation is desired for the purpose of conducting mining operations in a more efficient manner; or
- (c) the lode deposits of a group of location licence areas can be best prospected by application of a comprehensive scheme which is not conducive to work being continued at the same time on all the location licence areas.

(3) Where the Commissioner grants certificate of amalgamations of a number of location licences, he or she shall permit the labour of development work due to be done in respect of all such location licence to be performed on any one or more of them.

28. (1) The dimensions or area of a location licence which may be marked out by pegging shall not exceed the following dimensions or areas—

Class I - Lode locations for precious metals, five hundred metres (500m) in length along the supposed strike of the reef and three hundred metres (300m) in width;

Class II - Precious stone locations other than alluvial, sixteen (16) hectares;

Class III - Locations for non-precious minerals, sixteen (16) hectares;

Class IV - Alluvial locations for precious metals or precious stones, sixteen (16) hectares;

Class V - Locations within a river or a swamp and land adjoining such river or swamp, one thousand five hundred metres (1500m) measured along the

middle of the course of the river or swamp and not more than one hundred metres (100m) on each side of the course of the river or swamp;

Class VI - Locations for limestone and chalk, eight (8) hectares;

Class VII - Locations for brine and salt, thirty five metres (35m) in length and ten metres (10m) in width;

(2) Where the class and dimensions or area of a location licence referred to in sub-regulation (1) of this regulation is found to exceed the maximum dimensions or area allowed, the applicant or holder of the licence shall be required either to reduce the area or to divide the licence into licences of such size as may be agreed to by the Commissioner.

29. The shape of a location licence area other than Class V and Class VII Location shall, as nearly as circumstances permit, be that of a rectangular parallelogram and the length of the longer side shall not exceed thrice the length of the shorter side; except that when it is desired that a boundary should be identical with the boundary of another area or for any other good cause, the Commissioner may allow a departure from these requirements.

30. (1) Before application is made for a location licence other than Class V and Class VII location licences, the applicant shall—

(a) first erect at one corner of the location licence area applied for, a temporary beacon in accordance with regulation 55 of these Regulations, which shall be known as “location beacon” and shall bear the following information:

“LOCATION BEACON.

Class of location licence:

Name of applicant:

Prospecting licence number:

Date and hour of erection of beacon:

Length in metres:

Width in meters”;

(b) within three days of the date of erection of the location beacon, place at each of the remaining corners of the location licence area applied for temporary beacons which shall comply with paragraph (e) of regulation 10 of these Regulations; and shall bear the following information:

“CORNER BEACON.

Class of location licence:

Name of applicant:

Prospecting licence number:

Date and hour of erection of beacon:

Length in metres.

Magnetic bearings of the boundaries forming the corner at which the location beacon is erected”; and

(c) comply with paragraph (e) of regulation 10 of these Regulations.

(2) During the period of the location licence, all bush, brushwood and high grass shall be cleared and kept cleared for a distance of five (5) metres from the location and corner beacons.

(3) All information required on the notice board shall be distinctly and legibly written so as not to be rendered illegible by rain or exposure.

31. (1) Class V location licence may be marked out in—

(a) a river and such land adjoining that river as the Comissioiner may determine;

(b) a swamp and such land adjoining the swamp as the Commissioner may determine,

(2) The area of any Class V location licence shall not contain a length of more than one thousand five hundred (1500) metres measured along the middle of the course of a river or swamp; and unless approved by the Commissioner, not more than one hundred metres on each side of the course of a river or swamp.

32. Before application is made for Class V location licence, the applicant shall—

(a) first erect above flood level and at the lowest point of the area for which he or she wishes to apply, a lower beacon which shall bear the following information, which may be abbreviated in accordance with sub-regulation (7) of regulation 55 of these Regulations—

“LOWER BEACON

Class V location licence

Name of applicant:

Name of corporate entity:

Prospecting licence number:

Date and hour of erection of beacon:

Length in metres (measured along the course of the river or swamp to the Upper

Beacon):

Width in metres (on each side of the centerline of the river or swamp)”;

(b) measure upstream along the course of the river or swamp from the lower beacon until the upper point of the area for which he or she desires to apply is reached, and shall record the distance from the

lower beacon of every stream junction, road and path crossing the river or swamp;

- (c) within three days of the erection of the lower beacon, erect a temporary beacon which shall be known as “upper beacon” and which shall mark the uppermost point of the part of the river or swamp in respect of which the location licence is required; and the upper beacon shall bear the following information, which may be abbreviated in accordance with sub-regulation (7) of regulation 55 of these Regulations—

“UPPER BEACON

Class V location licence

Name of applicant:

Name of corporate entity:

Prospecting licence number:

Date and hour of erection of beacon:

Distance in metres (from the lower beacon):

Width in metres (on each side of center line)”;

33. The applicant for a Class VII location licence shall mark out the area over which he or she desires a location within a salt lake or salt deposit with wooden pegs.

34. The provisions of Parts IX and X of these Regulations shall, with necessary modifications, apply to a location licence.

PART VII—MINING LEASES.

35. (1) The area of land in respect of which a mining lease may be applied for shall not be in excess of the area reasonably required to carry out the applicant’s programme of proposed mining operations.

(2) The shape of the area shall be rectangular and the width of the rectangle shall not be less than one-third of its length; except that when it is desired that a boundary should be identical with the boundary of another area or for any other good cause, the Commissioner may allow a departure from the provisions of this regulation.

36. A mining lease, an application for the grant of a mining lease, an application to transfer a mining lease and the transfer of a mining lease shall be in Form XXII, VI, VII, and XXXI respectively in the First Schedule to these Regulations; and the surrender of a mining lease shall be in writing accompanied by Form XLII in the First Schedule to these Regulations.

37. An applicant for the grant of a mining lease shall mark out the area over which he or she desires a lease in the manner described in regulation 10 of these Regulations; but where the lease is required for mining of an alluvial deposit of a river or swamp, the applicant shall mark out the area in accordance with regulation 32 of these Regulations;

38. (1) An application for the grant of a mining lease shall, subject to section 41 the Act—

(a) be in Form VI in the First Schedule to these Regulations;

(b) be lodged with the Chief Administrative Officer of the district concerned within thirty days of the erection of a location beacon for forwarding to the Commissioner;

(c) be accompanied by—

(i) a map on scale 1:50,000; (in five copies), from the available Government map showing the position of the area applied for in such a manner as will enable it to be identified by the Commissioner, the approximate position of all dwellings, buildings, cultivated areas, plantations, and all streams and swamps in the area applied for;

(ii) a map (in five copies) on scale 1:10,000 giving dimensions of the area applied for;

(iii) a statement of the number of land owners or lawful occupiers of land in the area applied for;

(iv) written proof that the applicant has reached an agreement with the land owner or lawful occupier of the area he or she intends to mine as required by section 42 (3) of the Act;

(v) written proof that the applicant has secured the surface rights of the land the subject of his or her application as required by section 43 (3) (h) of the Act;

(vi) the applicable mineral rent and fees as specified in the Third Schedule to these Regulations; and

(viii) a certificate of approval of environmental impact assessment from NEMA.

(2) An application for the grant of a mining lease under section 41 of the Act shall be dealt with in accordance with regulation 8 of these Regulations.

39. (1) The Commissioner shall notify an applicant for the grant of a mining lease and the Chief Administrative Officer of the district concerned of his or her decision; and where the decision is to grant a mining lease, the Chief Administrative Officer shall cause a notice in Form XLV in the First Schedule to these Regulations to be served on all land owners or lawful occupiers of land within the area of the proposed mining lease; except that a general notice having the same effect posted at the district and its sub-county headquarters and such other place as the Commissioner may specify shall be sufficient notice to those land owners or lawful occupiers of land.

(2) Where the Commissioner's decision under sub regulation (1) of this regulation is to grant a mining lease, he or she shall furnish the Chief Administrative Officer of the district concerned with a map showing the boundaries of the approved mining area.

40. At the written request of the holder of a mining lease, the Chief Administrative Officer of the district concerned shall, subject to the Constitution and any other applicable written law, take such lawful steps as he or she deems fit to remove any land owner or lawful occupier of land from the areas of the proposed mining lease; except that the holder of the mining lease shall pay on demand such compensation as is required by law.

41. (1) No mining lease shall be granted over land which has not been surveyed and consequently the Commissioner shall, as soon as convenient after approving the grant of a mining lease, cause the holder to submit to him or her the deed plan of the land in question.

(2) In this regulation, "deed plan" means a map showing the mining area in question as certified by the Commissioner responsible for the land survey.

42. (1) On receipt of the deed plan in respect of the mining area, the Commissioner shall prepare the mining lease document in Form XXII in the First Schedule to these Regulations and attach a copy of the deed plan to that document after which the document shall be signed by the parties.

(2) As required by section 44 (3) of the Act, the Commissioner shall cause the grant of a mining lease to be published in the Gazette at the expense of the holder of the lease.

43. The provisions of Parts IX and X of these Regulations shall, with necessary modifications, apply to a mining lease.

44. Within fourteen days after the receipt of a mining lease, the holder of the mining lease shall paint and keep painted during the period of the mining lease, the number assigned to the lease by the Commissioner on every notice board of the relevant beacon.

45. (1) An application to amalgamate mining leases for working purposes shall be made to the Commissioner in Form VIII in the First Schedule to these Regulations and shall be accompanied by the applicable fees specified in the Third Schedule to these Regulations; and the Commissioner may grant a certificate of amalgamation in Form XXXII in the First Schedule to these Regulations.

(2) No application for amalgamation shall be entertained unless the applicant shows in a statement to be attached to his or her application, with appropriate plans in support where practicable, that—

- (a) some of the mining areas that are the subject of the application, have been extensively prospected and amalgamation is desired for the purpose of fulfilling obligations in respect of all the mining leases, by concentrating prospecting operations under the lease on prospected mining areas on a scale sufficient to meet obligations on the entire group; or
- (b) the mineral deposits and ore in the mining areas proposed to be amalgamated have been extensively prospected and amalgamation is desired for the purpose of conducting mining operations in a more efficient manner;
- (c) the mineral deposits and ore in a group of mining areas can be best prospected by application of a comprehensive scheme which is not conducive to work being continued at the same time on all the mining areas.

46. Where the Commissioner grants a certificate of amalgamation of a number of mining leases, he or she shall permit the labour or development work due to be done in respect of all such mining leases to be performed on any one or more of them.

47. (1) The working obligations of the holder of a mining lease shall be as specified in the Second Schedule to these Regulations.

(2) An application for a certificate of cessation, suspension or curtailment of working obligations shall be in Form IX in the First Schedule to these Regulations and shall be accompanied by the applicable fee specified in the Third Schedule to these Regulations.

(3) Where the Commissioner is satisfied that good cause has been shown for such cessation, suspension or curtailment, the Commissioner may grant a certificate in Form XXXIII in the First Schedule to these Regulations for such period and subject to such conditions as the Commissioner may determine.

(4) Where the Commissioner is satisfied that good cause has been shown for further cessation, suspension or curtailment, the certificate referred to in subregulation (3) of this regulation may be renewed for such further periods as the Commissioner may determine.

(5) Where work is not resumed at the expiration of the period of cessation, suspension or curtailment, or where the conditions specified in the certificate are not complied with, the lease may be revoked by the Commissioner.

(6) A certificate of cessation, suspension or curtailment obtained through fraud or misrepresentation shall be null and void and the lease shall be revoked without prejudice to any penalty specified in regulation 83 of these Regulations.

48. (1) An application for consent to transfer a share in a mining lease shall be in Form VII and the transfer instrument shall be in Form XXXI, both in the First Schedule to these Regulations; and an application to surrender a mining lease shall be in writing accompanied by a surrender instrument in Form XLII in the First Schedule to these Regulations.

(2) An application for renewal of a mining lease under section 47 of the Act shall be made to the Commissioner in Form X in the First Schedule to these Regulations not later than one year before expiration of the lease, and shall be accompanied by the applicable mineral rent and the fees specified in the Third Schedule to these Regulations and by the original mining lease document for endorsement; and failure to make the application by such date without good cause shown to the satisfaction of the Commissioner may be considered grounds for refusal of the renewal.

(3) An application for renewal of a mining lease received by the Commissioner after the date of expiration of the lease shall not be considered.

(4) Where the holder of a mining lease has made an application for the renewal of his or her lease and has not received notification that his or her lease has been renewed before the date on which the lease expires, the holder of the lease may continue his or her mining operations until so notified; and where the renewal is refused, the Commissioner may grant an extension of the lease for a period not exceeding eight months subject to the payment of mineral rent for the extended period at the rate of ten currency points per month.

PART VIII—REPRESENTATIVES, RECORDS AND RETURNS.

49. (1) Every person who proposes to become a sole or joint holder of a mineral right under the Act (including any member of a syndicate or an unincorporated association or body of persons), who does not propose to reside or is not resident in Uganda, shall appoint by power of attorney a person or persons resident in Uganda to represent him or her in all matters relating to all his or her existing mineral rights and any other mineral rights which may be subsequently granted to him or her.

(2) A power of attorney referred to in sub-regulation (1) of this regulation may, with the consent of the Commissioner, be drawn in Form XVI in the First Schedule to these Regulations where the representative is to take out a prospecting licence on behalf of his or her principal; and in Form XVII in the First Schedule to these Regulations where it is intended that the resident representative shall be responsible for other existing mineral rights or other mineral rights that may subsequently be granted, other than a prospecting licence.

(3) Not later than fourteen days after appointing an attorney under sub-regulation (1) of this regulation, the holder of the mineral right shall submit the original and a copy of the relevant power of attorney to the Commissioner who shall retain the copy and return the original of the instrument to the person by whom it was submitted.

(4) The provisions of sub-regulations (1), (2) and (3) of this regulation shall be complied with where the holder of the mineral right in question is a corporate entity or body of persons incorporated outside Uganda.

50. (1) Every holder of a mineral right, who is not personally and continuously in charge of operations under that mineral right, shall at all times have an agent at the site of the operations to be in charge of the operations and shall notify the Commissioner of every appointment or change of such agent.

(2) Every appointment or change of an agent under sub-regulation (1) of this regulation shall be subject to confirmation by the Commissioner; and where the Commissioner refuses to confirm an appointment or change, the Commissioner shall state reasons in writing for the refusal.

(3) Every holder of a mineral right shall ensure that every appointed agent shall notify acceptance of the agency in writing to the Commissioner, and no appointment of an agent shall be confirmed until the proposed agent has so notified his or her acceptance.

(4) No agent whose appointment has been confirmed may give up his or her agency without giving not less than one month's notice in writing to the holder of the mineral right concerned and to the Commissioner.

51. (1) Where any notice relating to the safe conduct of prospecting, exploration or mining operations or the safety, health and welfare of persons engaged in such operations is required to be served under the Act or these Regulations, it shall be sufficient if the notice is served on the person who, in the reasonable opinion of the authorised officer serving the notice, is in charge of the prospecting, exploration or mining operations at the material time.

(2) Where at the time of serving the notice under sub-regulation (1) of this regulation there is no person in charge of the operations or the person in charge of

the operations cannot be found, it shall be sufficient if the notice is posted on one of the beacons demarcating the area.

(3) Where no beacon referred to in sub-regulation (2) is to be found, it shall be sufficient if the notice is left at the site of the operations in question and is displayed as prominently as is reasonably possible in the circumstances.

52. (1) On every working day between sunrise and sunset, there shall be kept available for inspection by the Commissioner, Inspector of Mines or an authorized officer under the Employment Act, Cap. 219—

(a) in the exploration area, at the principal camp—

(i) statistical data in respect of each employee, including his or her identification number, full names, place of birth and nationality, date of appointment, nature of work and rate of pay;

(ii) drilling, pitting, trenching and sampling record books;

(iii) maps showing systematic, intensive or detailed prospecting on a legible scale; except that where detailed work is in progress preliminary work may be shown on the same map;

(b) in the location licence area, mining area or group of adjoining location licence areas or mining areas belonging to one holder—

(i) statistical data showing the information required in paragraph (a) (i) of sub-regulation (1) of this regulation;

(ii) a map on a scale of not less than 1: 2,500 showing the mined area in relation to the boundaries;

(iii) records of development, production, ore dressed, mineral(s) in stock and such other records as the Commissioner may from time to time require to be kept.

(2) All books, maps and records required to be kept under this regulation shall be kept in English and in such manner that the figures required to be kept under this regulation in respect of any mineral right may be readily extracted from those books, maps and records; and all records of production shall be kept as daily records.

(3) All maps referred to in sub-regulation (2) of this regulation shall be made from surveys having not less than the accuracy of a compass and tape survey.

(4) Every holder of a mineral right shall maintain at the area of his or her mineral right or a group of such areas, a person in charge of the statistical data

referred to in sub-regulation (1) of this regulation and those records shall be available for inspection.

(5) Each employee shall be issued with an identification card by the employer which shall include the employer's name clearly written in ink or printed in block letters, the employee's identification number, photograph, age and nature of work.

(6) The identification card referred to in sub-regulation (5) of this regulation shall be authenticated by the employer by stamping and signing it.

53. (1) Every holder of an exploration or retention licence shall, as soon as circumstances permit and in any case not later than fourteen days after the end of each quarter, lodge in triplicate at the nearest office of the Commissioner, statements in English in Form XXVI in the First Schedule to these Regulations; and in the case of the holder of a prospecting or location licence or a mining lease such statements shall be provided to the Commissioner in Forms XXV and XXVII in the First Schedule to these Regulations not later than fourteen days after the month reported on.

(2) Without prejudice to sub-regulation (1) of this regulation, the Commissioner may from time to time require any information to be supplied to him or her by way of statements or plans from any holder of a mineral right.

(3) The statements required to be lodged under sub-regulation (1) of this regulation shall be signed and certified to be correct by the holder of the mineral right or his or her attorney or agent.

PART IX—BEACONS, BOUNDARIES AND SURVEYS.

54. (1) Where the holder of a mineral right erects beacons in pursuance of any of these Regulations, he or she shall personally supervise the erection of the beacons and the marking out of the boundaries.

(2) Where the holder of a prospecting licence or an exploration licence decides not to make application for the grant of a retention licence, location licence or mining lease after erecting beacons in an area, he or she shall personally supervise the removal of the beacons marking out the boundaries.

(3) No person shall erect a beacon or anything purporting to be a beacon between five o'clock in the evening and eight o'clock in the morning.

(4) The holder of a mineral right which has expired, been cancelled, revoked or surrendered shall not be allowed to apply through marking out any area covered by that mineral right either directly or indirectly, until after a period of ninety days from the date of notification by the Commissioner of such expiry, cancellation, revocation or surrender.

55. (1) A temporary beacon shall consist of a post with a notice board fixed on it and firmly held in the ground.

(2) A post referred to in sub-regulation (1) of this regulation shall—

- (a) be not less than one metre long, five centimetres in diameter if round, or twenty five centimetres square;
- (b) consist of one piece of material;
- (c) stand in an upright position and the lower end shall be fixed into the ground to a depth of not less than ten centimetres;
- (d) project not less than one metre above the ground.

(3) A notice board referred to in sub-regulation (1) of this regulation shall be—

- (a) of wood or metal and shall be not less than half metre square;
- (b) securely fixed to the upper portion of the post.

(4) All bush, brushwood and high grass shall be cleared and kept cleared during the period of the mineral right concerned for a distance of five metres from the location beacon and corner beacons.

(5) Inscriptions on any notice board shall be distinctly and legibly marked.

(6) The notice board of a temporary beacon shall bear the following information—

- (a) in the case of an exploration licence, the information required to be given under paragraph (e) of regulation 10 of these Regulations;
- (b) in the case of a location licence, the information required to be given under regulations 30 or 32 of these Regulations, as the case may be;
- (c) in the case of a mining lease, such information as is required to be given under paragraph (e) of regulation 10 of these Regulations; except that where a proposed mining lease operation is in respect of an alluvial deposit of a river or swamp, the information shall be as is required to be given under regulation 32 of these Regulations.

(7) In lieu of the following words, the abbreviations in the brackets shall apply and may be used on notice boards: “prospecting licence” (P.L.), “exploration licence (E.L.), “retention licence” (R.L.), “location licence” (L.L.), “mining lease” (M.L.), “location beacon” (L.B.), “direction beacon” (D.B.), “corner beacon” (C.B.), “boundary beacon” (B.B.), “lower beacon” (Low.B), “upper beacon” (U.B.), and “pegged” (p).

(8) Where a beacon by reason of its position may be regarded as common to contiguous exploration and mining areas, that beacon may be reckoned as one beacon in respect of each of the areas, provided there is information affixed to the concrete, as specified, in respect of each area.

(9) Nothing in these Regulations shall be construed as preventing a person authorized under these Regulations to erect a temporary beacon from erecting a permanent beacon in place of the temporary beacon at any time.

(10) A transferee of any mineral right shall, as soon as possible after he or she has been notified of the registration of the transfer, substitute his or her own name for the name of the transferor on all beacons in the area covered by his or her mineral right.

56. (1) A permanent beacon shall consist of either—

- (a) an iron pipe measuring one and a half metres long and eight centimetres in diameter set in a concrete pillar of hundred centimetres square built on a rock foundation or sunk to a depth of a quarter of one metre below the ground; or
- (b) an iron rod or angle iron bar measuring one and a half metres long set in a concrete pillar of hundred centimetres square built on rock foundation, or sunk to a depth of a quarter of a metre below the grounds;

(2) A permanent beacon referred to in sub-regulation (1) of this regulation shall have a stout metal plate of half a metre square bolted on it and bearing the information specified sub-regulation 10(e) of these Regulations.

57. A boundary shall be demarcated in accordance with paragraph (d) of regulation 10 of these Regulations.

58. (1) The specifications for a beacon in respect of a Government protection area shall be substantially the same as those of a temporary beacon under regulation 55 of these Regulations, and shall bear the following particulars—

Government protection area:

Hour and date of erection of beacon:

Name, address and designation of public officer erecting the beacon:

(2) In this regulation Government protection area means land reserved for prospecting or exploration operations by the Government.

59. All beacons and boundary marks shall be maintained in good condition and repair by the holder of the mineral right to whom or to which the beacons relate, and every such holder shall—

- (a) at all times keep the area around every beacon clear of high grass, bush and brushwood within a radius of five metres of the beacon; and
- (b) in addition clear and keep clear of vegetation the boundary line of his or her mineral right for a distance of one metre on each side of every beacon and for a width of one metre along the actual boundary line.

60. (1) Upon the withdrawal or refusal of an application for grant or renewal of a mineral right other than a prospecting licence, the applicant shall, within thirty

days of the date of the withdrawal or refusal, remove all beacons erected to demarcate the area concerned.

(2) Where a beacon is removed under sub-regulation (1) of this regulation, the applicant or holder of the mineral right in question or his or her agent shall personally supervise the removal of the beacons erected and shall obtain an all clear certificate from the Chief Administrative Officer of the district(s) concerned in Form XLVI in the First Schedule to these Regulations and shall submit the certificate to the Commissioner.

(3) Where an applicant or a holder of the mineral right contravenes sub-regulations (1) or (2) of this regulation he or she commits an offence and on conviction is liable to a fine not exceeding one hundred currency points or imprisonment for a term not exceeding one year.

(4) Without prejudice to sub-regulation (3) of this regulation, where an applicant for or the holder of a mineral right fails to comply with sub-regulations (1) or (2) of this Regulation, the Commissioner shall cause the removal of the beacons to be effected by another person at the expense of the applicant or former holder of the mineral right concerned.

61. (1) The Commissioner may require the holder of a mineral right other than a prospecting licence, or the applicant for such right to demarcate his or her boundaries by additional beacons, and clear the boundary lines, or such parts of those lines as he or she may specify, of bush, brushwood and long grass for a width of one metre along the actual boundary line or may cause the clearing and demarcation of such boundaries at the expense of the holder or the applicant of the mineral right other than a prospecting licence.

(2) Where the Commissioner is satisfied that a survey or check survey of the area of a mineral right other than a prospecting licence is necessary, the Commissioner may—

(a) cause the survey to be made and a map prepared;

(b) demand from the applicant for or holder of the mineral right in question the cost of the survey and map;

and the applicant or holder shall, within such time as may be specified in the notice of demand, pay to the Commissioner the cost of the survey and map and lodge the original of the licence or lease concerned with the Commissioner for amendment.

(3) The boundaries of any area covered by a mineral right shall be such as are marked out by beacons on the ground by the applicant or a holder of mineral right other than a prospecting licence; and the area may be adjusted by the Commissioner in the exercise of his or her powers under sub-regulations (1), (2) and (4) of this regulation.

(4) Where the Commissioner is satisfied that the area marked out on the ground differs materially in position, shape or area from the area over which the mineral right concerned was applied for or is held, the Commissioner shall, at the expense of the applicant or holder of the mineral right concerned, make such adjustments to the beacons and boundaries as he or she may think fit and the

adjusted boundaries shall be deemed to be the boundaries of the area applied for or held.

(5) Any survey or map made under this regulation shall be subject to the approval of the Commissioner.

PART X—REGISTRATION.

62. The Commissioner shall keep registers of mining instruments, which shall include—

- (a) exploration licences;
- (b) retention licences;
- (c) mining leases;
- (d) location licences;
- (e) mineral agreements;
- (f) endorsements evidencing amalgamations, renewals or transfers in whole or in part of mineral rights;
- (g) agreements and any other documents evidencing the creation of interests in any mineral right other than a prospecting licence, or transfers of rights under such agreements and other documents of a similar nature; and
- (h) change of address.

63. (1) An application for registration of a mining instrument under regulation 62 of these Regulations shall be made to the Commissioner in Form XI in the First Schedule to these Regulations and shall be accompanied by—

- (a) the original or a certified copy of the mineral right concerned;
- (b) any map attached to such instrument in duplicate; and
- (c) the applicable fee specified in the Third Schedule to these Regulations.

(2) Where the Commissioner is satisfied that there is no objection to the registration of a mining instrument, the Commissioner shall, after satisfying himself or herself that the instrument has been duly stamped if liable to stamp duty, register it.

(3) Registration under subregulation (2) of this regulation shall be effected by the Commissioner in the following manner—

- (a) in the case of a mineral right other than a prospecting licence when first prepared, by filing the duplicate copy and by entering particulars of the mineral right concerned in the appropriate register;

- (b) in the case of renewal of any of the instruments referred to in paragraph (a) of this sub-regulation, by entering the particulars of the instrument in the appropriate register and endorsing on the original instrument and the duplicate instrument the word “Registered” together with the date on which the instrument was presented for registration, and by appending his or her signature to the endorsement;
- (c) in the case of a mining instrument of a type other than those referred to in paragraph (a) of this sub-regulation by—
 - (i) filing the duplicate copy of the instrument, or where no duplicate is presented the original;
 - (ii) entering the particulars of the instrument in the appropriate register;
 - (iii) endorsing on the original instrument, and also on the duplicate if one has been presented to him or her, the word “Registered”, together with the date on which the instrument was presented for registration; and
 - (iii) appending his or her signature to the endorsement;

except that nothing mentioned in this paragraph shall preclude the Commissioner from making such further entries, cross entries and endorsements on instruments in his or her office as he or she considers necessary for facilitating the work of his or her office.

PART XI—PROTECTION OF THE ENVIRONMENT.

64. (1) A holder of an exploration licence shall prepare a project brief before commencement of work, in which the following shall be indicated—

- (a) the activities involved in the programme of exploration in a sequential order;
- (b) the projected area to be affected by each activity;
- (c) the materials that are to be used in construction and the necessary inputs;
- (d) the number of people projected to be employed;
- (e) the likely environmental effects of the materials to be used, products and by-products to be generated, the duration of the environmental effects and their prevention and mitigation; and

- (f) any other activities that may arise during the implementation of the project.
- (2) Ten copies of the project brief shall be submitted to the Commissioner.

65. (1) The project brief shall be reviewed in the manner specified under the guidelines for environmental impact assessment in the mineral sector developed by NEMA.

(2) Where the environmental impacts have been identified and the mitigation measures specified and incorporated in the project brief, the Commissioner shall, after consultation with NEMA, approve the brief and issue a certificate in Form XXXIV in the First Schedule to these Regulations.

(3) Where the environmental impacts are likely to be significant and the mitigation measures are not readily prescribed, the Commissioner shall after consultation with the NEMA call on the holder of exploration licence in question to carry out an environmental impact assessment.

(4) The Commissioner shall inform the Executive Director of NEMA about his or her decision within ten days of making it.

66. (1) The holder of an exploration licence or a mining lease shall submit to the Commissioner a costed environmental restoration plan, which shall address restoration of worked out areas.

(2) At the request of the Commissioner, the holder of an exploration licence or a mining lease shall deposit with the Commissioner an environmental bond commensurate with the cost of the environmental restoration plan submitted to the Commissioner under sub-regulation (1) of this Regulation.

(3) The holder of an exploration licence or mining lease shall, subject to sub-regulation (2) of this regulation, commence development under his or her exploration licence or mining lease upon approval of the environmental restoration plan.

(4) The custody and management of any environmental bond deposited under sub-regulation (2) of this regulation shall be in accordance with the provisions of the Public Finance and Accountability Regulations for the time being in force; and in the absence of any applicable regulation, as determined by the Accountant General.

(5) For the purposes of this regulation, “Accountant General” means the person designated as such under the Public Finance and Accountability Act, 2003.

67. (1) There shall be included in every exploration licence or mining lease granted under the Act, a condition that the holder of the exploration licence or

mining lease shall submit a self-monitoring plan of the project implementation and the environmental quality of the surroundings of the project.

(2) The environmental monitoring plan shall include the following—

- (a) the name of the person (who is qualified for the purpose) responsible for monitoring compliance with mitigation measures and the quality of the environment;
- (b) the methodology for monitoring compliance;
- (c) the key indicators of environmental impact and their tiered threshold values; and
- (d) a schedule for monitoring each indicator and for reporting on the performance of mitigating measures.

(3) The holder of an exploration licence or a mining lease shall make and submit quarterly reports in Form XXVIII in the First Schedule to these Regulations to the Commissioner and the Executive Director of NEMA on the findings of the activities under the self monitoring plan not later than fourteen days after the end of each quarter.

(4) Where the impacts are worse than anticipated during the environmental impact assessment process, the holder of the exploration licence or the mining lease shall propose to the Commissioner and the Executive Director of NEMA new mitigation measures for improved environmental conservation.

(5) The Commissioner, after consultation with the Executive Director of NEMA, shall advise the holder of the exploration licence or mining lease on the necessary remedies to correct any negative impacts of the activities on the environment, including the carrying out of environmental impact assessment study.

(6) Where the holder of the exploration licence or mining lease fails to comply with the advice given under sub-regulation (5) of this regulation, the Commissioner shall publicize the facts, contents and recommendations given and the name of the holder of the exploration licence or mining lease concerned in a national media without prejudice to any penalty or sanction prescribed against such failure.

(7) The costs incurred by the Commissioner in carrying out the provisions of sub-regulation (6) of this regulation shall be borne by the holder of the exploration licence or mining lease concerned, and shall be a debt due to Government and recoverable as such by civil action in a court of competent jurisdiction, without prejudice to any other remedy or sanction, civil or criminal.

68. (1) Every holder of an exploration licence or a mining lease shall, at the request of the Commissioner, carry out an environmental impact assessment study of the effects of his or her activities on the environment.

(2) The environmental impact study shall consider the impacts of the activities in magnitude, extent, duration and persistence of the effects on the environment.

(3) The environmental impact study shall culminate in a statement the contents of which shall be as provided under the guidelines for environmental impact assessment in the mineral sector developed by NEMA.

(4) The holder of an exploration licence or a mining lease shall submit ten copies of the environmental impact assessment to the Executive Director of NEMA for review in accordance with Environmental Impact Assessment Regulations.

PART XII—FINANCIAL PROVISIONS.

69. The fees specified in the Third Schedule to these Regulations shall be paid in respect of the matters and things specified in that Schedule, and the amount of any fee payable under this regulation is a debt owed to the Government and is recoverable as such by civil action in a court of competent jurisdiction, without prejudice to any other remedy or sanction, civil or criminal.

70. (1) The annual mineral rents specified in the Third Schedule to these Regulations shall be paid to the Commissioner by an applicant for, or the holder of, a mineral right other than a prospecting licence.

(2) The annual mineral rent payable under sub-regulation (1) of this regulation is payable on the application for the grant of a mineral right other than a prospecting licence; and thereafter annually on the anniversary of the grant until the termination or expiry of the mineral right concerned.

71. (1) Royalties payable under section 98 of the Act shall be paid to the Commissioner.

(2) Except as otherwise provided in the Act or these Regulations, royalty on any mineral produced in Uganda is payable by—

- (a) the holder of the mineral right concerned and shall be paid within a period not exceeding thirty days after assessment by the Commissioner based on monthly returns submitted by the holder of the mineral right concerned and any other information obtained during field inspection;
- (b) a licenced mineral dealer within thirty days after buying or coming into possession of the mineral concerned; except where royalty has already been paid on the mineral.

(3) The Commissioner may issue an export permit in Form XXXVII in the First Schedule to these Regulations for the export of minerals only where the royalty due on the minerals under section 98 of the Act has been paid or secured.

(4) Minerals shall be used locally only after the royalty due on the minerals under Section 98 of the Act has been paid or secured.

72. (1) Rates of royalties shall be as specified in the Third Schedule of these Regulations.

(2) The value of a precious metal or a non-precious mineral shall, for the purpose of computing the royalty payable on such precious metal or non-precious mineral, be deemed to be the latest price on the London Metal Exchange or any other Metal Exchange or market as known to the Commissioner; and in the absence of proof to the contrary—

(a) gold shall be deemed to be ninety-five per centum fine;

(b) tin ore shall be deemed to contain seventy-five per centum tin;

(c) the valuable contents of other metals, ore or minerals shall be such as the Commissioner may determine;

except that where a precious mineral or non-precious metal is exported to a refinery approved by the Commissioner, the value shall be the gross sum realized as shown by the original sales account to be produced to the Commissioner.

(3) For the purposes of paragraph (c) of sub-regulation (2) of this regulation, the gross sum realized shall be the sum realized without any reduction or abatement for transport, marketing, insurance, returning or any other charges or whatsoever.

PART XIII—MISCELLANEOUS.

73. (1) The holder of a location licence or mining lease who has access to a watercourse may, subject to the provisions of the Water Act, Cap. 152, and the NEMA Act, Cap.153 and applicable Regulations, dispose of tailings from his or her mining operations or mineral processing operations in that water course.

(2) Disposal of tailings on land is subject to provisions of the NEMA Act, Cap.153 and applicable Regulations.

74. (1) An application for a mineral dealer's licence under section 70 of the Act shall be in Form XIV and a mineral dealer's licence shall be in Form XXIII in the First Schedule to these Regulations; and there shall be paid for every such licence the applicable fee specified in the Third Schedule to these Regulations.

(2) Minerals obtained under a mineral right or under a mineral dealer's licence may only be exported under an export permit granted by the Commissioner.

(3) An application for an export permit under section 116 of the Act shall be in Form XIII in the First Schedule to these Regulations, accompanied by the

applicable fee specified in the Third Schedule to these Regulations; and an export permit shall be in Form XXXVII in the First Schedule to these Regulations.

75. (1) An application for a goldsmith's licence under section 73 of the Act shall be made to the Commissioner in Form XV of the First Schedule to these Regulations, accompanied by the applicable fee specified in the Third Schedule to these Regulations, and the licence shall be in Form XXIV in the First Schedule to these Regulations.

(2) An application by a retail shopkeeper under section 74 of the Act shall be made to the Commissioner in writing; and the Commissioner may authorize the applicant to manufacture and sell articles partly manufactured from precious minerals without being licensed as a goldsmith.

76. A memorandum of complaint under section 62 of the Act shall be in Form XLIII in the First Schedule to these Regulations; and a notice of complaint to the defendant shall be in Form XLIV in the First Schedule to these Regulations.

77. (1) A declaration under section 117 of the Act by a person seeking to import any mineral(s) into Uganda shall be in Form XXXIX in the First Schedule to these Regulations.

(2) A permit to import minerals shall be in Form XXXVIII in the First Schedule to these Regulations and shall be issued only after payment of the applicable fee specified in the Third Schedule to these Regulations.

78. Upon the forfeiture by a court of any mineral under section 4 (4) of the Act, the order for forfeiture shall be in Form XL in the First Schedule to these Regulations.

79. (1) The following requirements or obligations shall apply to all shafts, pits, holes and other excavations which are required to be secured under the Act, any other written law, or these Regulations—

- (a) all prospecting pits shall, while in use, be secured so as not to constitute a danger or hazard to persons and livestock, and be filled up after use;
- (b) all shafts shall, while in use, be surrounded by dry stone walling of a height adequate to ensure safety of persons and livestock according to their surroundings, and be filled up after use;
- (c) all large prospecting works such as test paddocks and trenches shall, while in use, be enclosed by dry stone walling, and be filled up after use;
- (d) all steep faces in alluvial or detrital workings shall be broken down sufficiently to be safe;
- (e) all water furrows shall, while in use, be secured so as not to constitute a danger or hazard to persons, and be filled up after use;

(f) all workings in rock shall, while in use, be surrounded by dry stone walls and filled up after use; except that in excavations of a quarry-like nature, it shall be necessary to wall off only those parts which are steep-sided.

(2) Notwithstanding sub-regulation (1) of this Regulation, the Commissioner, an Inspector of Mines or an authorized officer may, at his or her discretion, allow or require any other protective device.

80. (1) No person shall, without the prior written permission of the Commissioner, move or cause to be moved any minerals out of or into any area where mining or prospecting operations are being carried on between the hours of six o'clock at night and seven o'clock in the morning.

(2) An application for a permit under sub-regulation (1) of this regulation shall be in Form XII in the First Schedule to these Regulations, and the permit shall be in Form XXXVI in the First Schedule to these Regulations.

81. (1) In accordance with section 71 of the Act, every holder of mineral dealer's licence shall be liable for the due payment to the Commissioner of all royalties due on any minerals bought, received or exported by the holder of a mineral dealer's licence.

(2) The Commissioner may require the holder of a mineral dealer's licence to furnish him or her with security in such form and amount as he or she may determine, for the due payment of any royalty referred to in sub-regulation (1) of this regulation.

82. An evidentiary certificate which the Commissioner may issue under subsection (1) of section 97 of the Act shall be Form XXXV in the First Schedule to these Regulations or as adapted.

83. (1) Any person who fails to keep any record or information required to be kept under regulation 52 of these Regulations, or who in connection with any return, statement or document in respect of which information is or may be required to be given under the Act or these Regulations willfully or recklessly gives false information or makes a false statement, whether orally or in writing shall, if no other penalty is prescribed in these Regulations, be liable to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding one year.

(2) Any person who represents that he or she holds a mineral right and thereby induces, or attempts to induce, any person to buy any interest in such mineral right or to invest capital in any corporate entity connected with the mineral right, before he or she has obtained the grant of that mineral right, or where the right has been forfeited, revoked or determined, as the case may be, shall be liable to forfeit any right to the grant of such mineral right; and if he or she is the holder of any other mineral right, shall be liable to have such right revoked; except that

nothing in this subsection shall relieve any person from liability to civil action or a criminal prosecution in respect of the said representation.

84. Where the original of any instrument creating or evidencing any right is lost or destroyed or obliterated so as to become illegible, the Commissioner may, at the written request of the holder of the instrument, and upon payment of the applicable fee specified in the Third Schedule to these Regulations, cause a copy of the instrument to be prepared and endorsed in accordance with section 96 of the Act.

85. Any person who contravenes or commits a breach of any of these Regulations for which no penalty is expressly prescribed shall be liable, on summary conviction, to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding one year.

86. The Mining Regulations, S.I. 248-3 are revoked.

SCHEDULES

FIRST SCHEDULE .

Form.	
I	Application for a prospecting licence.
II	Application for an exploration licence.
III	Application for a retention licence.
IV	Application for a location licence other than Class V or Class VII location licence.
V	Application for Class V location licence or Class VII.
VI	Application for a mining lease.
VII	Application for consent to transfer/transfer of a share in exploration /retention /location licence/ mining lease.
VIII	Application for a certificate of amalgamation of location licences/mining leases.
IX	Application for a certificate of cessation/ suspension/curtailment of working obligations under exploration/location licence/mining lease.
X	Application for renewal of exploration/retention /location licence/mining lease.
XI	Application for registration of mining instruments.
XII	Application for a movement permit.
XIII	Application for an export permit.
XIV	Application for a mineral dealer's licence.
XV	Application for a Goldsmith's licence.
XVI	Form of power of attorney.
XVII	Alternative form of power of attorney.
XVIII	Prospecting licence.
XIX	Exploration licence.
XX	Retention licence.
XXI	Location licence.
XXII	Mining lease.
XXIII	Mineral dealer's licence.
XXIV	Goldsmith's licence.
XXV	Prospecting licence return form.
XXVI	Exploration/Retention licence return form.
XXVII	Location licence/ mining lease return form.
XXVIII	Environmental monitoring report.
XXIX	Transfer of/a share in/an exploration /retention licence.
XXX	Transfer of/a share in/a location licence.
XXXI	Transfer of / a share in/ a mining lease.
XXXII	Certificate of amalgamation of location licences/mining leases.
XXXIII	Certificate of cessation/suspension/curtailment of working obligations on exploration/location licence/mining lease.
XXXIV	Certificate of approval of project brief.
XXXV	Evidentiary certificate.
XXXVI	Movement permit.
XXXVII	Export permit.
XXXVIII	Import permit.
XXXIX	Declaration on importation of mineral(s).
XL	Forfeiture of minerals by order of court.
XLI	Surrender of exploration /retention licence.
XLII	Surrender of location licence/ mining lease.

XLIII	Memorandum of complaint.
XLIV	Notice of complaint to defendant.
XLV	Notice of Commissioner's sanction of a mining lease.
XLVI	All clear certificate.

FORM I.
Reg. 3.

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR A PROSPECTING LICENCE.

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY
AND MINES DEPARTMENT (or authorized officer).

1. Name of applicant in full.
Nationality of applicant.
Age of applicant.
2. Address in Uganda at which notices, etc. may be served.
3. Whether the applicant intends to prospect on his or her own account or on behalf of a person.
4. a) If applying on behalf of a person, then the name and address of such person.
b) If a corporate entity then attach a certified copy of a certificate of incorporation and Articles and Memorandum of Association.

NOTE- a written authority for making this application must be attached to this form.

5. (a) Whether the applicant has previously made an application for any prospecting licence.
(b) If so, whether any such application was refused.
6. Whether the applicant has previously held any mineral right, authorizing prospecting, exploration or mining in Uganda, which was expired, cancelled, revoked or forfeited.
7. Whether the applicant or the person referred to in 3 above has been convicted of any offence in connection with prospecting, exploration, mining, explosives, or the employment of labour or involving dishonesty or fraud.
8. Whether the applicant holds in his or her own name or as agent for a person a prospecting licence that is still valid.
9. The part of Uganda in which the applicant intends to prospect

I certify that the particulars given by me above are true to the best of my knowledge and belief.

Dated thisday ofyear 20

.....
Signature of Applicant.

Where the applicant applies on behalf of another person, that person or in the case of a company, a Director of that company shall answer the following questions and sign the following certificate and undertaking –

I certify that the particulars given by me above are true to the best of my knowledge and belief.

I agree that in event that the prospecting licence applied for is granted, I shall be responsible, and should be held liable, for—

- (a) the discharge of any obligation of the holder under the licence;
- (b) any sanction or penalty arising from any act or omission of the holder under the licence, where the holder fails to discharge any such obligation or sanction or defaults in the payment of any such penalty.

Dated this..... day ofyear 20.....

.....
Signature of Principal
(Corporation Seal in case of corporations)

1. Name of person in full.
2. Nationality of person.
3. (a) Whether the person has previously held any right, authorizing prospecting, exploration or mining in Uganda, which was cancelled or revoked or forfeited.
(b) If so, state particulars.
4. Whether the person has been convicted of any offence in connection with prospecting, exploration, mining, explosives, or the employment of labour or involving dishonesty or fraud.
5. In the event of the answer to question 3 being in the affirmative state whether the Commissioner has consented to the grant to you or to an agent on your behalf of a prospecting licence since the last such previous revocation, cancellation or forfeiture or conviction as set out in answer to questions 3 and 4

I certify that the applicant has paid a fee of Shs.

Vide receipt No.....datedyear 20....

Place of issue.....

This day of..... year 20

.....
Commissioner for the Geological Survey
and Mines Department.

NOTE— The applicant shall produce for cancellation any prospecting licence which he/she may hold and which the approval of this application will render invalid.

FORM II.
Reg. 11.

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR AN EXPLORATION LICENCE.
*(Accompanied by map of the area applied for, a work programme for
the period of licence and the first year's mineral rent and fees)*

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT,

Through The CHIEF ADMINISTRATIVE OFFICER (CAO) of
.....District

Date and hour of receipt at CAO's office.....

.....
*Signature and stamp of CAO or
his or her authorized officer.*

1. Name of applicant in full.
Nationality of person.
Address in Uganda at which notices, etc., may be served
2. Name of person (if any), whom the applicant represents and position or appointment held by the applicant with respect to such person.
3. Number and date of grant of prospecting licence.
No.
Date of grant.....
4. Name and nationality of directors of corporate entity (if applicable)
5. Amount of funds committed for exploration
6. If a certified copy of the Memorandum and Articles of Association of the corporate entity is not already lodged with the Commissioner, a copy must be enclosed herewith.
7. Date and hour of erection of—
 - (a) Location beacon:
 - (b) Corner beacons:
 - (c) Direction beacons:
 - (d) Boundary beacons:
8. Approximate area (in square kilometers) applied for.
9. Minerals which applicant has discovered in the area and for which he or she desires to prospect.
10. Statement of geographical position of the area and its position in regard to some town, village or river crossing or junction which is shown on the latest edition of the map of the district in which the area applied for is situated.

11. Have you been submitting returns of your prospecting operations to the Commissioner as required under applicable Mining Regulations?
12. Are you in a position to comply with section 112(1) of the Act as regards environment performance bond, and if so, state whether by cash payment or bankers' guarantee.
13. Name of witness to erection of location beacon and other beacons. (As a safeguard in case of disputes, it is desirable to have a reliable witness to the erection of beacons).
Name of witness
Signature or thumbprint
Address.....
14. Were there any beacons belonging to other prospectors in existence at the date on which you erected your beacons purported to mark out any of the area you now apply for?
Have you shown on your map attached to this application other beacons bordering on the area you now apply for?
15. Name of person who will be resident on the area if this application is granted and who is qualified to comply with the requirements of the applicable Mining Regulations.

I HEREBY CERTIFY that beacons have been erected under my personal supervision in accordance with requirements of the applicable Mining Regulations to define the area over which I hereby apply for a licence and that such beacons are placed to the best of my ability at the marks as shown by the letters LB, CB1, CB2, CB3, etc. on the map attached, which map, signed by me, shows the area for which I am applying. I agree that in the event of the area marked by me on the ground being proved to differ, either before or after the grant of the licence, from the area shown on the map signed by me and attached to this application (in five copies) then such adjustment of the area (or amendment of the map) as shall be deemed expedient by the Commissioner shall be made by the Commissioner at my expense.

Dated this day of, year 20

.....
Signature of Applicant.

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Forwarded with the following comments

.....

.....

Dated this day ofyear 20.....

.....
Chief Administrative Officer or his or her authorised officer.

THE MINING ACT.

THE MINING REGULATIONS.

APPLICATION FOR A RETENTION LICENCE.

(Accompanied by requirements under subsection (2) of section 35 of the Act, map of the area applied for, a work programme for the period of licence and the first year's mineral rent and fees)

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT,

Through the CHIEF ADMINISTRATIVE OFFICER (CAO) of
.....District.

Date and hour of receipt at CAO's Office.....

.....
Signature and stamp of CAO or his or her authorised officer.

1. Name of applicant in full.
Nationality of person.
Address in Uganda at which notices, etc., may be served
2. Name of person (if any), whom or which the applicant represents and position or appointment held by the applicant with respect to such person.
3. Number and date of grant of exploration licence.
No.
Date of grant.....
4. Name and nationality of directors of corporate entity (if applicable).
5. Amount of funds committed for exploration.
6. Date and hour of erection of—
 - (a) Location beacon:
 - (b) Corner beacons:
 - (c) Direction beacons:
 - (d) Boundary beacons:
7. Approximate area (in square kilometers) applied for.
8. Quantity and grade of any mineral deposit the applicant has identified within the exploration area which is potentially of commercial significance.
9. Statement of geographical position of the area and its position in regard to some town, village or river crossing or junction which is shown on the latest edition of the map of the district in which the area applied for is situated.

No.

Date of grant.....

10. Have you been submitting returns of your prospecting operations to the Commissioner as required under the Mining Regulations?

11. Are you in a position to comply with section 112(1) of the Act as regards environment performance bond, and if so, state whether by cash payment or bankers' guarantee.

12. Name of witness to erection of location beacon and other beacons. (As a safeguard in case of disputes, it is desirable to have a reliable witness to the erection of beacons).

Name of witness...

Signature

or thumbprint

Address.....

13. Have you shown on your map attached to this application other beacons bordering on the area you now apply for?

14. Name of person who will be resident in the area if this application is granted and who is qualified to comply with the requirements of the applicable Mining Regulations.

I HEREBY CERTIFY that beacons have been erected under my personal supervision in accordance with requirements of the applicable Mining Regulations to define the area over which I hereby apply for a licence and that such beacons are placed to the best of my ability at the marks as shown by the letters LB, CB1, CB2, CB3, etc. on the map attached, which map, signed by me, shows the area for which I am applying. I agree that in the event of the area marked by me on the ground being proved to differ, either before or after the grant of the licence, from the area shown on the map signed by me and attached to this application (in 5 copies), then such adjustment of the area (or amendment of the map) as shall be deemed expedient by the Commissioner shall be made by the Commissioner at my expense.

Dated this day of, year 20

.....
Signature of applicant.

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Forwarded with the following comments

.....

.....

Dated this day ofyear 20.....

.....
Chief Administrative Officer or his or her authorised officer.

FORM IV.
Reg. 23(1).

THE MINING ACT.

THE MINING REGULATIONS.

APPLICATION FOR A LOCATION LICENCE OTHER THAN CLASS V LOCATION
LICENCE.

(Accompanied by map of the area applied for, the first year's mineral rent and fees)

To: The COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT,

Through the CHIEF ADMINISTRATIVE OFFICER (CAO) of.....
District.

Date and hour of receipt at COA's office

.....
Signature and stamp of CAO or his or her authorised officer.

1. Name of applicant in full.
Nationality of applicant.
Address of Applicant
2. Name of person (if any), whom or which the applicant represents and position or appointment held by the applicant with respect to such person.
3. Number and date of grant of prospecting or exploration licence.
No.
Date of grant.....
4. Registration numbers of any locations held directly or indirectly by applicant.
5. Class of the type of location licence under regulation 28 applied for.
6. Mineral(s) which applicant intends to mine.
7. Date and hour when location beacon was erected.
8. Date and hour when other beacons were erected.
CB1:
CB2:
CB3:

9. Measurements of location licence area in metres as pegged and measured by applicant.

Length

Breadth

Magnetic bearing of the long side adjacent to L.B.

10. Locality (village, parish and sub county).

11. Name of witness to erection of location beacon and other beacons.(As a safeguard in case of disputes it is desirable to have a reliable witness to the erection of beacons).

Name of witness

Signature

or thumbprint.....

Address

12. Have you been submitting returns of your prospecting or exploration operations to the Commissioner as required under the Mining Regulations?

13. Were there any beacons belonging to other holders of prospecting licence existing at the date of erection of your location beacon that purported to mark out any of the area you now apply for?

14. Name of person who will be resident in area applied for if this application is granted and who is qualified to comply with requirements of the applicable Mining Regulations.

I attach to this application (in 5 copies) signed by me a–

(i) map on scale 1: 50,000 from the available Government map showing the position of the location licence area concerned;

(ii) sketch map showing–

(a) the dimensions, in metres, of the location licence area;

(b) the position of any adjacent mining area, if any, within a radius of half a kilometre from the area to which this application relates;

(c) the approximate positions of any beacons belonging to other prospecting licence holders and purporting to mark out any of the areas where I have erected my location beacon; and

(d) the approximate position of any excavations existing on the location licence area prior to my marking out the area by pegging it;

(iii) statement giving particulars of the nature of the mining operations proposed to be carried out, the capital and experience available to conduct prospecting and mining operations.

I HEREBY CERTIFY that under my personal supervision the above mentioned beacons have been erected and the long grass, bush and brushwood cleared in accordance with requirements of the applicable Mining Regulations.

Dated this day of, year 20

.....
Signature of Applicant.

TO: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Forwarded with the following comments.....

.....

.....

Dated thisday of, year 20.....

.....
Chief Administrative Officer or his or her Authorised Officer.

FORM V.

Reg. 23 (1).

THE MINING ACT.

THE MINING REGULATIONS.

APPLICATION FOR A *CLASS V OR CLASS VII LOCATION LICENCE.

(Accompanied by map of the area applied for, the first year's mineral rent and fees)

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT,

Through the CHIEF ADMINISTRATIVE OFFICER (CAO) of
.....District.

Date and hour of receipt at CAO's Office.....

.....
Signature and stamp of CAO or his or her authorised Officer.

1. Name of applicant in full.
Nationality of applicant.
Address of Applicant
2. Name of person (if any), whom or which the applicant represents and position or appointment held by the applicant with respect to such person.
3. Number and date of grant of prospecting or exploration licence.
No.
Date of grant.....
4. The alluvial minerals in respect of which the location licence is required.
5. Date and hour when lower beacon was erected.
6. Date and hour when upper beacon was erected.
7. Measurements of the location licence area in meters.
Required length
Required width on each side of the center line.....
8. Whether river or swamp location licence is applied, state the name of the river or swamp.
9. Name of witness to erection of lower and upper beacons. (As a safeguard in case of disputes it is desirable to have a reliable witness to the erection of beacons).
Name of witness.....
Signature or thumbprint.....

Address

10. Have you been submitting returns of your prospecting or exploration operations to the Commissioner as required under Mining Regulations? If so provide proof.
11. Is the lower beacon tied by traverse to any fixed survey point or fixed topographical details?
12. Name of person who will be resident in the area if this application is granted and who is qualified to comply with requirements of the applicable Mining Regulations.

I attach to this application (in 5 copies) signed by me –

- (i) a copy of permission granted by the responsible Ministry through NEMA to work in a wetland or on a river bank;
- (ii) a map showing measurements along the river or swamp commencing at the lower beacon;
- (iii) a sketch map showing the position of the area of Class V and Class VII location licence as required by applicable Mining Regulations.

I HEREBY DECLARE that under my personal supervision the above mentioned lower and upper beacons were erected in accordance with requirements of the applicable Mining Regulations, and measurements taken along the length of the river or swamp as shown on the attached map.

Dated this..... day of year 20.....

.....
Signature of Applicant.

TO: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Forwarded with the following comments

.....

.....

Dated this..... day of, year 20

.....
*Chief Administrative Officer or his or her
Authorised Officer.*

*Delete whichever is inapplicable.

FORM VI.
Reg. 36, 37 and 38.

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR A MINING LEASE.
*(Accompanied by mine plan, feasibility study, first year's
mineral rent and fees)*

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT,

Through the CHIEF ADMINISTRATIVE OFFICER (CAO) of
.....District.

Date and hour of receipt at CAO's Office.....

.....
*Signature and stamp of CAO or his or her
Authorised Officer.*

1. Name of applicant in full.
Nationality of applicant.
Address in Uganda at which notices, etc, may be served.
2. Name of the person whom or which the applicant represents and the position or appointment held by the applicant with respect to that person.
3. Number and the date of grant of relevant mineral right.
No.
Date of grant.
4. Name and nationality of directors of corporate entity (where applicable).
5. Amount of funds committed for mining operations.
6. If a certified copy of the Memorandum and Articles of Association of the corporate entity is not already lodged with the Commissioner, a copy must be enclosed herewith.

7. Date and hour of erection of—
 (a) Location beacon:
 (b) Corner beacons:
 (c) Direction beacons:
 (d) Boundary beacons:
8. Name of witness to erection of lower and upper beacons. (As a safeguard in case of disputes it is desirable to have a reliable witness to the erection of beacons).
Name of witness
Signature or thumbprint...
Address
9. Have you been submitting returns of your prospecting or exploration operations to the Commissioner as required under Mining Regulations? If so provide proof.
10. Approximate area in hectares.
11. Mineral(s) which applicant intends to mine
12. Period for which lease is sought.
13. Statement of geographical position in regard to some town, village or river crossing or junction shown on the latest edition of the map of the district in which the area applied for is situated.
14. Name of person who will be resident in the area if this application is granted and who is be qualified to comply with requirements of the applicable Mining Regulations.

I attach to this application (in five copies) a—

- (i) Government map or tracing thereof, signed by me and giving the information as required under regulations 38 of the Mining Regulations;
- (ii) map signed by me on a scale of 1: 10,000 of the proposed mining area as required under regulation 38 of the Mining Regulations;
- (iii) statement as to the number of land owners or lawful occupiers of land in the area of the proposed lease as required under regulation 38 of the Mining Regulations;
- (iv) statement as to any natural water supplies in the area of the proposed lease, any existing usage of such natural water supplies and any proposed use of the water;
- (v) certificate of approval of Environmental Impact Assessment by NEMA; and
- (vi) proof that I have secured the surface rights of the land the subject of this application as required by section 43 (3) (h) of the Act.

I HEREBY CERTIFY that under my personal supervision the above mentioned beacons have been erected and the long grass, bush and brushwood cleared in accordance with regulation 37 of the Mining Regulations.

Dated this day of, year 20.....

.....
Signature of Applicant.

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT

Forwarded with the following comments:

.....

.....

Dated this..... day of, year 20.....

.....
Chief Administrative Officer or his or her authorised officer.

FORM VII.
Reg. 15, 21, 26, 36 and 48.

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR CONSENT TO *TRANSFER/TRANSFER OF A SHARE IN AN
*EXPLORATION/RETENTION /LOCATION LICENCE/MINING LEASE.

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

I hereby apply for the Commissioner's consent to *transfer/transfer a share in *Exploration
Licence/Retention Licence/ Location licence/Mining Lease, bearing Registered No.
..... in accordance with the attached transfer Form *(XXIX,XXX and XXXI).

Place of submission of application.....

Dated thisday of....., year 20

.....
Signature of Holder.

To the applicant:Registered holder of licence.....

The above application is approved/ not approved*.

The *transfer/transfer of a share in licence, number..... shall be properly stamped and
returned to the Commissioner within 30 days from the date of this notice of approval, by the
person in whose favour it is drawn, for registration together with the specified registration
fee.

Place where application was approved/not approved*.....

Dated thisday of....., year 20.....

.....

Commissioner for the Geological Survey and Mines Department.

*Delete whichever is inapplicable.

FORM VIII.
Reg. 27(1) and 45(1).

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR A CERTIFICATE OF AMALGAMATION OF *LOCATION
LICENCES/MINING LEASES.
(Accompanied by the specified fees)

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

I hereby apply for permission to amalgamate * Location Licences,
Nos...../Mining Leases, Nos. Situated at.....
in District(s).

!Reasons for which amalgamation is required –

.....
.....

I undertake that in the area covered by the proposed certificate of amalgamation, I shall
comply with the working obligations specified in the Second Schedule of the Mining
Regulations.

Dated thisday of..... year 20.....

.....
Signature of holder of location licence/
mining lease or his or her registered agent or attorney.*

* Delete whichever is inapplicable.

!In the case of location licences attach a statement in accordance with regulation 27 (2) of the Mining
Regulations.

FORM IX.
Reg. 16(2), 25 (2), 47(2).

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR A CERTIFICATE OF
*CESSATION/SUSPENSION/CURTAILMENT OF WORKING OBLIGATIONS UNDER
THE EXPLORATION /LOCATION LICENCE/MINING LEASE*
(To be accompanied by specified fees)

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Application is hereby made for permission to *cease/suspend /curtail work under the following mineral rights;

*Exploration licence, No...../Location licence No.....

Mining Lease, No.from the day of....., year 20....., to the
..... day of, year 20.....

The reasons for which *cessation/ suspension/curtailment is desired are! –

.....
.....

Dated this day of....., year 20.....

.....
**Signature of holder of exploration/location licence/mining lease or his or her registered
agent or attorney.*

* Delete whichever is inapplicable.

! Where the reasons given are shortage of labour or lack of water, a written statement to that effect from the Chief Administrative Officer supporting the application must be produced.

FORM X.

Reg. 17(1), 21(3), 26(3) and 48(2).

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR RENEWAL OF *EXPLORATION/ RETENTION/LOCATION
LICENCE AND MINING LEASE.

*(Accompanied by the original *licence/lease, mineral rent
and fees).*

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

1. I hereby apply for the renewal of:

- (a) Exploration licence, No.under section 30 of the Act and regulation 17(1) of the Mining Regulations.
- (b) Retention licence, No.....under Section 38 of the Act and regulation 21(3) of the Mining Regulations.
- (c) Location licence No.....under section 59 of the Act and regulation 26(3) of the Mining Regulations.
- (d) Mining Lease, No..... under section 47 of the Act and regulation 48(2) of the Mining Regulations.

2. I certify that during the period of the currency of the *licence/lease, I have fulfilled working obligations for:
- (a) exploration licence as per the attached report of the exploration activities and costs incurred during the past period of currency of licence.
 - (b) retention licence as per the attached statement of the updated studies and assessments of prospect of development and commercial exploitation of the mineral deposit.
 - (c) location licence as required under regulation 25 and Second Schedule of the Mining Regulations.
 - (d) a report of mining activities, costs incurred, quantity of minerals won and a statement of planned investment, mining method changes, anticipated effects on environment and the plan and description of the part of mining lease for renewal.
3. Renewal is intended for the durations indicated and the relevant documents are attached as follows—
- (a) Exploration licence: renewal for a period of..... and the following are attached:
[a programme of the planned activities, the plan of reduced area and a statement of adjustment of beacons].
 - (b) Retention licence: renewal for a period of..... and the following are attached:
[Studies showing the prevailing conditions that render the development of the deposit not possible as of now].
 - (c) Location licences: renewal for a period of.....and the following are attached:
[a statement giving particulars of the nature of the location licence operations proposed to be carried out, and the likely environmental impact and mitigation measures for negative ones and the planned capital investments.
 - (d) Mining lease: renewal for a period of.....and the following are attached:
[Mining lease as per the attached report on mining activities, costs incurred, quantity of minerals won and a statement of planned investment, mining method changes, anticipated effects on environment and the plan and description of the part of mining lease for renewal].
4. I certify that during the period of the currency of the title, I have submitted returns throughout the year and on time as required by the applicable Mining Regulations.

Dated this..... day of, year 20.....

.....
*Holder of *licence/lease or registered agent or attorney.*

*Delete whichever is inapplicable.

FORM XI.
Reg. 63(1).

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR REGISTRATION OF MINING INSTRUMENTS.

(Accompanied by specified fees)

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

I* of hereby lodge for registration
the annexed instrument being! in connection with –

† Exploration licence, No...../Retention licence, No...../Location licence,
No...../Mining lease, No.....

Consent to which was granted under your letter referenced, No dated.....

Dated this.....day..... of, year 20

.....
Signature of applicant for registration.

* Here insert name of person whom or which the applicant represents.

! Here insert description of transfer, agreement, etc as the case may be.

† Delete whichever is inapplicable.

FORM XII.
Reg. 80.

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR A MOVEMENT PERMIT.

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Name of applicant.....

Address of the applicant.....

Type of mineral to be moved.....quantity.....

Mineral(s) to be moved from..... to..... for purposes of.....

*Mineral right/mineral dealer's licence No.....

I certify that the particulars given by me above are true to the best of my knowledge and
belief.

Dated this..... day of, year 20.....

.....
Signature of Applicant or authorised person.

*Delete whichever is inapplicable

FORM XIII.
Reg. 74(3).

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR AN EXPORT PERMIT.

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Name of applicant.....

Address of the applicant.....

Mineral and quantity

Quality of mineral.....

*Produced/acquired from.....

Mineral right/mineral dealer's licence† No.

Destination.....

Royalty (paid/secured*).....

I certify that the particulars given by me above are true to the best of my knowledge and belief.

Dated this.....day of, year 20.....

.....
Signature of Applicant or authorized person.

*Delete whichever is inapplicable.

† In case of a holder of a mineral dealer's licence, attach official documents evidencing ownership of mineral by the person from whom it was purchased.

FORM XIV.
Reg. 74(1).

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR A MINERAL DEALER'S LICENCE.
(Accompanied by the specified fees).

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Name of applicant

Nationality of applicant/country of incorporation.....

Postal address

Telephone.....Fax.....E-mail.....

Physical address.....

Attach a bank statement showing financial status.

I hereby certify that the particulars given by me above are true to the best of my knowledge
and belief.

Dated this.....day of, year 20.....

.....
Signature of Applicant.

FORM XV.
Reg. 75(1).

THE MINING ACT.
THE MINING REGULATIONS.

APPLICATION FOR A GOLDSMITH'S LICENCE.
(Accompanied by the specified fees).

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Name of applicant

Nationality of applicant/country of incorporation.....

Postal address

Telephone.....Fax.....E-mail.....

Physical address.....

Attach bank statement showing financial status.

I hereby certify that the particulars given by me above are true to the best of my knowledge and belief.

Dated this.....day of, year 20.....

.....
Signature of Applicant.

FORM XVI.
Reg. 3(2) and 49(2).

THE MINING ACT.
THE MINING REGULATIONS.

FORM OF POWER OF ATTORNEY.

I/We1of2.....

Do hereby appoint3..... of
.....my/our attorney with authority to make
application for a prospecting licence to be held by him or her agent on my/our behalf and in
accordance with the provisions of regulation 49(1) of the Mining Regulations to mark out
and apply for mineral rights over areas on my/our behalf, being exploration, retention,
location licences and mining leases as the case may be, also he or she may apply on my/our
behalf for licences, leases, permits and certificates under the Mining Act and the Explosives
Act.

EXCEPT THAT the said..... shall not have power to
represent me/us in any other matters relating to the said mineral rights on any areas,
licences, permits and certificates except by further power in accordance with Form XVII of
the Mining Regulations.

Dated this day of year 20

Signed by the1
in the presence of—

Witness—

Name and signature

Address

Occupation

The common seal of the said1
was hereto affixed in the presence of—

Director4

Director4

Director4

Iaccept the appointment.

Dated this.....day of....., year 20.....

.....
ATTORNEY.

- 1 The names of each person signing this power of attorney to be given in full.
- 2 The address of each such person to be given in full. In the case of a corporate entity the address of the registered office to be given in full, and where incorporated outside Uganda a local address for service of notices etc shall be given in full.
- 3 The name of the person to whom the power of attorney is granted to be given in full.
- 4 Where the appointment is made by more than one person a similar certificate should be signed by each person whose signature shall be duly witnessed.

FORM XVII.
Reg. 49(2).

THE MINING ACT.
THE MINING REGULATIONS.

ALTERNATIVE FORM OF POWER OF ATTORNEY.

I/We1.....of2

Do hereby appoint3..... of
my/our attorney for the purposes of regulations 49 of the Mining Regulations, and to
represent me/us in all matters relating to all mineral rights other prospecting licences as the
case may be, also licences, leases, permits and certificates under the Mining Act and the
Explosives Act.

EXCEPT THAT the said shall not have the power
to pledge, create, dispose of (other than by surrender or abandonment) or to create any
interests in any mineral rights and licences.

Dated this day of, year 20

Signed by the1
in the presence of –

Witness—

Name and signature.....

Address

Occupation

The common seal of the said1
was hereto affixed in the presence of—

Director4

Director4

Director4

I,.....accept the appointment.

Dated this..... day of..... year 20.....

.....
ATTORNEY.

1 The names of each person signing this power of attorney to be given in full.

2 The address of each such person to be given in full. In the case of a corporate entity the address of
the registered office to be given in full, and where incorporated outside Uganda a local address for
service of notices etc shall be given in full.

3 The name of the person to whom the power of attorney is granted to be given in full.

4 Where the appointment is made by more than one person a similar certificate should be signed by
each person whose signature shall be duly witnessed.

FORM XVIII.

Reg. 4.

THE MINING ACT.
THE MINING REGULATIONS.

No.

PROSPECTING LICENCE.

1. This prospecting licence is hereby granted to *..... as agent for†
..... for one year from to prospect for minerals.
2. This licence is subject to the provisions of the Mining Act and the applicable Mining Regulations.

Fees of: Shs..... paid; vide Receipt
No.....of.....year 20 ...

Dated this day ofyear 20.....

.....
Commissioner for the Geological Survey and Mines Department.

* Here insert name and address of the prospector.

† If the prospector holds the licence as agent for a person, then state the name and address of that person.

THE MINING ACT.
THE MINING REGULATIONS.

EXPLORATION LICENCE.

No.

1. This exploration licence, is hereby granted to* for years from the day of year 20..... to prospect for† within the boundaries as delineated approximately on the attached map and colored
2. This licence is subject to the provisions of the Mining Act and the applicable Mining Regulations.

Special conditions:—

- (i) Pay annual mineral rent on each anniversary of the grant of the licence without demand as required under section 106 of the Act;
- (ii) Submit environment restoration plan in accordance with section 110 of the Act;
- (iii) Prevent and minimize pollution to the environment during the exercise of the rights as required under section 109 of the Act;
- (iv) Provide a self monitoring plan as required under regulation 67 of the Mining Regulations; and
- (v) Submit quarterly returns as required under the applicable Mining Regulations.

Rent and fees of: Shs. paid; vide receipt
No.....of.....,year 20.....

Dated this day of ,year 20.....

.....
Commissioner for the Geological Survey and Mines Department.

* Here insert name, address and description of licensee.

† State mineral or minerals.

THE MINING ACT.
THE MINING REGULATIONS.

RETENTION LICENCE.

No.....

1. This retention licence, is hereby granted under section 37 of the Act to* for years/months..... from the day of year 20..... to retain the retention area concerned in respect of† within the boundaries as delineated approximately on the attached map and coloured

2. This licence is subject to the provisions of the Mining Act and the applicable Mining Regulations.

Special conditions:-

- (i) Pay annual mineral rent on each anniversary of the grant of the licence without demand as required under section 106 of the Act;
- (ii) Submit environment restoration plan in accordance with section 110 of the Act;
- (iii) Prevent and minimize pollution to the environment during the exercise of the rights under this licence as required under section 109 of the Act;
- (iv) Provide updated studies and assessments of the prospects of the developments and commercial exploitation of the mineral deposits as required under section 39 of the Act.
- (v) Submit quarterly returns as required under the applicable Mining Regulations.

Rent and fees of: Shs.....paid; vide receipt No.....of.....year 20.....

Dated this day of year 20.....

.....
Commissioner for the Geological Survey and Mines Department.

* Here insert name, address and description of licensee.

† State mineral or minerals.

FORM XXI.
Reg. 23 (3).

THE MINING ACT.
THE MINING REGULATIONS.

LOCATION LICENCE.

No.

CLASS OF THE TYPE OF LOCATION LICENCE.....

- 1. This Location licence, is hereby granted to* for years from theday of.....year 20..... to carry on small-scale prospecting and mining operations under section 55 of the Act for† within the boundaries as delineated approximately on the attached map.
- 2. This licence is subject to the provisions of the Mining Act and applicable Mining Regulations.

Special conditions:

- (i) Pay annual mineral rent on each anniversary of the grant of this licence without demand as required under section 106 of the Act.
- (ii) Carry out rehabilitation and reclamation of mined out areas as is required under section 60(2)(f) of the Act.
- (iii) Submit monthly returns as required under the applicable Mining Regulations.

Rent and fees of: Shs..... paid; vide receipt No. ofyear 20.....

Dated this day of year 20.....

.....
Commissioner for the Geological Survey and Mines Department.

* Here insert name and address of holder.

† State mineral.

FORM XXII.

Reg. 36.

THE MINING ACT.
THE MINING REGULATIONS.

MINING LEASE.

No.

THIS MINING LEASE made the day of BETWEEN the Commissioner (representing the Uganda Government) hereinafter called the Lessor (which expression shall be taken to include his/her successors), of the one part and(here insert name, address and other relevant particulars) hereinafter called the Lessee (which expression shall be taken to include his/her successor) of the other part.

WITNESSETH as follows—

In consideration of the payments hereinafter reserved and of the performance by the lessee of the duties imposed upon mining lessees generally by the Mining Act, and subject to the provisions of the said Act, the Lessor hereby demises and grants unto the lessee the minerals mentioned in Schedule B hereto in the area mentioned and described in Schedule A hereto and approximately delineated on the map attached hereto together with in respect of such minerals and area the rights conferred upon mining lessees generally by the Mining Act. To have and to hold the premises hereby demised and granted unto the lessees, for the term of years from the date of these presents, Yielding and Paying therefor to the Commissioner during the said term annually in advance and without demand an annual mineral rent as specified in the Third Schedule to these Regulations. And Yielding and Paying all royalties payable under the provisions of the Mining Act, and the lessee hereby covenants with the Lessor to comply with the provisions of the Mining Act. AND the lessee also covenants that on execution of this lease the lessee will within ninety (90) days comply with the provisions of section 50 of the Mining Act, as though such provisions were applicable to this lease. AND the lessee hereby further covenants to:-

- (i) pay annual mineral rent at each anniversary without demand as provided under section 106 of the Act;
- (ii) observe environmental restoration plan as required under section 110 of the Act;
- (iii) observe environmental protection standards as set out in section 109 of the Act;
- (iv) put in place an environmental monitoring plan as set out in regulation 66 of the Mining Regulations.
- (v) employ and train Ugandans;
- (vi) procure goods and services as set out in section 45 of the Act; and any other special conditions to be observed.

IT IS HEREBY expressly agreed that the expression 'Mining Act' shall throughout this mining lease be deemed to mean and include the Mining Act, 2003, Act 9 2003 any Act amending the same or substituted therefor, and all regulations now in force or which come into force under any of the said Acts during the continuance of this mining lease.

In witness, etc.

.....
Signatures of Lessor.

.....
Signature of Lessee

SCHEDULE A.
(Minerals which may be mined by the Lessee in the area leased)

SCHEDULE B.
(Description of the boundaries of the area the subject of the mining lease)

Attach applications for the lease.

FORM XXIII.
Reg. 74(1).

THE MINING ACT.
THE MINING REGULATIONS.

MINERAL DEALER'S LICENCE.

No.....

- (1) This mineral dealer's licence is hereby granted to*... .. to deal in the following minerals† at!
- (2) This licence is subject to the provisions of the Mining Act and applicable Mining Regulations.

This licence expires on 31st December year 20

Fees of: Shs paid; vide receipt No..... year 20

Dated this day ofyear 20.....

.....
Commissioner for the Geological Survey and Mines Department.

* Here insert name and address of licensee.

† Here insert minerals in respect of which the licence is granted.

! Here insert place of business.

FORM XXIV.
Reg.75(1).

THE MINING ACT.
THE MINING REGULATIONS.

GOLDSMITH'S LICENCE.

No.

- (1) This goldsmith's licence is hereby granted to* of!.....
to carry on the business of a goldsmith at†
- (2) This licence is subject to the Mining Act and the applicable Mining regulations.

This licence expires on 31st of December, year 20.....

Fees of: Shs..... paid; vide receipt Noof.....20.....

Dated this day of 20.....

.....
Commissioner for the Geological Survey and Mines Department.

* Here insert name and address.

! Here insert postal address.

† Here insert physical address.

FORM XXV.
Reg. 5 (3 & 4) and
53(1& 3).

THE MINING ACT.
THE MINING REGULATIONS.

PROSPECTING LICENCE RETURN FORM.

(To be lodged in English language in triplicate as soon as circumstances permit and in any case not later than fourteen days after the end of the month reported on).

Returns in respect of month ofyear 20.....

Number of prospecting licence.....

Holder of licence.....

Name of agent, attorney or manager.....

Address of holder.....

District(s) in which prospecting is carried out.....

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Day of
month

Sub-county or Administrative Sub-division

Mineral(s) prospected for

Quantity of mineral(s)

obtained (state units)

Number of workers

Expenditure incurred (state amount in shs.)

1
2
3
4
5
6
7
8
9
10
11

12
13
14
15
16
17
18

19
20
21
22
23
24
25
26
27
28
29
30
31

Monthly Total

I hereby certify that this information is correct and complies with the requirements of the applicable Mining Regulations.

Dated this.....day of....., year of 20.....

.....
Signature of holder of prospecting licence

FORM XXVI.
Reg. 53(1).

THE MINING ACT.
MINING REGULATIONS.

***EXPLORATION/RETENTION LICENCE RETURN FORM.**

(To be lodged in triplicate as soon as circumstances permit and in any case not later than fourteen days after the end of quarter reported on).

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Name of holder of *exploration/retention licence.....

AddressPhone No.....

*Exploration/Retention licence No.....

Mineral(s) to which the *exploration/retention licence relates.....

Minerals discovered

Period from to.....

1. LOCATION OF *EXPLORATION/RETENTION LICENCE AREA.

Grid References (for Location beacon, UTM)

Map Sheet.....

Longitude (nothings).....

Latitude (easting).....

2. ADMINISTRATIVE HEADQUARTER.

County/counties.....

District(s).....

3. ACCESS (Brief description of access).

4. SUMMARY OF PREVIOUS WORK CARRIED OUT.

4.1. Geological mapping.

EXPENDITURE
INCURRED

Surface area covered (Km2)

.....

Scale of final map product

.....

4.2 Geochemical surveys.

Total length of lines cut (metres)

.....

Number of samples from pits..... (number of pits)

.....

Number of samples from auguring..... (metres augured)

.....

Number of samples from trenching..... (metres trenched)

.....

Number of samples from drilling.....(metres drilled)

.....

Number of cores logged and sampled.....(number of Pieces)

.....

Stream sediment sampling (numbers, elements analysed)

.....

Soil sampling (numbers, elements analysed)

.....

Rock sampling (number, elements analysed)

.....

SUB-TOTAL EXPENDITURE

.....

4.3 Geophysical survey. (describe the work done and accompany a copy of raw data to this report).

Description of work done should include:

(a) Survey specifications and line kilometreage covered.

(b) Specify whether it is a ground or airborne geophysical survey.

(c) An operation report detailing the type of data processing performed and interpretation on the data.

(d) Work done as per following format.

EXPENDITURE INCURRED

Total kilometreage covered under Magnetic Surveys

.....

Total kilometreage covered under Electro Magnetic Surveys

.....

Total kilometreage covered under Induced Polarization.....

.....

Total kilometreage covered under Gravimetric Surveys.....

.....

Total kilometreage covered under Air bone Surveys.....

.....

kilometreage covered under Radiometric Surveys...

.....

Total

Others (specify).....
SUB-TOTAL EXPENDITURE

4.4. Laboratory investigations. (copy of raw data to accompany this report).
EXPENDITURE INCURRED.

Thin section study slides (number of samples).....
Assay.....(number of samples).....
Geochemical (element tested) (number of samples)...
SUB-TOTAL EXPENDITURE

EXPENDITURE INCURRED.

4.5. Summary of data analysis, processing
and interpretation

SUB-TOTAL EXPENDITURE

EXPENDITURE INCURRED.

4.6. Mineral dressing (bench, scale and pilot plant test) (Description
of the work carried out and expenditure) SUB-TOTAL
EXPENDITURE

EXPENDITURE INCURRED

4.7. Reserve estimation. (Describe the method used in
calculating the reserves and give quantities of proven,
probable and possible ore).
SUB-TOTAL EXPENDITURE

EXPENDITURE INCURRED

4.8 Other expenses. (wages, salaries, machinery, equipments, consumables,
administrative overheads etc)
SUB TOTAL EXPENDITURE
GRAND TOTAL EXPENDITURE

5. CONCLUSIONS AND RECOMMENDATIONS.

I hereby certify that the statements set out above are correct to the best of my
knowledge and belief.

Dated this..... day of....., year 20.....

.....
Signature holder of exploration/retention licence.

*Delete whichever is inapplicable.

Note: Attach a separate sheet if necessary.

FORM XXVII.

Reg 53(1).

THE MINING ACT.
THE MINING REGULATIONS.

!LOCATION LICENCE / MINING LEASE RETURN FORM.

*(To be lodged in triplicate as soon as circumstances permit and in any case not later than
fourteen days after the end of the month reported on).*

Returns in respect of the month ofyear of 20.....

Holder of licence/lease.....

Name of agent, attorney or manager

.....

Address of holder.....

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

Minerals to which licence/lease* relates.....

Minerals discovered

Number of* licence(s)/lease(s)

Labour employed;

1. Workers on surface
2. Workers underground

.....

Total wages and salaries

- | | |
|-------------------|------|
| 1. Total Wages | Shs. |
| 2. Total Salaries | " |

Expenditure

- | | |
|--------------------------|------|
| 1. Rations and welfare | Shs. |
| 2. Plant | " |
| 3. Spare parts and tools | " |
| 4. Fuel and lubricants | " |

.....

Mineral Production

1. Mined and on hand at end of preceding month
2. Quantity produced during the month
3. Quantity sold/consumed during month
4. Quantity in stock at end of month

Accidents that occurred and are reportable under the Act include...

.....

Remarks on accidents that occurred

.....

Turnover of the employees.....

If there was no production during the period, give reason(s)

.....

I hereby certify that the statements set out above are correct to the best of my knowledge and belief.

Dated thisday of....., year 20.....

.....
Signature of holder of Licence/lease.

* Enter the number of location licences/leases

! Delete which ever is inapplicable.

FORM XXVIII.
Reg. 67(3).

THE MINING ACT.
THE MINING REGULATIONS.

ENVIRONMENTAL MONITORING REPORT.

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT.

To: THE EXECUTIVE DIRECTOR, NEMA.

1. Name and address of holder of exploration licence or mining lease
2. Number of exploration licence/mining lease held by the person.
3. Name and Address of the person responsible for monitoring compliance under regulation 66 (2) (a) of the Mining Regulations.
4. Qualifications and position or appointment of the person referred to in 2 above
5. Details of environmental parameters or aspects monitored.
6. Results of monitored activities.
7. Proposal of new procedures, if any, to protect and improve environmental conservation.

I hereby certify that the information provided by me above is correct to the best of my knowledge and belief.

Dated thisday of....., year 20

.....
Signature of holder of licence or lease.

THE MINING ACT.
THE MINING REGULATIONS.

*TRANSFER OF/A SHARE IN/AN EXPLORATION /RETENTION LICENCE.

No.....

I, (a) of (b) being the registered holder of *Exploration/ Retention Licence registered as No. (c) situated in District granted or renewed* for a period of from IN CONSIDERATION of the sum of (d)DO HEREBY TRANSFER (e) UNDIVIDED SHARE of my rights, title and interest in and under the said licence/share* as from the day of, for the remainder of the term of the licence.

AND I the said (f)of (g)..... do hereby accept the said licence/share* subject to all the terms and conditions under which the said licence was granted.

Dated this day of, year 20...

Signature of—

Witness to transferor *Signature of Transferor*

Name and address

Occupation

Witness to transferee..... *Signature of Transferee* Name and address

.....

Occupation

* Delete whichever is inapplicable.

- (a) Give full name.
- (b) Give physical, postal address and telephone number of holder.
- (c) Give registered number of licence.
- (d) Indicate the full value of the consideration passing.
- (e) If the whole licence is not being transferred indicate the share in the licence to be the subject of the transfer.
- (f) Give full name and
- (g) physical and postal address and telephone number of the person to whom the transfer is being made.

NOTE – Where a party to the above is a corporate entity and execution is not made by a lawfully constituted attorney of the entity, the execution must be by the affixing of the common seal of the entity in the presence of the dully authorized officers of the entity who shall sign as witnesses.

FORM XXX.
Reg. 26(1).

THE MINING ACT.
THE MINING REGULATIONS.
*TRANSFER OF/A SHARE IN/ A LOCATION LICENCE.

No.....

I (a) of (b)being the registered holder of location licence
registered as No. (c)
Situating in District and granted/renewed* for a period of
from IN CONSIDERATION of the sum of (d) DO HEREBY
TRANSFER to (e)of (f) ALL (g).....
UNDIVIDED SHARE of my rights, title and interest in and under the said location licence
as from the day of, for the remainder of the term of
the licence.

AND I the said (h) do hereby accept the said location licence or share of the
lease, as the case may be, subject to all the terms and conditions under which the said
location licence was granted.

Dated this day of, year 20

Signature of—

Witness to transferor *Signature of Transferor*

Name and address
.....

Occupation

Witness to transferee..... *Signature of Transferee* Name and address

.....

Occupation

* Delete whichever is inapplicable.

- (a) Give full name and
- (b) Physical, postal address and telephone number of holder.
- (c) Give registered number.
- (d) Indicate the full value of the consideration passing.
- (e) Give full name and
- (f) Physical and postal address and telephone number of the person to whom the transfer is being made.
- (g) If the whole title is not being transferred indicate the share in the title to be the subject of transfer.
- (h) Give full name of the person to whom the transfer is being made.

NOTE – Where a party to the above is and execution is not made by a lawfully constituted attorney of the entity, the execution must be by affixing of the common seal of the entity in the presence of the duly authorized officers of the entity who shall sign as witnesses thereto.

FORM XXXI.
Reg. 36 and 48.

THE MINING ACT.
THE MINING REGULATIONS.

*TRANSFER OF/ A SHARE IN/ A MINING LEASE.

No.

I (a) of (b) being the registered
holder of mining lease registered as No. (c)
.....

Situated in District and granted/renewed* for a period of
..... from IN CONSIDERATION of the sum of (d)
DO HEREBY TRANSFER to (e) of (f) ALL
(g)..... UNDIVIDED SHARE of my rights, title and interest in and under the
said mining lease as from the day of, for the remainder of the
term of the lease.

AND I the said (h) do hereby accept the said mining lease or share of the
lease, as the case may be, subject to all the terms and conditions under which the said
mining lease was granted.

Dated this day of, year 20.....

Signature of:

Witness to Transferor*Signature of Transferor*.....

Name and address..... Occupation

.....

Witness to Transferee*Signature of Transferee*.....

Name and address..... Occupation

.....

* Delete whichever is inapplicable.

- (a) Give full name and (b) physical, postal address and telephone number of holder
- (c) Give registered number.
- (d) Indicate the full value of the consideration passing.
- (e) Give full name and (f) physical, postal address and telephone number of the person to whom the transfer is being made.
- (g) If the whole title is not being transferred indicate the share in the title to be the subject of transfer.
- (h) Give full name of the person to whom the transfer is being made.

NOTE – Where a party to the above is a corporate entity and execution is not made by a lawfully constituted attorney of the entity, the execution must be by the affixing of the common seal of the entity in the presence of the duly authorized officers of the entity who shall sign as witnesses thereto.

FORM XXXII.
Reg. 27 (1) and 45(1).

THE MINING ACT.
THE MINING REGULATIONS.

CERTIFICATE OF AMALGAMATION OF LOCATION LICENCES/ MINING
LEASES.*

No.

.....

I hereby certify that I have this day amalgamated Location Licences/Mining Leases * Nos.
..... held byof..... and situated at in the District(s) of
.....

Fees of: Shs.....paid vide receipt number.....of.....

Dated this.....day of....., year 20.....

.....
Commissioner for the Geological Survey and Mines Department.

*Delete whichever is inapplicable.

FORM XXXIII.
Reg. 16(3), 25 (3) and 47(3).

THE MINING ACT.
THE MINING REGULATIONS.

*CERTIFICATE OF CESSATION, SUSPENSION OR CURTAILMENT OF WORKING
OBLIGATIONS ON *EXPLORATION / LOCATION LICENCE / MINING LEASE.

No.

I hereby certify that I have *ceased/suspended/curtailed the working obligations on
*Exploration Licence, No..... / Location Licence, No... .. / Mining Lease, No.
.....from theday of.....to the.....day of....., subject to the
following conditions:-

.....
.....
.....

Fees of: Shs.....paid; vide receipt number.....of.....

Dated this.....day of....., year 20.....

.....
Commissioner for the Geological Survey and Mines Department.

*Delete whichever is inapplicable.

FORM XXXIV.
Reg. 65(2).

THE MINING ACT.
THE MINING REGULATIONS.

CERTIFICATE OF APPROVAL OF PROJECT BRIEF.

No.

To:.....of.....

This is to certify that the project brief in respect of exploration work to be carried out over an area within..... (give UTM grid of corners to the area) in the District(s) of has been approved on the following conditions:-

.....
.....

Dated this day of, year 20

.....
Commissioner for the Geological Survey and Mines Department.

FORM XXXV.
Reg. 82.

THE MINING ACT.
THE MINING REGULATIONS.

EVIDENTIARY CERTIFICATE.

No.....

This is to certify that mineral right No.....for mineral(s).....held by.....was *granted/ transferred/suspended/cancelled on (date).....

Reasons (if any).....

Dated this day of, year 20.....

.....
Commissioner for the Geological Survey and Mines Department.

*Delete whichever is inapplicable.

FORM XXXVI.
Reg. 80.

THE MINING ACT.
THE MINING REGULATIONS.

MOVEMENT PERMIT.

No.

.....

Permission is hereby granted to on behalf of to
move.....packages of
containing.....from.....to.....

This permission is valid until.....

Dated this day of, year 20.....

.....
Commissioner for the Geological Survey and Mines Department.

FORM XXXVII.
Reg. 71(3), 74(3).

THE MINING ACT.
THE MINING REGULATIONS.

EXPORT PERMIT.

No.

.....

Permission is hereby granted to* on behalf of†.....to
export!.....packages of.....containing2
.....produced from3.....and marked4
..... on which royalty has been paid or secured to the satisfaction of the
Commissioner for the Geological Survey and Mines Department.

Dated this.....day of, year 20.....

.....
Commissioner for the Geological Survey and Mines Department.

* Name of applicant

+ Name of holder of licence.

! The number of packages

1 Mineral

2 Quantity

3 The district and country of origin

4 Identification marks of the packages provided by the applicant

FORM XXXVIII.
Reg. 77.

THE MINING ACT.
THE MINING REGULATIONS.

IMPORT PERMIT.

(Issued after payment of fee specified)

No.

Permission is hereby granted to* on behalf of†to
import!.....packages of1(mineral)
containing2..... produced from3.....and marked4
..... on which fee has been paid or secured to the satisfaction of the
Commissioner for the Geological Survey and Mines Department.

The conditions for importation are:-.....
.....

Fees of: Shs.....paid; vide receipt number.....of.....

Dated this.....day of, year 20.....

.....
Commissioner for the Geological Survey and Mines Department.

*Name of applicant

+Name of holder of licence.

! The number of packages

1 Mineral

2 Quantity

3The district and country of origin

4Identification marks of the packages provided by the applicant

FORM XXXIX.

Reg. 77.

THE MINING ACT.
THE MINING REGULATIONS.

DECLARATION ON IMPORTATION OF MINERAL(S).

(To be filled in triplicate)

- (i) I ofhereby declare that I lawfully
own†..... acquired under authority herewith attached, and I now desire to
import the said mineral(s) into Uganda for the purposes of
*.....
- (ii) The said† is my own property.
- (iii) I obtained the said†from! a copy of whose authority
of ownership is herewith attached.

I make this declaration conscientiously believing the same to be true in every particular.

Declared at (here insert place) this day of
....., year 20.....

.....
Signature of Declarant.

.....
Signature and Official Stamp of Customs Officer certifying.

†Quantity/type of mineral(s).

*State purpose of importation.

! Insert place, country, name of vendor and date of transaction.

FORM XL.
Reg. 78.

THE MINING ACT.
THE MINING REGULATIONS.

FORFEITURE OF MINERALS BY ORDER OF COURT.

No.

In the Court of

NOTICE IS HEREBY GIVEN that(here insert weight and
description of minerals) was on the (here insert date) seized at
(here insert place) and are declared forfeited to the Government by this court by reason of
..... (state grounds, e.g., 'it having been unlawfully sold by', etc.).

Any person claiming any title to the said minerals must prove his or her title to the
satisfaction of the Court within one month from the date of this notice.

If no such claim is proved, the said minerals shall become the absolute property of the
Government, and shall be disposed of accordingly.

Dated this day of, year 20.....

.....
Magistrate/Judge of the High Court.

FORM XLI.

THE MINING ACT.
THE MINING REGULATIONS.

SURRENDER OF *EXPLORATION/ RETENTION LICENCE.

WHEREAS under the provisions of the Mining Act an *Exploration /Retention Licence was on the day of *granted/renewed from the date of the licence and WHEREAS *I/we, desire to surrender the said exploration/retention licence and the Commissioner is willing to accept such surrender:

Now, therefore *I/we..... hereby surrender all *my/our rights, title and interest in and under the said *Exploration/Retention Licence from the day of, year of.....

Fees of: Shs.....paid; vide receipt No..... of.....,year 20.....

Dated this.....day of....., year 20.....

.....
Signature of holder of licence.

*Delete whichever is in applicable.

NOTE.- Where the surrender is being made by a corporate entity and execution is not made by a lawfully constituted attorney of the entity, the execution must be by the affixing of the common seal of the entity in the presence of the duly authorized officers of the entity who shall sign as witnesses.

FORM XLII.
Reg. 26(2), 36 and 48(1).

THE MINING ACT.
THE MINING REGULATIONS.

SURRENDER OF *LOCATION LICENCE/ MINING LEASE.

WHEREAS under the provisions of the Mining Act a location *licence/ mining lease for the purpose of mining for..... (here insert minerals scheduled in *location licence/mining lease) was on the day of granted to of for years and is duly registered as Mining Instrument, No.....

And whereas *I/we the lawful holder(s) desire to surrender the said location licence/ mining lease * and the Commissioner is willing to accept such surrender:

Now, therefore, *I/we hereby surrender all *my/our rights, title and interest in and under the said *location licence/ mining lease as from the..... day of, year of

Dated this day of, year 20.....

.....
**Holder of location licence/mining lease.*

*Delete whichever is in applicable.

NOTE.- Where the surrender is being made by a corporate entity and execution is not made by a lawfully constituted attorney of the entity, the execution must be by the affixing of the common seal of the entity in the presence of the duly authorized officers of the entity who shall sign as witnesses.

FORM XLIII.
Reg. 76.

THE MINING ACT.
THE MINING REGULATIONS.

MEMORANDUM OF COMPLAINT.

No.....

To: THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES
DEPARTMENT. (with a copy to the Chief Administrative Officer.....
District).

I†..... of lodge a complaint
against!..... of and state as follows—

- (1) *That, etc.
- (2) *That, etc.
- (3) *That, etc.

The complainant therefore prays (set forth relief sought) or
such other relief as shall be just.

Dated this day of, year 20.....

.....
Signature of Complainant.

* Set forth the subject matter of the complaint in paragraphs.

† Here insert names of complainant and physical address.
! Here insert names defendant and physical address.

FORM XLIV.
Reg.76.

THE MINING ACT.
THE MINING REGULATIONS.

NOTICE OF COMPLAINT TO DEFENDANT.

No.....

To: *.....of

You are hereby summoned to appear before the Commissioner at on the day of, year 20 at o'clock in the !morning/afternoon precisely, to answer a complaint lodged by†..... (a copy of which is sent herewith) of.....

You should submit your defense to the complaint in writing within not later than twenty one calendar days from the date of receipt of these summons.....

You may take out a summons to compel the attendance of any witness or for the production of any books or documents by applying at my office.

Given under my hand, this day of, year 20

.....
Commissioner for the Geological Survey and Mines Department.

* Here insert name of the defendant and his or her physical address or entity represented.
† Here insert name of the complainant and his or her physical address or entity represented.

! Delete whichever is inapplicable.

FORM XLV.
Reg. 39.

THE MINING ACT.
THE MINING REGULATIONS.

NOTICE OF COMMISSIONER'S SANCTION OF
A MINING LEASE.

To:..... (here insert name and address of land owner or lawful occupier of land within the area of proposed mining lease).

TAKE NOTICE that the grant of a mining lease to:.....

..... (here insert name of mining lease applicant) has been sanctioned by the Commissioner as per letter referencedof..... (here insert date), and that the land now owned/occupied by you at (here insert place) is stated to be within the boundaries of the sanctioned mining lease. A map showing these boundaries can be seen at my office during working hours and working days.

TAKE FURTHER NOTICE that as the land owner or lawful occupier of the land, subject of the sanctioned mining lease, you are entitled under section 83 of the Act to either compensation for disturbance of your rights on the land or a share of royalties under section 98 of the Act.

Place

Dated this.....day of....., year 20.....

.....
Chief Administrative Officer or his or her authorized officer.

FORM XLVI.
Reg. 60(2).

THE MINING ACT.
THE MINING REGULATIONS.

ALL CLEAR CERTIFICATE.

To: THE CHIEF ADMINISTRATIVE OFFICER OF... DISTRICT(S).

I hereby apply for an all- clear certificate after I have personally supervised removal of beacons which were erected under authority of mineral right registered number.....

The reason for removal of the beacons is: (*refusal/ expiration/ cancellation/revocation/surrender of the mineral right).

Dated this..... day of, year 20.....

.....
Signature of Applicant/ holder of mineral right.

To the applicant:....Registered holder of mineral right number.....

*Confirmation/ refute of compliance.

I hereby *confirm/ refute that the holder of mineral right, No..... has reclaimed and rehabilitated the area and has removed the beacons as required by the law.

Dated this..... day ofyear 20.....

.....
Chief Administrative Officer or his or her authorized officer.

*Delete whichever is inapplicable.

SECOND SCHEDULE.

Reg. 16(1), 20, 25(1) and 47(1).

OBLIGATORY WORKING CONDITIONS.

PART 1.

Exploration Licences and Retention licences.

1. The holder of an exploration licence shall comply with section 32 of the Act and the holder of retention licence shall comply with section 39 of the Act.
2. Without limiting the generality of paragraph 1 of this Schedule—
 - (a) expenditure on activities or matters outside the approved programme of exploration operations under section 27 (3) of the Act, shall be excluded when reckoning or calculating expenditure on approved exploration operations; and a part of one month shall be considered as one month for the purposes of this Part;
 - (b) expenditure incurred on exploration operations in a location licence area or mining area may not be reckoned as expenditure on approved exploration operations.
3. Expenditure in any month over and above the approved expenditure may not be set off against any future approved expenditure in an exploration area without the prior written permission of the Commissioner.
4. In any case where work has been done in an exploration area in respect of which a retention licence has been granted, expenditure in excess of the approved expenditure may be credited to the fulfillment of obligations in respect of the exploration licence included in such retention licence proportionately to the exploration licence area.
5. Where any obligation under a retention licence has not been fulfilled, the renewal of an exploration licence in respect of that retention licence shall not be granted.

PART 2.

Location licences Classes I, II and III.

1. The holder of a location licence Classes I, II or III shall, not later than two months after the date of notification of the grant of the licence commence, and during each year during the continuance of the licence, complete not less than twenty metres of development work.
2. The holder of a group of amalgamated location licences shall execute on the area comprised in such amalgamated locations, development work of not less than twenty

metres multiplied by the number of location licences contained in the amalgamation certificate.

For the purpose of this Part of this Schedule, "development work" consists of digging of pits, excavating of trenches, excavations, blast hole drilling, blasting and any other activities associated with prospecting and open cast mining.

PART 3.

Location licences Classes IV and VI.

1. The holder of a location licence Classes IV and VI shall, not later than twenty-one days from the date of notification of the grant of the location licence, start to mine and employ each day (excluding Sundays and public holidays) not less than ten labourers on surface or open-cast operations in the location licence area.
2. The holder of a group of amalgamated location licences shall employ each day (excluding Sundays and public holidays) in the amalgamated location licence areas, not less than ten labourers on surface or open-cast operations in respect of each location licence included in the amalgamated location licence area.

PART 4.

Location licence Class V.

The holder of a location licence Class V shall, as from the first day of the month following the grant of the licence, employ in the location licence area sufficient labourers to give, in each month, a daily working average (excluding Sundays and public holidays) of not less than five labourers for each ninety metres or part of ninety metres of the length of the area of the location licence Class V, or equivalent labour saving apparatus calculated at the rate of one horse-power to eight labourers, or labour and labour saving apparatus sufficient, in accordance with such calculation, to be equivalent in the aggregate to that daily working average.

PART 5.

Location Licence Class VII.

The holder of a location licence Class VII shall comply with such written directives relating to working conditions as may be issued from time to time by the Commissioner to regulate small-scale mining in the salt sub-sector.

PART 6.

Mining Leases.

1. The holder of a mining lease shall comply with section 50 of the Act.
2. Without limiting the generality of paragraph 1 of this Schedule, the holder of a mining lease shall execute in his or her mining area, development work, or employ sufficient laborers that will result in each month a daily working average (excluding Sundays and public holidays) of not less than five laborers for twenty acres or part of

twenty five acres; or labour and labour saving apparatus sufficient, in accordance with such calculation, to be together equivalent in the aggregate to that average.

3. (1) For the purpose of this Part of this Schedule, "development work" shall consist of digging of pits, excavating of trenches, excavating of benches, blasting and drilling of blast holes and shafts, drives, tunnels, winzes, raises upon the block, and boreholes of a minimum diameter of two centimetres from which a core is extracted.

- (2) Development work need not be done upon a reef; however where it is done, it shall –

- (a) be done with a view to actual development of the reef in question; and
- (b) be new work and not the restoration or clearing out of development work previously done or of old workings;

and the minimum dimensions for development work and the ratio in which work of larger dimensions or at certain distances from the surface shall be allowed to be reckoned as development work are as follows —

- (aa) Grading of metres. –

- (i) no shaft, winze, rise, drive, adit or tunnel of surface area less than two square metres shall count as development work;
- (ii) each one third of one metre of any shaft, winze or rise of two to six square metres surface area shall count as a third of one metre of development work;
- (iii) each one third of one metre of any shaft, winze or rise of over six square metres and up to eight square metres surface area shall count as two thirds of a metre of development work;
- (iv) each one third of one metre of any shaft, winze or rise over eight square metres surface area shall count as one metre of development work;
- (v) each one third of one metre of any drive, and adit or tunnel from surface, of seven square metres surface area and over shall count as two thirds of one metre of development work;

- (bb) Depth–

each one third of one metre of any portion of a shaft, winze, or rise or any drift, the floor of which is twenty metres below the natural surface at the working point, shall count as one third of one metre of development work; exceeding twenty metres and up to thirty metres as half one metre; exceeding thirty five metres and up to seventy metres as two thirds of one metre; exceeding one hundred metres and up to one hundred and thirty metres as one and a half metres; exceeding one hundred and thirty metres and up to one hundred and seventy metres as one and three quarters of one metre; and exceeding one hundred and seventy metres as two metres of development work.

- (cc) Distance from entrance –

each one third of one metre of any portion of any adit or tunnel from surface which is thirty metres to one hundred metres from a point in the center of the roof at the entrance shall count as half of one metre of development work, and each one third of one metre of any portion one hundred metres or more from that point shall count as two thirds of one metre.

- (dd) General – All dimensions must be taken at right angles to the line of direction of work.
- (e) Depth of inclined work is to be measured on the incline. The allowances for dimensions and depth or distance from entrance will be cumulative, e.g., each one third of one metre of any portion of a shaft above eight square metres surface area which is over thirty metres from surface shall count as two metres of development work.
- (f) Allowance for diamond or other approved core or percussion drilling. – Each one third of one metre drilled either vertically or horizontally for a distance of one hundred metres below the natural surface to count as one third of one metre of development work; exceeding one hundred metres and up to two hundred metres as two thirds of one metre; up to three hundred metres as one metre; exceeding three hundred metres and up to four hundred metres as one and a third of one metre; exceeding four hundred metres as one and a half metres.
- (g) Allowances for drilling or pitting alluvial or earthy overburden. – Three metres shall count as one third of one metre of development, except that in the case of drill holes of more than thirty centimetres diameter and of pits more than ten metres deep, one metre shall count as one third of one metre of development.
- (h) Allowances for trenching. – Development work also includes trenching or excavating down to bedrock, or to a minimum depth of two metres if bedrock has not been reached earlier, which has been performed for the purpose of tracing a reef or proving a deposit except that trenching and excavating shall only count as metres for development work in the ratio of seven and a half cubic metres of excavation being equal to one third of one metre of development work.
- (i) Allowance for distance from railhead etc. – In respect of any mine more than one hundred and sixty but less than three hundred and twenty kilometres from a convenient railway station, sea or inland port the development work under these Regulations shall be reduced by ten per cent. In respect of any mine more than three hundred and twenty kilometres from a convenient railway station, sea or inland port the development work under these Regulations shall be reduced by twenty per cent. The Commissioner may determine what is a convenient railway station or port for the purposes of this Schedule.

PART 7.

General.

1. Where the Commissioner is satisfied that the application of any or all of the obligatory working conditions set out in the preceding Parts of this Schedule are not calculated effectively to explore, develop or exploit the mineral deposits of the area of any mineral right other than prospecting licence, the Commissioner may require the holder of the mineral right concerned to comply with special working conditions laid down by him or her in respect of the mineral right.
2. The Commissioner may allow expenditure, or employment of Ugandan labour engaged, on road construction in connection with the exploration, development or exploitation of the area of any mineral right other than prospecting licence to be given a credit to fulfillment of obligatory working conditions under this Schedule. The holder of any mineral right other than prospecting licence, who applies for such credit shall show the expenditure and labour engaged separately and not in the body of the return form.
3. For the purposes of this Schedule the horse-power of labour saving apparatus shall be determined in following manner—
 - (a) in the case of internal combustion or steam engines the makers' declared horse-power shall be accepted;
 - (b) in the case of hydraulic plant the horse-power shall be calculated on the formula $H.P. = QHC$, where Q equals the quantity of water used in cubic metres per second, H equals the effective head in metres and C equals a constant of 13.16 :

Provided that the provisions of this sub-paragraph shall not apply to water used for sluicing in open channels and the horse-power equivalent of water so used shall not be included in any return of labour saving apparatus;

- (c) in any other case in such manner and on such formula as the Commissioner may order.

THIRD SCHEDULE.

Regulation 69.

FEES.

Currency points

1.	For preparation of an exploration licence	...	30
2.	For preparation of a retention licence...	...	20
3.	For preparation of a location licence...	...	20
4.	For a renewal of an exploration or location licence...		30
5.	Annual fee for a prospecting licence...	...	7.5
6.	For preparation of a mining lease	...	100
7.	For a renewal of a mining lease	...	100
8.	Certificate of amalgamation of location licences or mining leases...	...	50
9.	Certificate of suspension of working obligations of a mineral right	...	15
10.	For the registration in the office of the Commissioner of any instrument other than a notice of abandonment or forfeiture	...	2.5
11.	For each search in a register of mining instruments	...	5
12.	For copy of or extract from any registered document, for every page	...	2.5
13.	For a mineral dealer's licence in		
	(a) industrial or building minerals...	...	50
	(b) base metals (or a metal which is not precious metal)		75
	(c) precious metals	...	100
	(d) precious stones	...	100
14.	For any copy issued for lost or destroyed certificates, including copy of any map attached to the original instrument – the same fees as specified for an original instrument		2.5
15.	The fees to be paid in respect of an import permit under sub-section 3 of section 117 of the Act shall be as follows—		
	(a) Precious metals	0.5% of the prevailing price on the London Metal Exchange or any other Metal Exchange or Market	
	(b) Precious stones	0.5% of the prevailing price on the London Metal Exchange or any other Metal Exchange or Market.	
	(c) Base metals	1% of the prevailing price on the London Metal Exchange or any other Metal Exchange or Market	

- (d) Industrial or building minerals 0.05 of a currency point per tonne
16. Annual fees for Goldsmith's licence 50
17. Annual mineral rents.

The following annual mineral rents shall be paid to the Commissioner by an applicant for, or the holder of, a mineral right other than prospecting licence -

- (a) by the holder of an exploration or retention licence, for every square kilometre (1 km²), or part of every square kilometre, half (0.5) of a currency point per annum;
- (b) by the holder of a Location Licence, ten (10) currency points per annum;
- (c) by the holder of Location License class VII, one quarter (0.25) of a currency point per annum;
- (d) by the holder of a mining lease, half (0.5) of a currency point per annum per hectare or part of hectare.
18. The following royalties shall be paid by holders of mineral rights or mineral dealers—
- (a) on precious metals, three per centum of the gross value;
- (b) on precious stones, five per centum of the gross value;
- (c) on base metals and ores, three per centum of the gross value;
- (d) on coal, three thousand shillings per tonne;
- (e) on peat, five hundred shillings per tonne;
- (f) on kaolin, limestone, chalk, gypsum or vermiculite, three thousand shillings per tonne;
- (g) on marble, granite and other dimension stones, three thousand shillings per tonne.
- (h) on pozzolanic materials, five hundred shillings per tonne.
- (i) on phosphates, three thousand shillings per tonne.
- (j) on salt, five hundred shillings per tonne.

HON. SYDA N. M. BBUMBA,

Minister of Energy and Mineral Development.