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S T A T U T O R Y I N S T R U M E N T S

2019 No. 49.

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S T A T U T O R Y I N S T R U M E N T S

2019 No. 49.

The Mining (Licensing) Regulations, 2019.

(Under section 121 of the Mining Act, 2003, Act. 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 6th day of June, 2019.

PART I—PRELIMINARY.

1. Title.

These Regulations may be cited as the Mining (Licensing) Regulations, 2019.

2. Interpretation.

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

“Act” means the Mining Act, 2003;

“currency point” has the value assigned to it in Schedule 1 to these Regulations;

“lode” or “reef” includes all true fissure veins, bedded veins, contact veins, segregated veins, pipes, contact deposits, stock works, impregnations, metalliferous conglomerates other than hardened alluvial deposits of modern origin, metalliferous and lateritic capping, such irregular deposits as conform generically to the preceding 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 and prescribed in Schedule 3 to these Regulations;

“NEMA” means the National Environment Management Authority established under the National Environment Act, 2019;

“OMCTP” means Online Mining Cadaster Transaction Portal;

“win minerals” means to intentionally 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—REGISTRATION AND MINING CADASTER

3. Online Mining Cadaster

(1) There is established an Online Mining Cadaster known as the Cadaster for the management of all mineral rights and mineral dealer operations in Uganda including licensing, communication, reporting and payments.

(2) All current and prospective mineral rights holders and applicants for mineral rights and other licences under the Act shall register as a Cadaster portal user by submitting accreditation documents to the Commissioner or an authorised officer for verification before being granted access to the system.

(3) A person shall register as a portal user by completing Form 1 (OMCTP) set out in Schedule 2 to these Regulations.

(4) A registered user is responsible for maintaining a valid user electronic mail account and updating any information in respect of the holder.

4. Access to information on the Cadaster.

(1) Subject to the Constitution and the Access to Information Act, 2005, a person may—

- (a) access the information on mineral rights and dealings in minerals through the online Cadaster; or

- (b) obtain hard copies of any information contained in the Cadaster upon the payment of the fees prescribed in Schedule 3 to these Regulations.

(2) Notwithstanding subregulation (1), the Cadaster may also be accessed through a website established and maintained by the Commissioner.

5. Cadastral Register.

(1) All information submitted into or sent from the Cadaster shall be held in a Cadastral Register.

(2) All mineral rights and mineral agreements issued under the Act shall, in addition to the hard copies, be maintained in a digital format in the Cadaster.

(3) The holder of a mineral right shall be issued with one hard copy of the mineral right and an additional copy shall be retained by the Ministry.

(4) The cadastral register shall include for each application, the following information—

- (a) the application number, which shall be a sequential number incorporating the date and time on which the application was accepted as complete;
- (b) the full name, nationality and address of the applicant including telephone numbers and email addresses;
- (c) the date and time on which the complete application is received;
- (d) the date on which the Commissioner granted or denied an application for a mineral right, a mineral dealer's right or an import or export permit;

- (e) the date on which the Commissioner notified the applicant that the application was granted or denied;
- (f) the date on which the applicant accepted the offer for grant of an application;
- (g) the date on which the mineral right, mineral dealer's right or import and export permit was registered as issued; and
- (h) any other information that the Commissioner may require.

(5) The Commissioner shall enter into the Cadastral register any prescribed information including—

- (a) the online mining Cadaster registration number;
- (b) the full name, nationality and contact details of the holder or a party to a mineral agreement;
- (c) the date of issuance and expiry of a licence or permit;
- (d) the description of the licence or permit including, where relevant, the mineral right area;
- (e) the mineral for which a licence or permit was issued;
- (f) the cadastral coordinates defining the mineral right area including any updates arising out of enlargement or relinquishment of licence area;
- (g) the duplicate licences, permits or mineral agreements, including all conditions;
- (h) the date on which any notice was sent by the Commissioner to the holder or party to a mineral agreement and the nature of the notice;
- (i) the date that any communication was received by the Commissioner from the holder or party to a mineral agreement and the nature of the communication;

- (j) monthly, quarterly and annual reports;
- (k) inspection and monitoring reports;
- (l) environmental reports;
- (m) notices from the Commissioner and any other government ministry, department or agency;
- (n) dates on which a prescribed fee was paid, the service to which it relates, and the amount;
- (o) dates on which royalty was paid, the district, sub-county and owners or lawful occupants of land under the mineral right, the category of minerals for which it was paid, the quantity and quality of the mineral on which the royalty was calculated and the amount paid;
- (p) the date and nature of any dealings with or affecting a mineral right;
- (q) any modification including any extension or renewal, areas relinquished and any charges or encumbrance in respect a licence or permit; and
- (r) any other information as may be determined by the Commissioner.

6. Cadastral maps.

(1) The Commissioner shall establish and maintain an up-to-date digital mining cadastral map of Uganda.

(2) The cadastral map maintained within the Cadaster shall indicate all areas—

- (a) where applications for mineral rights are pending;
- (b) where mineral rights are currently in force;
- (c) which are restricted from prospecting and mining operations under the Act or any other Act of Parliament; and
- (d) that have minerals occurrences or mineral deposits.

PART III—APPLICATION

7. Applications for mineral rights.

(1) All applications made under the Act and supporting documents shall be submitted online to the Commissioner through the Mining Cadaster.

(2) A person submitting an application under subsection (1) shall register as a Cadaster portal user.

(3) An application for a mineral right shall be submitted by a registered portal user by completing the prescribed Forms set out in Schedule 2 to these Regulations, uploading the required documents and payment of a non-refundable fee prescribed in Schedule 3 to these Regulations.

(4) Upon online payment or uploading the proof of payment of the application fee and fulfilling all the requirements of the Act and these Regulations, the application shall be considered for evaluation.

(5) An applicant may at any time withdraw the application upon which all the information submitted for the purposes of the application shall be deleted.

(6) Any false or inaccurate information submitted in an application, shall result in the rejection of the application and where a mineral right has been granted, the mineral right shall be revoked.

(7) An application for a mineral right shall be processed within the following periods, as applicable, from the date of receipt of complete application—

- (a) a prospecting license, seven days;
- (b) a location licence, twenty five days;
- (c) an exploration licence, forty days;

- (d) a retention licence, forty five days; and
- (e) a mining lease, sixty days.

(8) An application for a mineral right shall be reviewed using guidelines set out in Schedule 5 to these Regulations.

8. Overlapping applications.

(1) The Commissioner shall not accept an application where the area applied for fully overlaps an areas subject to another mineral right, other applications or any area gazzetted for exploration or mining.

(2) Where the area applied for partly overlaps an existing licence or permit area or any area closed to applications under the Act, the applicant may—

- (a) accept the reduced area;
- (b) modify the area; or
- (c) withdraw the application and terminate the application process.

Prospecting Licence

9. Application for prospecting licence.

(1) An application for a prospecting licence under section 19 of the Act shall be made to the Commissioner in Form 2 set out in Schedule 2 to these Regulations and shall—

- (a) contain particulars specified in Form 2;
- (b) specify the mineral applied for; and
- (c) be accompanied by the fees prescribed fees in Schedule 3 to these Regulations.

(2) Where a holder of a prospecting licence discovers any mineral other than that to which his or her licence relates, the holder may apply to the Commissioner for a mineral right over the mineral discovered.

(3) Where the application is required to be made by an agent, it shall be supported by a registered power of attorney; and in case the agent is a body corporate, the application shall be supported by a registered board resolution.

10. Evaluation and grant of prospecting licence.

(1) Upon receipt of a complete application for a prospecting licence, the Commissioner shall cause the application to be evaluated.

(2) The Commissioner may after the evaluation under subregulation (1), grant or reject an application for a prospecting licence.

(3) The prospecting licence shall be in accordance with sections 20 and 21 of the Act and the prescribed form.

(4) The Commissioner shall, where he or she rejects an application under subregulation (2), give reasons for the refusal in writing to the applicant.

11. Filing of returns under prospecting licence.

(1) A holder of a mineral right shall keep a record in Form 18 set out in Schedule 2 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 samples or minerals obtained, if any, in the course of the prospecting operations.

(2) A holder of a prospecting licence shall submit a copy of the record kept under subregulation (3), to the Commissioner, within fourteen days after the end of the month in which the record relates.

Exploration Licence

12. Shape of exploration area.

(1) An area which is the subject of an application for an exploration licence shall be rectangular in shape with a minimum width of not less than one third of the length applied for.

(2) Notwithstanding subregulation (1), the Commissioner may, where it is desired that a boundary be identical with the boundary of another area or for other good cause, allow the area to be other than rectangular in shape.

13. Demarcation of exploration area.

Demarcation of an exploration area shall be done by defining, capturing and submitting coordinates through the online Mining Cadaster using, UTM coordinates system Arc 1960 or WGS 84.

14. Application for exploration licence.

(1) An application for an exploration licence shall be made to the Commissioner in Form 3 set out in Schedule 2 to these Regulations and in accordance with regulation 7.

(2) An application made under subregulation (1), shall—

- (a) contain proof of financial capacity of the applicant;
- (b) contain proof of technical capacity in form of certified copies of academic documents and curriculum vitae indicating relevant qualification experience of at least 3 years of the leading technical personnel to execute the work program;
- (c) contain proof of payment of the fees prescribed in Schedule 3 to these Regulations; and
- (d) comply with sections 26, 27, 28 and 29 of the Act.

(3) An application for an exploration licence shall be accompanied by—

- (a) a programme of exploration activities costed in quarterly periods, which the applicant undertakes to perform in the area applied for if the licence is granted;
- (b) a statement of the approximate number of workers the applicant intends to employ on continuous exploration if the licence is granted including the applicants' proposal for the employment and training of Uganda citizens as required by section 28 (3)(c) of the Act;

- (c) company policy on gender equity and equal opportunities; and
- (d) a project brief in accordance with the National Environment Act, 2019.

15. Grant of exploration licence.

(1) Where the Commissioner after evaluating an application under regulation 14 is satisfied that the application meets all the requirements of the Act and these Regulations, the applicant shall be required to pay the annual mineral rent in accordance with section 106 of the Act and the registration fees prescribed in Schedule 3 to these Regulations.

(2) An exploration licence granted by the Commissioner under section 27 of the Act shall be in the prescribed form.

16. Work obligations of holder of exploration licence.

The work obligations in respect of an exploration licence shall be as specified in sections 32 and 33 of the Act and Schedule 4 to these Regulations.

17. Cessation, suspension or curtailment of work obligations

(1) An application for a certificate of cessation, suspension or curtailment of work obligations in an exploration area shall be in Form 9 set out in Schedule 2 to these Regulations and shall be accompanied by fees prescribed in Schedule 3 to these Regulations.

(2) Where the Commissioner is satisfied that good cause has been shown by the holder of an exploration licence for cessation, suspension or curtailment, the Commissioner may grant a certificate in Form 24 set out in Schedule 2 to these Regulations, for such period and subject to such conditions as he or she may determine.

(3) 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 work obligations may be renewed for a further period as the Commissioner may determine.

(4) The Commission may revoke an exploration licence 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.

(5) 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 other penalty specified under these Regulations.

PART IV—RETENTION LICENCE.

18. Application for retention licence.

(1) An application for a retention licence shall—

- (a) contain the requirements of section 35 of the Act;
- (b) be in Form 4 set out in Schedule 2 to these Regulations and in accordance with regulation 7; and
- (c) contain proof of the applicants technical and financial capacity.

(2) An application under subregulation (1) shall be accompanied by the fees prescribed in Schedule 3 to these Regulations.

(3) The applicant shall, for the purpose of indicating financial capacity under subregulation (1), submit a detailed statement of his or her assets and liabilities signed by the applicant; and in the case of an applicant which is a body corporate, the application shall be accompanied by—

- (a) certified copies of the previous financial year balance sheet and profit and loss account, incorporating the results of the last financial year, and which have been audited by the company's auditors, including every document required by law to be annexed or attached to the certified copies;

- (b) a copy of the audited report undertaken by a certified or registered auditor;
- (c) a detailed statement of the financial resources available to the applicant to undertake the activities under the licence; and
- (d) a certified bank statement from the applicant's bank.

(4) The applicant shall, for the purpose of indicating technical capacity under subregulation (1), submit certified copies of academic document and curriculum vitae indicating relevant experience of at least 3 years of the leading technical personnel to update studies and assess the prospect for development and commercial exploitation of the mineral deposit concerned.

(5) Where the Commissioner after evaluating an application under regulation 7 is satisfied that the application meets all the requirements of the Act and these Regulations, the applicant shall be required to pay the annual mineral rent in accordance with section 106 of the Act and the registration fees prescribed in Schedule 3 to these Regulation.

(6) A retention licence shall be granted in Form 21 set out in Schedule 2 to these Regulations and shall be valid for a period not exceeding three years.

(7) A retention licence shall be subject to such conditions as the Commissioner may determine.

19. Rights and obligations under retention licence.

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

PART V—LOCATION LICENCE.

20. Application for location licence.

(1) An application for a location licence shall—

- (a) contain the requirements specified in section 56 of the Act;

- (b) be in made in accordance with regulation 7;
- (c) be in accordance with regulation 24, be in Form 5 set out in Schedule 2 to these Regulations, except for an application for location licence of Class V and Class VII, which shall be in Form 6 set out in Schedule 2 to these Regulations;
- (d) be accompanied by a statement describing the state of the environment, the mining plan to be implemented and a costed reclamation plan; and
- (e) contain a preliminary agreement with the landowner subject to the application and verified by the office of the Chief Administrative Officer.

(2) An application under subregulation (1) shall be accompanied by the fees prescribed in Schedule 3 to these Regulations.

(3) Where the Commissioner after evaluating an application in accordance with regulation 7 is satisfied that the application meets all the requirements of the Act and these Regulations, the applicant shall be required to pay the annual mineral rent in accordance with section 106 of the Act and the registration fees prescribed in Schedule 3 to these Regulations.

(4) A location licence shall be in Form 22 set out in Schedule 2 to these Regulations.

(5) A person granted a location licence under this regulation shall submit to the Commissioner the final agreement with the landowner within three months after the grant of the licence.

21. Number of location licence to be marked.

(1) A location licence the holder shall, within fourteen days after the grant of a licence, clearly mark and keep marked during the period of the location licence, the number assigned to the licence by the Commissioner, company name and date of grant of the licence on every mark stone defining the area.

(2) A location licence holder shall not mark out the area under subregulation (1) without notifying the Chief Administrative Officer.

22. Rights and duties of location licence holder.

The work obligations of the holder of a location licence shall be as specified in section 60 of the Act and Schedule 4 to these Regulations.

23. Cessation, suspension or curtailment of work obligations.

(1) An application for a certificate of cessation, suspension or curtailment of work obligations shall be in the prescribed form and shall be accompanied by the fee prescribed in Schedule 3 to these Regulations.

(2) Where the Commissioner is satisfied that good cause has been shown for the cessation, suspension or curtailment, the Commissioner may grant a certificate in Form 24 set out in Schedule 2 to these Regulations for such period and subject to such conditions as he or she may determine.

(3) The Commissioner shall, in making a decision under subregulation (2), cause the matter to be investigated and shall subject to any relevant requirement contained in the location licence, give his or her approval or rejection for cessation, suspension or curtailment.

(4) The Commissioner may, where he or she is satisfied that good cause has been shown for further cessation, suspension or curtailment, renew the certificate of cessation, suspension or curtailment work obligations for a further period as the Commissioner may determine.

(5) The Commissioner may revoke a location licence 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.

(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 these Regulations.

24. Amalgamation of location licences.

(1) An application to amalgamate location licences for working purposes shall be made to the Commissioner in Form 9 set out in Schedule 2 to these Regulations, and shall be accompanied by the applicable fees prescribed in Schedule 3 to these Regulations.

(2) An applicant for amalgamation under subregulation (1) shall indicate in a statement attached to his or her application, with maps in support where practical, 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 of location licences;
- (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 is satisfied with an application for amalgamation, he or she may grant a certificate of amalgamation in Form 23 set out in Schedule 2 to these Regulations.

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

(5) A certificate of amalgamation shall only be issued to mineral rights that are contiguous and shall be for a period not exceeding the remaining term of the licence with the closest expiry date.

(6) Where the Commissioner is not satisfied with an application for amalgamation, he or she may require the applicant to furnish further information or refuse to grant a certificate of amalgamation and state the reasons for the refusal in writing to the applicant.

25. Classification of areas and dimensions of location licence areas.

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

- (a) 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;
- (b) Class II—Precious stone locations other than alluvial, eight (16) hectares;
- (c) Class III—Locations for non-precious metals, eight (16) hectares;
- (d) Class IV—Alluvial locations for precious metals or precious stones, eight (16) hectares;
- (e) Class V—Locations within a river or a swamp and land adjoining the river or swamp, one thousand five hundred metres (1500m) along the middle of the course of the river or swamp and not more than one hundred (100) on each side of the course of the river or the swamp in compliance with the National Environment Management Act, 2019;
- (f) Class VI—Locations for limestone and chalk, eight (8) hectares;

- (g) Class VII—Locations for brine and salt, thirty-five metres (35m) in length and ten metres (10m) in width; and
- (h) Class VIII—Locations for building minerals, eight (8) hectares

(2) Where the class and dimensions or area of a location licence referred to in subregulation (1) 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.

26. Shape of location licence area other than Class V and class VII location licence.

(1) 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 or parallelogram and the length of the longer side shall not exceed thrice the length of the shorter side.

(2) Notwithstanding subregulation (1), where 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 requirements of subregulation (1).

PART VI—MINING LEASE.

27. Area and shape of mining lease.

(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.

(3) Notwithstanding subregulations (1) and (2), where 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 subregulations (1) and (2).

28. Application for mining lease.

(1) An application for a mining lease shall—

- (a) be in accordance with sections 41 and 42 of the Act;
- (b) be in Form 7 set out in Schedule 2 to these Regulations;
- (c) comply with regulation 7;
- (d) contain proof of applicant’s financial and technical capacity;
- (e) be accompanied by—
 - (i) the dimensions of the area applied for;
 - (ii) a statement of the number of land owners or lawful occupants of land in the area applied for, including a resettlement action plan (RAP), if applicable;
 - (iii) 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;
 - (iv) written proof that the applicant has secured the surface rights of the land subject of his or her application as required by section 43 (3) (h) of the Act;
 - (v) a certificate of approval of environmental and social impact assessment from National Environment Management Authority in; and
- (f) contain proof that the land has been surveyed and submission of a 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.

(3) An application under subregulation (1) shall be accompanied by the fees prescribed in Schedule 3 to these Regulations.

(4) The applicant shall, for the purpose of indicating financial resources available under subregulation (1)(d), submit a detailed statement of his or her assets and liabilities signed by the applicant, or in the case of an applicant which is a body corporate, the application shall be accompanied by—

- (a) certified copies of the previous financial year balance sheet and profit and loss account, incorporating the results of the last financial year, and which have been audited by the company's auditors, including every document required by law to be annexed or attached to the certified copies;
- (b) a copy of the audited report by a certified auditor;
- (c) a detailed statement of the financial resources available to the applicant to undertake the activities under the mining lease; and
- (d) a certified bank statement from the applicant's bank reflecting available financial resources to execute the mining activities.

(5) The applicant shall for the purpose of indicating technical capacity under subregulation (1)(d), submit certified copies of academic documents and curriculum vitae indicating relevant qualification and experience of at least 3 years of the leading technical personnel to undertake the planned mining activities.

(6) An application for the mining lease shall be published in the Gazette.

29. Notice to land owners and lawful occupiers of land on grant of mining lease.

(1) The Commissioner shall notify an applicant for a mining lease and the Chief Administrative Officer of the relevant district of his or her decision.

(2) Where the decision is to grant a mining lease, the Chief Administrative Officer shall cause a notice in Form 45 set out in Schedule 2 to these Regulations to be served to all land owners or lawful occupiers of land within the area of the proposed mining lease.

(3) Notwithstanding subregulation (2), a general notice having the same effect posted at the district and sub-county headquarters and such other place as the Commissioner may specify shall be sufficient notice to those land owners or lawful occupants of land.

(4) Where the Commissioner's decision under subregulation (1) 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.

30. Evaluation of deed plan and grant of mining lease.

(1) Upon receipt of the deed plan in respect of the mining area, the Commissioner shall cause a surface rights verification exercise to be undertaken.

(2) The application shall be evaluated in accordance with sections 41 to 44 of the Act and regulation 7.

(3) The mining lease shall be in accordance with section 45 of the Act and Form 15 set out in Schedule 2 to these Regulations.

31. Rights and obligations of a holder of mining lease.

(1) The rights and obligations of the holder of a mining lease are as specified in sections 49 and 50 of the Act.

(2) Without prejudice to subregulation (1), the holder of a mining lease shall, within fourteen days from the date of grant of the lease, clearly mark out and keep marked out at every mark stone defining the area during the period of the mining lease—

- (a) the number assigned to the mining lease by the Commissioner;

- (b) the company name; and
- (c) the date of grant of the mining lease.

(6) A mining lease holder shall annually submit to the Commissioner an updated mining plan and progress on land restoration of mined out area.

(7) A mineral lease holder shall install and operate a weigh bridge at locations where mining operations are being undertaken.

32. Amalgamation of mining leases.

(1) An application to amalgamate mining leases for working purposes shall be made to the Commissioner in Form 9 set out in Schedule 2 to these Regulations and shall be accompanied by the applicable fees prescribed in Schedule 3 to these Regulations.

(2) An applicant for amalgamation under subregulation (1) shall contain a statement appropriate plans and maps supporting the fact 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 of mining leases;
- (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; or
- (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.

(3) Where the Commissioner is satisfied with an application for amalgamation under subregulation (1) he or she may grant a certificate of amalgamation in Form 32 set out in Schedule 2 to these Regulations.

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

(5) A mining lease holder shall submit an updated mining plan taking into account the amalgamation.

(6) A certificate of amalgamation shall only be issued to mineral rights that are contiguous and shall be for a period not exceeding the remaining term of the lease with the closest expiry date.

(7) Where the Commissioner is not satisfied with an application for amalgamation, he or she may require the applicant to furnish further information or refuse to grant a certificate of amalgamation and state the reasons for the refusal in writing to the applicant.

33. Cessation, suspension or curtailment of work obligation.

(1) An application for a certificate of cessation, suspension or curtailment of work obligations shall be in accordance with regulation 7 and Form 9 set out in Schedule 2 to these Regulations and shall be accompanied by the applicable fee prescribed in Schedule 3 to these Regulations.

(2) The Commissioner shall in making a decision under this regulation cause the matter to be investigated and shall subject to any relevant requirement contained in the mining lease give his or her approval or rejection for cessation, suspension or curtailment of work obligations.

(3) Where the Commissioner is satisfied that good cause has been shown for cessation, suspension or curtailment, the Commissioner may grant a certificate in Form 24 set out in Schedule 2 to these Regulations for such period and subject to such conditions as the Commissioner may determine.

(4) The Commissioner may, where he or she is satisfied that good cause has been shown for further cessation, suspension or curtailment, renew a certificate granted under subregulation (3) for a further period as the Commissioner may determine.

(5) The Commissioner may revoke a mining lease 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.

(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 prescribed under the Act and these Regulations.

General Provisions Relating to Mineral Rights

34. Evaluation of applications for mineral rights.

(1) An application for a mineral right under the Act and these Regulations shall be evaluated by the Commissioner or an authorized officer in accordance with the Act and regulations 7 and 8.

(2) A person who holds or previously held a mineral right that is in default of the Act, these Regulations, any other applicable law, any condition of a licence or lease or any provision of a mining agreement shall not be granted another mineral right until the defaults have been rectified.

35. Markstones erected for location licence or mining lease.

(1) The holder of a location licence or mining lease shall ensure that markstones to be erected in respect of location licence or mining lease consist of a reinforced concrete pillar measuring one and a half metres long and measuring 100 square centimetres in diameter built on a rock foundation or sunk to a depth of a quarter of one metre below the ground.

(2) A markstone referred to in subregulation (1) shall bear the information specified in regulations 20(1) and 30(2).

36. Mineral rights holders to report operations.

(1) A holder of a mineral right shall before be undertaking operations under the right, notify the Chief Administrative Officer concerned in writing of his or her entry into the district to prospect or mine.

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

37. Mineral dealer's licence.

(1) An application for a mineral dealer's licence under section 70 of the Act and these Regulations shall be in Form 13 set out in Schedule 2 to these Regulations.

(2) An application under subregulation (1) shall be accompanied by—

- (a) proof of adequate financial competence
- (b) certificate of good conduct from Interpol for an individual and directors or shareholders of corporate entity;
- (c) tax identification and number tax clearance certificate from the Uganda Revenue Authority;
- (d) evidence of registration with Financial Intelligence Authority; and
- (e) proof of payment of the fees prescribed fees in Schedule 3 to these Regulations.

(3) A mineral dealer's licence shall be in Form 16 set out in Schedule 2 to these Regulations.

(4) An applicant who has previously held a mineral dealer's licence, shall provide updated returns on minerals bought and sold under the previous licence and evidence of payment of royalties on the minerals in Form 20 set out in Schedule 2 to these Regulations.

- (5) A mineral dealer's licence shall not be granted to—
- (a) an individual—
 - (i) not a citizen of Uganda or a foreigner who does not have a valid work permit;
 - (ii) who is under the age of 18 years;
 - (iii) is or becomes an undischarged bankrupt; or
 - (b) a company—
 - (i) which has not been registered or incorporated in Uganda under the Companies Act, 2012; or
 - (ii) which is in liquidation, except where the liquidation of part of a scheme for the reconstruction or amalgamation of such company.

38. Export of minerals.

(1) 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.

(2) An application for an export permit under section 116 of the Act shall be in Form 12 set out in Schedule 2 to these Regulations, accompanied by the fee prescribed in Schedule 3 to these Regulations.

(3) An export permit shall be in Form 37 set out in Schedule 2 to these Regulations.

(4) Every holder of mineral dealer's licence shall, in accordance with section 71 of the Act, be liable for the due payment to the Government of all royalties due on any minerals bought, received or exported by the holder of a mineral dealer's licence.

(5) The Commissioner may require the holder of a mineral right 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 subregulation (4)

39. Gold smith’s licence.

(1) An application for a goldsmith’s licence under section 73 of the Act shall be made to the Commissioner in Form 14 set out in Schedule 2 to these Regulations, accompanied by the applicable fee prescribed in Schedule 3 to these Regulations.

(2) A gold smith licence shall be in Form 24 set out in Schedule 2 to these Regulations.

(3) A goldsmith licence holder shall comply with section 75 of the Act.

40. Retail shop keeper.

(1) An application by a retail shopkeeper under section 74 of the Act shall be made to the Commissioner in writing.

(2) The Commissioner may authorize the applicant to manufacture and sell articles partly manufactured from precious minerals without being licensed as a goldsmith.

41. Movement of minerals.

(1) A person shall not, without a movement permit issued by 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 in the evening and seven o’clock in the morning.

(2) An application for a permit under sub-regulation (1) shall be in Form 11 set out in Schedule 2 to these Regulations.

(3) The permit shall be in the prescribed form.

42. Inquiry proceedings.

A memorandum of complaint under section 62 of the Act shall be in Form 43 set out in Schedule 2 to these Regulations; and a notice of complaint to the defendant shall be in Form 44 set out in Schedule 2 to these Regulations.

43. Import of minerals.

(1) A person who wishes to import any mineral into Uganda in accordance section 117 of the Act shall apply to Commissioner by making a declaration in Form 39 set out in Schedule 2 to these Regulations, accompanied by fees prescribed in schedule 3 to these Regulations.

(2) A person who wishes to import minerals into Uganda shall in addition to the declaration under subregulation (1) have a valid mineral dealer's licence and the following supporting documents from the country of origin—

- (a) an export permit;
- (b) pre-shipment documents;
- (c) certificate of origin; and
- (d) ICGLR RCM certificate, where applicable.

(3) The Commissioner shall in making a decision under this regulation cause the matter to be investigated and shall subject to any relevant requirement give his or her approval or rejection of an application for an import permit.

(4) The Commissioner may, where he or she is satisfied with the application made under subregulation (1), issue an import permit to the applicant in Form 38 set out in Schedule 2 to these Regulations, upon payment of the fees prescribed in Schedule 2 to these Regulations.

(5) Where the Commissioner is not satisfied with an application for an import permit, he or she may require the applicant to furnish further information or refuse to issue an import permit and state the reasons for the refusal in writing to the applicant.

44. Application for renewal of mineral rights.

(1) An application for the renewal of a mineral right other than a prospecting licence shall—

- (a) be made to the Commissioner in Form 10 set out in Schedule 2 to these Regulations;
- (b) be submitted in accordance with regulation 7, at least three months before the date of expiry of the licence;
- (c) comply with the requirements of sections 30, 38, 47 or 59 of the Act, as applicable; and
- (d) be accompanied by the documents required under regulations 14, 19, 37 or 36, as applicable.

(2) Notwithstanding subregulation (1) an application for renewal of a mineral right after the date of expiry of the licence shall be automatically rejected.

(3) An application for renewal of a mineral right under this regulation shall be accompanied by—

- (a) the applicable mineral rent;
- (b) fees prescribed in Schedule 3 to these Regulations; and
- (c) the original licence.

(4) Where an application under subregulation (1) has been submitted but the holder has not received notice that his or her licence has been renewed or that the application has been rejected before the date on which such licence expires, the holder may continue undertaking work obligations under that mineral right 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.

(5) An application for renewal of a mineral right shall be dealt with within the following periods from the date of receipt of complete application, as applicable—

- (a) a location licence, thirty days;
- (b) an exploration licence, sixty days;
- (c) a retention licence, forty five days; and
- (d) a mining lease, sixty days.

(6) An application for renewal of a mineral right under this regulation shall not be approved unless the applicant has met the work obligations under that right as prescribed in the Act and Schedule 4 to these Regulations.

45. Transfer of mineral rights.

(1) A prospecting licence issued under the Act shall not be transferable.

(2) Notwithstanding subregulation (1), a person shall not transfer any other type of mineral right or a share of that right without the approval of the Commissioner.

(3) A mineral rights holder may apply to the Commissioner for consent to transfer, in Form 8 set out in Schedule 2 to these Regulations.

(4) An application under subregulation (2), shall in accordance with section 6(3) of the Act contain—

- (a) the name, address and contact of the applicant;
- (b) the licence number;
- (c) the name, address and contact of the proposed transferee;
- (d) the legal status of the proposed transferee;
- (e) proof of technical and financial capacity of proposed transferee;
- (f) the proposed value of the transfer;
- (g) the capital gains tax assessment from the Uganda Revenue Authority; and
- (h) any other information as the Commissioner may require.

(5) The Commissioner shall satisfy himself or herself of the legal, technical capacity, competence and financial strength of the person to whom the mineral right or share of that right is to be transferred and approve or reject the application for transfer.

(6) Where the Commissioner rejects an application under subregulation (5), he or she shall give the reasons for the rejection of the application.

(7) In this regulation—

“transfer of mineral right or share of that right” includes the acquisition of control by the person to whom a mineral right or share of that right under the Act is transferred; and

“control” in relation to any person, means the possession, directly or indirectly, of the power to direct or cause the direction of the management by that person, whether through the ownership of shares, voting, securities, partnership or other ownership or participation interests, agreements or otherwise.

(8) This regulation applies to any direct or indirect transfer of interest or participation in the licence, including, inter alia, assignment of shareholdings and other ownership shares which may provide decisive control of a licensee possessing a participating interest in a licence.

(9) An application for transfer of a mineral right shall be dealt with within 14 days from the date of receipt of complete application-

(10) The transfer instrument shall be in Form 17 set out in the Schedule 2 to these Regulations.

46. Surrender of area covered by mineral right.

(1) An application to surrender an area covered by a mineral

right or part of such area under section 89 of the Act shall be in Form 40 set out in Schedule 2 to these Regulations and shall be accompanied by the fees prescribed fee in Schedule 3 to these Regulations.

(2) The Commissioner shall, upon receipt of an application under subregulation (1), carry out an assessment of the surrender fees prescribed in Schedule 3 to these Regulations payable by the applicant.

(3) The Commissioner may, where the applicant has paid the surrender fees assessed under subregulation (2), issue a certificate of surrender in Form 25 set out in Schedule 2 to these Regulations.

47. Replacement or duplicate document.

(1) In accordance with section 96 of the Act, the holder of a mineral right, dealer's licence or permit or export permit may apply online for a replacement or duplicate document upon stating the reason for the request and upon payment of the prescribed fees in prescribed in Schedule 3 to these Regulations.

(2) The Commissioner shall issue such replacement or duplicate document within fourteen days from the date of the application.

PART VII—ESTABLISHMENT OF OFFICE AND APPOINTMENT OF LEGAL REPRESENTATIVES.

48. Establishment of offices in Uganda.

(1) A person who wishes to apply for a mineral right shall comply with section 5 of the Act.

(2) A person granted a mineral right under the Act and these Regulations shall before be carrying out any work or activity in Uganda, establish an office in Uganda and the Commissioner may inspect the premises as and when necessary.

(3) The Commissioner may in addition to the requirement under subregulation (2), require a holder of a mineral right to establish an office in the community in Uganda where the person has or is likely to have significant activity.

(4) A holder of a mineral right shall notify the Commissioner of any change of office or address in writing within fourteen days of any the changes, accompanied by the prescribed fees set out in Schedule 3 to these Regulations.

49. Appointment of an agent.

(1) A holder of a mineral right may appoint an agent through a registered powers of attorney to represent him or her in all matters relating to all of his or her existing mineral rights and any other mineral rights which may be subsequently granted to him or her.

(2) The power of attorney referred to under subregulation (1), shall be in the prescribed form.

(3) Not later than fourteen days after appointing a representative under subregulation (1), the holder of the mineral right shall submit to the Commissioner the original and a copy of the registered power of attorney and a board resolution, in case of a body corporate.

(4) Every appointment or change of a representative under subregulation (1), 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.

PART VIII—RECORDS AND REGISTERS.

Records

50. Records to be kept.

(1) A holder of a mineral right shall keep the following records—

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

(b) statistical data in respect of each employee, including his or her identification number, full names, date of birth, place of birth, gender, nationality, disability, if any, date of appointment, work permit, where necessary, nature of work and rate of pay;

- (c) maps showing systematic, intensive or detailed prospecting or exploration on a legible scale; except that where detailed work is in progress preliminary work may be shown on the same map;
- (d) 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);
 - (ii) a map showing the mined area in relation to the boundaries;
 - (iii) records of development, production and ore dressed, mineral in stock; and
 - (iv) any 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 a manner that the figures in respect of any mineral right may be readily extracted from the books, maps and records; and all records of production shall be kept as daily records.

(3) Every holder of a mineral right shall maintain at the area of his or her mineral right or a group of the areas, a person in charge of the statistical data referred to in subregulation (1).

(4) The records kept under this regulation shall be available for inspection by the Commissioner, inspector of mines or any other person authorised under any other applicable law.

(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 job title.

(6) The identification card referred to in subregulation (5) shall be authenticated by the employer by stamping and signing it.

(7) A person who contravenes this regulation commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.

51. Returns to be furnished.

(1) A holder of an exploration licence or retention licence shall, not later than fourteen days after the end of each quarter, lodge on line a scanned copy and statements using Form 19 set out in Schedule 2 to these Regulations.

(2) Where the statements referred to in subregulation (1) relate to a holder of a prospecting licence, location licence or a mining lease, the statements shall be provided to the Commissioner in Forms 18 and 19 set out in Schedule 2 to these Regulations, not later than fourteen days after the month reported on.

(3) Where subregulation (1) relates to a mineral dealer or goldsmith licence, the statements shall be in form 20 set out in Schedule 2 to these Regulations, not later than fourteen days after the month reported on

(4) Without prejudice to subregulations (1) and (2), the Commissioner may require any information to be supplied to him or her by way of statements or plans from any holder of a mineral right.

(5) The statements required to be lodged under subregulations (1) and (2) shall be signed and certified to be correct by the holder of the mineral right or his or her attorney or agent.

(6) A person who contravenes this regulation commits an offence and is liable, on conviction, to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.

Registers

52. Registers.

The Commissioner shall keep the following registers—

- (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; and
- (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.

PART IX—PROTECTION OF THE ENVIRONMENT.

53. Submission of project brief and environmental and social impact assessment.

(1) A holder of a prospecting licence, exploration licence, location licence, retention licence or mining lease shall, as applicable, prepare and submit a project brief or an environmental and social impact assessment before commencement of work, in accordance with the National Environment Act, 2019 and the National Environment (Environment Impact Assessment) Regulations.

(2) The environmental and social impact assessment prepared under subregulation (1) shall, in addition to the requirements of the National Environment Act, 2019 and regulations indicate the following—

- (a) the activities involved in the programme of exploration or mining activity 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.

54. Review of project brief and the environmental and social impact assessment.

The project brief and environmental and social impact assessment shall be reviewed in accordance with the National Environment Act, 2019 and the National Environment (Environment Impact Assessment) Regulations.

55. Environmental restoration plan.

The holder of an exploration licence or a mining lease shall submit to the Commissioner a costed environmental restoration plan in accordance with section 110 of the Act and the National Environment Act, 2019 together with a graphical representation of the land to be affected, which shall address restoration of worked out areas.

56. Environmental performance bond.

(1) The holder of an exploration licence or a mining lease shall, when required by the Commissioner in accordance with section 112 of the Act, execute an environmental bond commensurate with the cost of the environmental restoration plan submitted to the Commissioner under regulation 54.

(2) The holder of an exploration licence or mining lease shall, subject to the National Environment Act, 2019 and subregulation (2), commence development under his or her exploration licence or

mining lease upon approval of the environmental and social impact assessment and the environmental restoration plan.

(3) The custody and management of any environmental bond deposited under subregulation (1) shall be in accordance with the provisions of the Public Finance Management Act, 2015 and any other applicable law.

57. Environmental monitoring plan.

(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—

- (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 environmental monitoring report in Form 26 set out in Schedule 2 to these Regulations to the Commissioner and the National Environment Management Authority 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 and social impact assessment process, the holder of the exploration licence or the mining lease shall propose to the

Commissioner and the National Environment Management Authority new mitigation measures for improved environmental conservation.

(5) The Commissioner shall, after consultation with the National Environment Management Authority, 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 and social impact assessment study.

(6) Where the holder of the exploration licence or mining lease fails to comply with the advice given under subregulation (5), 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 the failure.

(7) The costs incurred by the Commissioner in carrying out the provisions of subregulation (6) 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.

58. Disposal of tailings.

(1) The holder of a location licence or mining lease who has access to a watercourse may, subject to the Water Act, and the National Environment Act, 2019, and any other applicable law, 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 the National Environment Act, 2019 and regulations made under that Act.

PART X—FINANCIAL PROVISIONS.

59. Fees.

The fees prescribed in Schedule 3 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.

60. Mineral rents.

(1) The annual mineral rents prescribed in Schedule 3 to these Regulations shall be paid to Government by an applicant for or the holder of a mineral right other than a prospecting licence.

(2) The annual mineral rent payable under subregulation (1) 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.

61. Royalties.

(1) Royalties payable under section 98 of the Act shall be paid to Government in accordance with the Public Finance Management Act, 2015.

(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 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; and
- (b) a licensed 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 shall issue an export permit in Form 37 set out in Schedule 2 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.

(4) Notwithstanding subregulation (3), the Commissioner may issue an export permit where he or she is satisfied that the royalty due on the minerals has been secured in form of bank guarantee.

(5) Minerals shall be used locally only after the royalty due on the minerals under section 98 of the Act has been paid or secured in form of a bank guarantee.

62. Rates and methods of calculation of royalties.

(1) Rates of royalties payable under the Act shall be as specified in Schedule 3 to these Regulations.

(2) The value of a precious metal or a non-precious mineral shall, for the purpose of computing the royalty payable on 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; and
- (c) the valuable contents of other metals, ore or minerals shall be such as the Commissioner may determine.

(3) Notwithstanding subregulation (2), 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.

(4) For the purposes of subregulation (2) I, 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.

63. Service of documents and notices.

(1) A document or notice required or permitted to be served on or given to a person under the Act and these Regulations, may be served—

- (a) in the case of an individual, by serving it personally upon the individual or by sending it by post, electronic message or registered email to him or her at his or her usual or last known place of abode or business;
- (b) in the case of a body corporate—
 - (i) by leaving it at the registered or principal office of the body corporate;
 - (ii) by sending it by post to the body corporate at the registered or principal office of the body corporate or by electronic message and registered email; or
 - (iii) by delivering it to an individual in the employment or acting on behalf of the body corporate that is authorised by the body corporate to accept service of or to receive the document.

(2) For the purposes of subregulation (1) (b) (i), the principal office of a body corporate incorporated outside Uganda is its place of business established under the Companies Act, 2012.

(3) Any notice or document may be served on the Commissioner by delivering it at the office of the Commissioner, or by sending it by registered post to the office of the Commissioner.

(4) Notwithstanding subregulation (3), a mineral right or permit holder may upload a notice or document through the online mining Cadaster established under regulation 3.

64. Service of notice relating to safety, health and welfare.

(1) A holder of a mineral right shall comply with the requirements of the Act, Occupational Safety and Health Act, 2006, the Employment Act, 2006, and any other applicable law relating to health and safety of operations and human health.

(2) The Commissioner or an authorized officer may, where the safe conduct of prospecting, exploration or mining operations or the safety, health and welfare of persons engaged in such operations is necessary, serve a notice to the person who, in the reasonable opinion of the Commissioner or authorised officer is in charge of the prospecting, exploration or mining operations at the material time requiring the person to comply with the Act or any Regulations made under the Act, Occupational Safety and Health Act, 2006, the Employment Act, 2006 and any other applicable law relating to health and safety.

(3) A notice under this regulation, shall be served in accordance with regulation 62.

65. Forfeiture of minerals by court.

Upon the forfeiture by a court of any mineral under section 4 (4) of the Act, the order for forfeiture shall be in Form 40 set out in Schedule 2 to these Regulations.

66. Replacement of original Instruments.

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 Schedule 2 to these Regulations, cause a copy of the instrument to be prepared and endorsed in accordance with section 96 of the Act.

Offences and Penalties

67. Giving false information.

(1) A person 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 commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or to imprisonment for a term not exceeding one year or both.

(2) A 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, commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.

(3) A person convicted for an offence under subregulation (2) shall forfeit any right to the grant of a mineral right; and if he or she is the holder of any other mineral right, shall be liable to have the 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.

68. Defrauding government of royalty.

A person who defrauds or conspires to defraud the Government of royalty payable under the Act commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.

69. Illegal exportation of minerals.

A person who illegally exports any mineral without a licence issued under the Act and these Regulations commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.

70. Dumping of minerals.

A person who dumps a mineral commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.

71. Failure to establish offices in Uganda.

A person who fails to establish an office in Uganda as required under these Regulations commits an offence and is liable on conviction to a fine not exceeding one hundred currency points or imprisonment not exceeding one year or both.

72. General penalty.

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.

73. Evidentiary certificate.

The Commissioner may in accordance with section 97 (1) of the Act issue an evidentiary certificate in Form 35 set out in Schedule 2 to these Regulations.

74. Revocation of SI 248-3.

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

SCHEDULES

SCHEDULE 1

Regulation 2

CURRENCY POINT.

One currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

FORMS

Regulation 5(3)

THE MINING ACT

THE MINING (LICENSING) REGULATIONS, 2019

Regulation 3 (3)

FORM 1

Signed letter of authority (Power of Attorney) to use the Mining Cadastre Portal on behalf of the Person

Title Documents (Proof of Tenure)

I am already a Registered User on the Mining Cadastre Portal and would like to act on behalf of an additional Company

Complete sections A, B, C, E

Please provide:

- Personal identity (passport [foreigner] or ID card [national])
- Tax Identification Number (TIN)
- Company registration (certified copy certificate of incorporation)
- Signed letter of authority (Power of Attorney) to use the Mining Cadastre Portal on behalf of the Company

I am already a Registered User on the Mining Cadastre Portal and would like to act on behalf of an additional Person

Complete sections A, B, D, E

Please provide:

- Personal identity (passport [foreigner] or ID card [national])
- Tax Identification Number (TIN)
- Identity of person being represented (passport or ID card)
- Signed letter of authority (Power of Attorney) to use the Mining Cadastre Portal on behalf of the person

ADDENDUM FORMS

If there are additional users that you wish to add for the same company or person at the same time, then additionally complete Addendum Form A for each user.

Number of additional users:

SECTION B: DETAILS FOR THE AUTHORISED USER (PERSON 1)

Surname

First Names

Email Address
(used for login and email notifications)

Mobile Number
(used for SMS notifications)

Title

Mr	Mrs	Ms	Dr	Prof	Hon	Other	<input type="text"/>
----	-----	----	----	------	-----	-------	----------------------

Identity Number
and / or

Passport Number	<input type="text"/>
TIN	<input type="text"/>
Nationality	<input type="text"/>
Date of Birth	<input type="text" value="d d / m m / y y y y"/>
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female
Physical Address	
Line 1	<input type="text"/>
Line 2	<input type="text"/>
Line 3	<input type="text"/>
County / Province	<input type="text"/>
Post Code / Zip	<input type="text"/>
Country	<input type="text"/>
Postal Address	<input type="checkbox"/> Same as Physical
Line 1	<input type="text"/>
Line 2	<input type="text"/>
Line 3	<input type="text"/>
County / Province	<input type="text"/>
Post Code / Zip	<input type="text"/>
Country	<input type="text"/>
Telephone 1	<input type="text"/> <small>e.g. +44822354111 not +44(0)822354111</small>
Telephone 2	<input type="text"/> <small>e.g. +44822354111 not +44(0)822354111</small>
Fax Number	<input type="text"/> <small>e.g. +44822354111 not +44(0)822354111</small>

SECTION C: COMPANY 1 DETAILS

Company Name

Registration
Number

TIN

Registered Country

Registration Date

Company Type

 Private Listed

Email Address

Physical Address

Line 1

Line 2

Line 3

County / Province

Post Code / Zip

Country

Postal Address

 Same as Physical

Line 1

Line 2

Line 3

County / Province

Post Code / Zip

Country

Telephone 1

e.g. +44822354111 not +44(0)822354111

Telephone 2

e.g. +44822354111 not +44(0)822354111

Fax Number

e.g. +44822354111 not+44(0)822354111

Website

SECTION C: COMPANY 2 DETAILS

Company Name

Registration Number

TIN

Registered Country

Registration Date

Company Type

Email Address

Physical Address

Line 1

Line 2

Line 3

County / Province

Post Code / Zip

Country

Postal Address

Line 1

Line 2

Line 3

County / Province

Post Code / Zip

Country	<input type="text"/>
Telephone 1	<input type="text"/> <small>e.g. +4822354111 not+44(0)822354111</small>
Telephone 2	<input type="text"/> <small>e.g. +4822354111 not+44(0)822354111</small>
Fax Number	<input type="text"/> <small>e.g. +4822354111 not+44(0)822354111</small>
Website	<input type="text"/>

SECTION C: COMPANY 3 DETAILS

Company Name	<input type="text"/>
Registration Number	<input type="text"/>
Registered Country	<input type="text"/>
TIN	<input type="text"/>
Registration Date	<input type="text" value="d d / m m / y y y y"/>
Company Type	<input type="checkbox"/> Private <input type="checkbox"/> Listed
Email Address	<input type="text"/>
Physical Address	
Line 1	<input type="text"/>
Line 2	<input type="text"/>
Line 3	<input type="text"/>
County / Province	<input type="text"/>
Post Code / Zip	<input type="text"/>
Country	<input type="text"/>
Postal Address	<input type="checkbox"/> Same as Physical
Line 1	<input type="text"/>
Line 2	<input type="text"/>

Line 3	<input type="text"/>
County / Province	<input type="text"/>
Post Code / Zip	<input type="text"/>
Country	<input type="text"/>
Telephone 1	<input type="text"/> <small>e.g. +44822354111 not+440)822354111</small>
Telephone 2	<input type="text"/> <small>e.g. +44822354111 not+440)822354111</small>
Fax Number	<input type="text"/> <small>e.g. +44822354111 not+440)822354111</small>
Website	<input type="text"/>

SECTION D: PERSON 2 DETAILS

Surname	<input type="text"/>
First Names	<input type="text"/>
Identity Number	<input type="text"/>
TIN	<input type="text"/>
Email Address	<input type="text"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Province	<input type="text"/>
Post Code / Zip	<input type="text"/>
Country	<input type="text"/>
Postal Line 1	<input type="text"/>
Postal Line 2	<input type="text"/>
Telephone	<input type="text"/>

<input type="checkbox"/> I confirm that all documents have been received in good order.		
D D / MM / YYYY		
_____ Signed by Licensing Officer	_____ Date	_____ Location
D D / MM / YYYY		
_____ Witnessed by Applicant for Registration	_____ Date	_____ Location

FOR OFFICIAL USE ONLY		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	User added to Mining Cadastre Portal
<input type="checkbox"/> Yes	<input type="checkbox"/> No	User given access to requested Company / Person
Comments 		
D D / MM / YYYY		
_____ Signed by Cadastre Officer	_____ Date	_____ Location



ADDENDUM FORM A: ADDITIONAL USER REGISTRATION

SECTION A: PURPOSE OF REGISTRATION

Application as an additional user of the Mining Cadastre Portal on behalf of a company or person, either as an employee or agent of that Company

Complete sections B, C

Please provide:

- Proof of identity (passport or ID card)
- If a Company
 - Proof of company registration (certificate of incorporation)
 - Signed letter of authority (Power of Attorney) to use the Mining Cadastre Portal on behalf of the Company
 - TIN
- If a Person
 - Personal identity (passport or ID card)
 - Identity of person being represented (passport or ID card)
 - Signed letter of authority (Power of Attorney) to use the Mining Cadastre Portal on behalf of the person
 - TIN

This addendum and associated documents must be submitted along with this form to your nearest Regional Mining Cadastre office.

Further information is available on the portal website, dgsportal.minerals.go.ug

Any queries may be submitted by email to dgsm@minerals.go.ug

SECTION B: DETAILS FOR THE AUTHORISED USER

Surname	<input style="width: 100%;" type="text"/>								
First Names	<input style="width: 100%;" type="text"/>								
Email Address <small>(used for login and email notifications)</small>	<input style="width: 100%; height: 20px;" type="text"/>								
Mobile Number <small>(used for SMS notifications)</small>	<input style="width: 100%; height: 20px;" type="text"/>								
	<small>e.g. +44822354111 not +44(0)822354111</small>								
Title	<table border="1" style="width: 100%; text-align: center; border-collapse: collapse;"> <tr> <td style="width: 12.5%;">Mr</td> <td style="width: 12.5%;">Mrs</td> <td style="width: 12.5%;">Ms</td> <td style="width: 12.5%;">Dr</td> <td style="width: 12.5%;">Prof</td> <td style="width: 12.5%;">Hon</td> <td style="width: 12.5%;">Other</td> <td style="width: 12.5%;"></td> </tr> </table>	Mr	Mrs	Ms	Dr	Prof	Hon	Other	
Mr	Mrs	Ms	Dr	Prof	Hon	Other			
Identity Number	<input style="width: 100%; height: 20px;" type="text"/>								
	<small>and / or</small>								
Passport Number	<input style="width: 100%; height: 20px;" type="text"/>								

TIN	<input type="text"/>
Nationality	<input type="text"/>
Date of Birth	<input type="text"/>
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female
Physical Address	
Line 1	<input type="text"/>
Line 2	<input type="text"/>
County / Province	<input type="text"/>
Post Code / Zip	<input type="text"/>
Country	<input type="text"/>
Postal Address	<input type="checkbox"/> Same as Physical
Line 1	<input type="text"/>
Line 2	<input type="text"/>
County / Province	<input type="text"/>
Post Code / Zip	<input type="text"/>
Country	<input type="text"/>
Telephone 1	<input type="text"/> <small>e.g. +44622354111 not +44(0)822354111</small>
Telephone 2	<input type="text"/> <small>e.g. +44622354111 not +44(0)822354111</small>

SECTION C: TERMS OF USE

- I confirm that all information provided is correct
- I agree to the Terms of Use and Privacy Statement of the Mining Cadastre Portal

DD / MM / YYYY

Signed by Applicant for Registration Date Location

THE MINING ACT.

THE MINING (LICENSING) REGULATIONS 2019.

Regulation 9 (1)

FORM 2

APPLICATION FOR A PROSPECTING LICENCE.

To THE COMMISSIONER FOR THE GEOLOGICAL SURVEY AND MINES DEPARTMENT.

Note: Prospecting license does not permit the licensee to prospect over an area subject to another mineral right.

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.

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; and
- (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 of.....20

.....
Signature of applicant, agent or representative

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

Receipt No.....dated 20.....

Place of issue..... This day of..... 20

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

THE MINING ACT.

THE MINING (LICENSING) REGULATIONS, 2019.

FORM 3.

Regulation 14 (1)

APPLICATION FOR AN EXPLORATION LICENCE.

(Accompanied by coordinates 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.

1. Name of applicant (individual or company) in full.	
2. Name of the person submitting the application. - Nationality. - Relation to the applicant (Attach board resolution or registered power of attorney in case of company).	
3 Physical address in Uganda at which notices may be served. (Plot No., street, zone) illage, sub county and district	
4. Office Tel: Mobile: Email address	
5. If applicant is a corporate entity, attach a certified copy of a certificate of incorporation, and Articles and Memorandum of Association	
6. 5Tax Identification Number. Note: Attach current Tax clearance certificate	
7. Mineral for which the license is sought	

<p>8. Has the applicant previously held any mineral right, authorizing prospecting exploration or mining in Uganda, which has—</p> <ul style="list-style-type: none"> (a) expired; (b) been renewed; (c) been cancelled; (d) been revoked; (crosscheck cancel & revoked (e) been forfeited. 	
<p>9. If the answer to any paragraph in No.9 is yes, please mention the type, number and particulars of mineral right and explain</p>	
<p>10. Has the applicant been convicted of any offence in connection with prospecting, exploration, mining, explosives, or the employment of labor or involving dishonesty or fraud?</p>	
<p>11. Attach any other documents or information that the applicant wishes the Commissioner to consider</p>	
<p>12. Provide coordinates of vertices of the applied area in UTM zone Arc 1960 or WGS 84</p>	
<p>13. Have you been submitting returns of your prospecting operations to the Commissioner as required under the Act or these Regulations (if yes, attach proof)</p>	
<p>14. Proof of performance bond in accordance with section 112 (1), where applicable (30% of the budget of the costed environmental restoration plan)</p>	
<p>15. Have you submitted a costed environmental restoration plan , if so indicate the budget</p>	

16. Name, telephone number of person who will be resident on the area if this application is granted.	
---	--

I HEREBY CERTIFY that the above information is true and correct to the best of my knowledge.

Dated thisday of, year 20

.....
Signature of Applicant.

THE MINING ACT.

THE MINING (LICENSING) REGULATIONS, 2019.

FORM 4.

Regulation 18 (1) (b)

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,

1. Name of applicant (individual or company) in full.	
2. Name of the person submitting the application. Nationality. Relation to the applicant (Attach a registered board resolution and registered power of attorney)	
3. Physical address in Uganda at which notices may be served. (Plot No., street, zone) village, sub county and district	
4. Office Tel: Mobile: Email address	
5. If applicant is a corporate entity, attach a certified copy of a certificate of incorporation, and Articles and Memorandum of Association	
6. Tax Identification Number. Note: Attach current Tax clearance certificate	
7. Mineral for which the license is sought	
8. Has the applicant previously held any mineral right, authorizing prospecting exploration or mining in Uganda, which has— (a) expired; (b) been renewed; (c) been cancelled; (d) been revoked; (crosscheck cancel & revoked) (e) been forfeited.	

9. If the answer to any paragraph in No.9 is yes, please mention the type, number and particulars of mineral right and explain	
10. Has the applicant been convicted of any offence in connection with prospecting, exploration, mining, explosives, or the employment of labor or involving dishonesty	
11. Attach any other documents or information that the applicant	
12. Provide coordinates of vertices of the applied area in UTM	
13. Have you been submitting returns of your prospecting operations to the Commissioner as required under the Act or these Regulations (if yes, attach proof)	
14. Proof of performance bond in accordance with section 112 (1), where applicable (30% of the budget of the costed environmental restoration plan)	
15. Have you submitted a costed environmental restoration plan , if so indicate the budget	
16. Name, telephone number of person who will be resident on the area if this application is granted.	

Attach requirements under section 35(2) of the Act

I HEREBY CERTIFY that the information given above is true to the best of my knowledge.

Dated thisday of, year 20

.....
Signature of Applicant.

THE MINING ACT.

THE MINING (LICENSING) REGULATIONS, 2019.

FORM 5.

Regulation 19 (1) (c)

**APPLICATION FOR A LOCATION LICENCE OTHER THAN
CLASS V and 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,

1. Name of applicant (individual or company) in full.	
2. Name of the person submitting the application. Nationality. Relation to the applicant (Attach registered board resolution or registered power of attorney)	
3. Physical address in Uganda at which notices may be served.(Plot No., street, zone) village, sub county and district	
4. Office Tel: Mobile: Email address	
5. If applicant is a corporate entity, attach a certified copy of a certificate of incorporation, and Articles and Memorandum of Association	
6. Tax Identification Number. Note: Attach current Tax clearance certificate	
7. Mineral for which the license is sought	

8. Has the applicant previously held any mineral right, authorizing prospecting exploration or mining in Uganda, which has— (a) expired; (b) been renewed; (c) been cancelled; (d) been revoked; (crosscheck cancel & revoked) (e) been forfeited.	
9. If the answer to any paragraph in No.9 is yes, please mention the type, number and particulars of mineral right and explain	
10. Has the applicant been convicted of any offence in connection with prospecting, exploration, mining, explosives, or the employment of labor or involving dishonesty	
11. Attach any other documents or information that the applicant	
12. Provide coordinates of vertices of the applied area in UTM	
13. Have you been submitting returns of your prospecting operations to the Commissioner as required under the Act or these Regulations (if yes, attach proof)	

I attach to this application—

- (i) map of the area with coordinates in accordance with regulation.....;
- (ii) 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; and
- (iii) written proof that the applicant has reached agreement with the land owner or lawful occupant or has secured surface rights of the area for purposes of this application .

I HEREBY CERTIFY that the information above is true to the best of my knowledge.

Dated thisday of, year 20

.....
Signature of Applicant.

THE MINING ACT.

THE MINING (LICENSING) REGULATIONS, 2019.

FORM 6.

Regulation 91 (1) (c)

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,

1. Name of applicant in full. Nationality of applicant. Age of applicant.	
2. Physical address in Uganda at which notices, etc. may be served.(Plot No, street, zone, village) Tel: Mobile: Email address	
3. Name of person (if any), whom the applicant represents and position or appointment held by the applicant with respect to such person.	
4. Number and date of grant of prospecting or exploration licence.	No. Date of grant.
5. The alluvial minerals in respect of which the location licence is required.	
8. Measurements of the location licence area in meters	Required length Required width on each side of the center line.....
9. Whether river or swamp location licence is applied, state the name of the river or swamp.	
10. Have you been submitting returns of your prospecting or exploration operations to the Commissioner as required under the Act and these Regulations? If so provide proof.	

11. Name and telephone number of person who will be resident in the area if this application is granted.	
--	--

I attach to this application signed by me –

- (i) a copy of permission granted by the responsible Ministry through the National Environment Management Authority to work in a wetland or on a river bank or in a lake;
- (ii) a map showing measurements along the lake, river or swamp;
- (iii) a sketch map showing the position of the area of Class V location licence as required by Mining Regulations.
- (iv) proof of agreement with the Government or a local government where applicable to carry out mining activities within the area for purposes of this application

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 thisday of, year 20

.....
Signature of Applicant.

*Delete whichever is inapplicable.

THE MINING ACT.

THE MINING (LICENSING) REGULATIONS, 2019

FORM 7.

Regulation 27 (1) (b).

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,

1. Name of applicant in full. Nationality of applicant. Age of applicant.	
2. Physical address in Uganda at which notices, etc. may be served.(Plot No, street, zone, village) Tel: Mobile: Email address	
3. Name of the person whom or which the applicant represents and the position or appointment held by the applicant with respect to that person.	
4. Number and the date of grant of relevant mineral right.	No. Date of grant.
5. Name and nationality of directors of corporate entity (where applicable).	
6. Amount of funds committed for mining operations.	
7. 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.	
8. Boundary coordinates	

9. Have you been submitting returns of your prospecting, exploration, retention or location operations to the Commissioner as required under Mining Regulations? If so provide proof.	
10. Area in hectares.	
11. Mineral(s) which applicant intends to mine.	
12. Period for which lease is sought.	
13. (Get from Form iv - coordinates)Statement of geographical position in regard to some town, village or river crossing or junction	
14. Name of person who will be resident in the area if this application is granted.	

I attach to this application a—

- (a) topographic map and a deed plan giving the information as required under regulations 38 of the Mining Regulations, 2019;
- (b) statement as to the number of land owners or lawful occupants on the land in the area of the proposed lease as required under regulation 38 of the Mining Regulations, 2019;
- (c) 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;
- (d) proof of financial and technical capacity;
- (e) proof of compliance with the requirements of section 41 of the Act;
- (f) certificate of approval of Environmental and Social Impact Assessment by the National Environment Management Authority; and
- (g) proof that applicant has secured the surface rights of the land the subject of this application as required by section 43 (3) (h) of the Act. (Attach list of all land owners and lawful occupants and consent and letter of CAO)

(h) proof that the application for mining lease has been published in the *Gazette*.

I HEREBY CERTIFY that under my personal supervision the above information is correct and the long grass, bush and brushwood cleared in accordance with regulation 37 of the Mining Regulations, 2019.

Dated thisday of, year 20

.....
Signature of Applicant.

THE MINING ACT

THE MINING (LICENSING) REGULATIONS, 2019.

Regulation 11 (1)

FORM 18.

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). To be added to mining lease, exploration and retention licence returns

Returns in respect of month of..... year 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	Administrative Sub-division or Sub-county	Mineral(s) prospected for	Quantity of mineral(s) obtained (state units)	Number and Quantity of samples obtained,	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						
	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/ authorized Agent

THE MINING ACT.

THE MINING (LICENSING) REGULATIONS, 2019.

FORM 19.

Regulation 50 (1).

EXPLORATION/RETENTION LICENCE RETURN FORM.

(To be lodged 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.....
Address
Phone No.....
*Exploration/Retention licence No.....
Mineral(s) to which the *exploration/retention licence relates.....
Minerals discovered
Period from to.....

LOCATION OF *EXPLORATION/RETENTION LICENCE AREA.
Reference point (UTM coordinates)

ADMINISTRATIVE HEADQUARTER.

Map Sheet.....
Longitude (nothings)
Latitude (easting).....
Sub-County(ies)
District(s).....

ACCESS (Brief description of access).
.....
.....

SUMMARY OF PREVIOUS WORK CARRIED OUT.

Geological mapping.	EXPENDITURE INCURRED
Surface area covered (Km ²)	
Map and Scale of final map product (attach map)	
Geochemical surveys.	
Total length of grid lines traversed and spacing (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

Geophysical survey. (describe the work done and accompany a copy of raw data to this report). Description of work done (on separate sheet to be attached) 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.
- (e) Ground Surveys

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 Radiometric Surveys
- Airborne Surveys
- Total kilometreage covered under Magnetic Surveys
- Total kilometreage covered under Electro Magnetic Surveys
- Total kilometreage covered under Gravimetric Surveys
- Total kilometreage covered under Radiometric Surveys

Others (specify).....

SUB-TOTAL EXPENDITURE.....

Laboratory investigations. (Copy of raw data to accompany this report).

EXPENDITURE INCURRED

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

EXPENDITURE INCURRED

Summary of data analysis, processing and interpretation

.....

.....

SUB-TOTAL EXPENDITURE

Metallurgical Investigations (bench, scale and pilot plant test)

EXPENDITURE INCURRED.(Description of the work carried out and expenditure).....

.....

.....

SUB-TOTAL EXPENDITURE.....

EXPENDITURE INCURRED

Reserve estimation. (Describe the method used (CRIRSCO, JORC, SAMREC etc.) in calculating the reserves and give quantities of proven, probable and possible ore).

SUB-TOTAL EXPENDITURE.....

EXPENDITURE INCURRED

Other expenses. (Wages, salaries, machinery, equipment, consumables, administrative overheads etc.)

SUB TOTAL EXPENDITURE

GRAND TOTAL EXPENDITURE

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.....

*Delete whichever is inapplicable.

Note: Attach a separate sheet if necessary.....

Signature of holder of exploration/retention licence or authorized agent.

THE MINING ACT.
THE MINING REGULATIONS, 2019

Regulations 36 (2) and (50 (2))

FORM 20

MINERAL DEALER’S/GOLDSMITH’S LICENSE RETURN FORM

To be submitted in duplicate to the Commissioner not later than 14 days after the end of the preceding month.

Mineral Dealers/ Goldsmith’s Licence Number.....
Name and address of HolderDate.....

PURCHASE, processing, and sales (*where applicable*) OF MINERALS
FROM (DATES).....TO:.....

1	2	3	4	5	6	7
<i>Mineral</i>	<i>Name And Address of Mineral Vendor</i>	<i>Date of Purchase</i>	<i>Type of Licence And Licence Number of Vendor</i>	<i>Quantity of Minerals (Specify Unit)</i>	<i>Price Per Unit</i>	<i>Total Amount Paid Shs.</i>

REMARKS

.....
.....

THE MINING ACT.

THE MINING REGULATIONS, 2019.

FORM 21

Regulation 18 (6)

RETENTION LICENCE.

1. This retention licence is hereby granted under section 37 of the Act to*.....for.....years/months.....from theday ofyear 20.....to retain the retention area concerned in respect ofwithin the boundaries as delineated approximately on the attached map and coloured
2. This licence is subject to the provisions of the Mining Act, 2003 and the applicable Mining Regulations.

Special conditions—

- (a) Pay annual mineral rent on each anniversary of the grant of the licence without demand as required under section 106 of the Act;
- (b) Submit environment restoration plan in accordance with section 110 of the Act;
- (c) Prevent and minimize pollution to the environment during the exercise of the rights under this licence as required under section 109 of the Act in accordance with the National Environment Act, 2019 and regulations made under that Act;
- (d) Comply with the occupational Safety and Health Act, 2006 and regulations made under that Act.
- (e) Preserve mineral deposit as required under section 36 (2) of the Act;
- (f) 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.
- (g) Submit quarterly returns as required under the applicable Mining Regulations, 2018.

Rent and Fees of: Shs.....paid; vide receipt No.....
of year 20.....Dated this day
of, 20.....

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

*Here insert name, address and description of licensee.

†State mineral or minerals.

THE MINING ACT.

FORM 22

Regulation 20 (4)

THE MINING REGULATIONS, 2018.

LOCATION LICENCE.

No.

CLASS OF LOCATION LICENCE

1. This location licence is hereby granted to*of P.O. Box, for years from the..... day of year 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.
- (iv) Proof of consent of land owner and witnesses.

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

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

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

* Here insert name and address of holder.

† State mineral.

c.c.

THE MINING ACT.

FORM 23

Regulation 24 (3)

THE MINING REGULATIONS, 2018.

**CERTIFICATE OF AMALGAMATION OF LOCATION LICENCES/
MINING LEASES. ***

No.....

I hereby certify that I have this day amalgamated Location/Licences / Mining Leases* Nos. held by..... of..... 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.

THE MINING ACT.

THE MINING (LICENSING) REGULATIONS, 2019.

Reg17(2), 23(2) and 33 (3).

FORM 24

***CERTIFICATE OF CESSATION, SUSPENSION OR CURTAIL-
MENT 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.

THE MINING ACT.

THE MINING (LICENSING) REGULATIONS, 2019.

Regulation 46 (3)

FORM 25

CERTIFICATE OF SURRENDER OF AN AREA COVERED BY AN EX-
PLORATION / LOCATION LICENCE / MINING LEASE

No.

I hereby certify that I have consented to the *surrender of part of the area covered by *Exploration Licence, No...../ Location Licence, No...../ Mining Lease, No. Whose plan has been appended for reference from theday of to the.....day of....., subject to the following conditions:-

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

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

.....
For: Commissioner, Geological Survey and Mines Department.

THE MINING ACT.

THE MINING (LICENSING) REGULATIONS, 2019.

Regulation 56 (3)

FORM 26

ENVIRONMENTAL MONITORING REPORT.

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

To: THE EXECUTIVE DIRECTOR, National Environment Management Authority (NEMA).

1. Name and address of holder of exploration licence or mining lease	
2. Number of exploration licence or 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 3 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 or Authorized Agent.

THE MINING ACT.

THE MINING (LICENSING) REGULATIONS, 2019.

SCHEDULE 3

*Regulations 4 (1) (b),
7 (3), 9 (1) (c), 15 (1), 18 (2)
and (5), 19 (3),
27 (3), 32 (1), 36 (2)
(e), 38 (1), 43 (3) (b),
45 (1), 46 (1), 47 (4)*

FEES AND OTHER PAYMENTS

1	For application and preparation of an Exploration Licence	Shs.1,000,000/=
2	For application and preparation of a Retention Licence	Shs.5,000,000/=
3	For application and preparation of a Location Licence	Shs.800,000/=
4	For application and renewal of an Exploration Licence	Shs.2,000,000/=
5	For application and renewal of a Retention Licence	Shs.5,000,000/=
6	For application and renewal of a Location Licence	Shs.1,000,000/=
7	Annual fee for a Prospecting Licence	Shs.500,000/=
8	For application and preparation of a Mining Lease	Shs.5,000,000/=
9	For application and renewal of a Mining Lease	Shs.5,000,000/=
10	Certificate of amalgamation of Location Licences, Mining Leases or Exploration Licences	Shs.2,000,000/=
11	Certificate of suspension of working obligations of a mineral right	Shs.800,000/=
12	Certificate of surrender in respect of all or part only of the area covered by a mineral right as required under section 88 of the Mining Act, 2003	Shs.500,000/=
B	For the registration in the office of the Commissioner of any instrument including a notice of abandonment or forfeiture	Shs.500,000/=

14	For the transfer of a mineral right or of a share of that right in respect of-	
	(a) Location Licence;	Shs.2,000,000/=
	(b) Exploration Licence;	Shs.10,000,000/=
	(c) Mining Lease;	Shs.20,000,000/=
15	For each search in a register of mining instruments; for every one hour or part of an hour	Shs.200,000/=
16	For every copy of or extract from any registered document; for every page	Shs.100,000/=
17	For a Mineral Dealer's Licence in-	
	(a) industrial or building minerals;	Shs.2,000,000/=
	(b) base metals or metals which are not precious metal;	Shs.3,000,000/=
	(c) precious metals;	Shs.5,000,000/=
	(d) precious stones.	Shs.6,000,000/=
18	For any copy issued for lost or destroyed certificates, including a copy of any map attached to the original instrument	The same fees as specified for an original instrument
19	The application fees to be paid in respect of an import permit (non-refundable)	Shs.1,000,000/=
20	The fees to be paid in respect of an import permit under subsection (3) of section 117 of the Act shall be as follows-	
	(a) Precious metals: of the prevailing price on the London Metal Exchange or any other metal exchange or market;	1% of the prevailing price on the London Metal Exchange or any other metal exchange or market.
	(b) Precious stones: of the prevailing price on the London Metal Exchange or any other metal exchange or Market;	1% of the prevailing price on the London Metal Exchange or any other metal exchange or market.
	(c) Base metals: of the prevailing price on the London Metal Exchange or any other metal exchange or market;	1% of the prevailing price on the London Metal Exchange or any other metal exchange or market.

	(d) Industrial or building minerals; including barite, rock, clay, dolomite, feldspar, granite, gravel, gypsum, laterite, limestone, mica, magnetic, marble, phosphate rock, sand, sandstone, slate and talc; of a currency point per tonne;	Shs.2,000/ = per tonne
	(e) Clinker or semi-processed industrial minerals.	Shs.1,000/= per tonne
21	Annual fees for a Goldsmith's Licence	Shs.2,000,000/ =
22	The following annual mineral rents shall be paid to the Commissioner by an applicant for, or the holder of a mineral right other than a prospecting licence -	
	(a) by the holder of an Exploration Licence for every square kilometer (1 km ²) or part of every square kilometre;	Shs.50,000/=
	(b) Annual rent for first renewal of an Exploration Licence for every square kilometer (1 km ²) or part of every square kilometre;	Shs.75,000/=
	(c) Annual rent for second renewal of an Exploration Licence for every square kilometer (1km ²) or part of every square kilometre;	Shs.100,000/=
	(d) by the holder of a Retention Licence; for every square kilometer (1 km ²) or part of every square kilometre;	Shs.100,000/ =
	(e) by the holder of a Location Licence;	Shs.1,000,000/ = per annum
	(f) by the holder of Location Licence Class VII (Brine, Salt);	Shs.20,000/ = per annum
	(g) by the holder of a mining lease.	Shs.100,000/ = per annum per hectare or part of hectare
23	The following royalties shall be paid by holders of mineral rights or mineral dealers –	
	(a) on precious metals;	five (5%) per centum of the gross value;
	(b) on precious stones;	ten (10%) per centum of the gross value;
	(c) on base metals and ores;	five (5%) per centum of the gross value;

	(d) on graphite	five (5%) per centum of the gross value;
	(e) on vermiculite;	Shs.10,000/= per tonne;
	(f) on coal; including peat;	Shs.5,000/= per tonne;
	(g) on kaolin, limestone, chalk or gypsum;	Shs.5000/= per tonne;
	(h) on marble, granite, sandstone and other dimension stones;	Shs.5,000/= per tonne;
	(i) on pozzolanic materials;	Shs.1,000/= per tonne.
	(j) on phosphates;	Shs.10,000/= per tonne.
	(k) on salt.	Shs.5,000/= per tonne.
24	Late lodgement fees and late lodgement period* In respect of-	
	(a) annual report, expenditure report or final report;	Shs.500,000/= for each week or part of a week of the late lodgement period.
	(b) quarterly returns under an Exploration or Retention Licence as required under regulation 53(1);	Shs.125,000/= for each week or part of a week of the late lodgment period
	(c) monthly returns under a Mining Lease or Location Licence as required under regulation 53(1).	Shs.50,000/= for each week or part of a week of the late lodgment period
25	Issue of notice of amendment of exploration programme	Shs.500,000/=

* *The late lodgment period starts on the day after the reporting day and ends on the earliest of the following—*

- (a) *the day on which the person gives the report to the Minister;*
- (b) *the day on which the Commissioner cancels the mineral right to which the report relates for a contravention of section 90 of the Mining Act; 2003;*
- (c) *the day after the expiry of 60 days.*

SCHEDULE 4
OBLIGATORY WORK CONDITIONS.

Regulations 16, 21 and 33 (6).

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 fulfilment 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-
 - (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—
 - (i) Grading of metres. –
 - (aa) no shaft, winze, rise, drive, adit or tunnel of surface area less than two square metres shall count as development work;
 - (bb) 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;
 - (cc) 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;
 - (dd) 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;
 - (ee) 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;

- (ii) 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.
- (iii) 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.
- (c) General – All dimensions must be taken at right angles to
the line of direction of work.
- (d) 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.
- (e) 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.

- (f) 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.
- (g) 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.
- (h) 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 fulfilment 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.

SCHEDULE 5

Regulation 7 (8)

GUIDELINES FOR REVIEW OF APPLICATION FOR AND REPORTING ON MINERAL RIGHTS

A. CHECK LIST ITEMS - EXPLORATION LICENCE APPLICATION

1. Mining Legislation Requirements

- (a) Well filled Prospecting Licence Return Form showing evidence of existence of minerals.
- (b) Bank Statement with funds to cover first two quarters commensurate with the area applied.
- (c) Employment of Ugandans (should be costed and included in the overall budget of the program).
- (d) Training of Ugandans (should be costed and included in the overall budget of the program).
- (e) Well filled Exploration Licence application (Form 2).

2. Exploration Programme for Metallic minerals

The exploration program should be laid following the systematic procedure of mineral exploration with:

- (a) Description of accessibility.
- (b) Land use and settlement.
- (c) Review of previous work.
- (d) Geology and mineralization.
- (e) Technical competence - Provide Curriculum Vitae of key technical personnel for each discipline. Minimum qualification for key personnel should be graduate level.
- (f) The activities of the work program shall be quantified and costed quarterly. The recommended minimum expenditure should be USD 2,000 per square Km excluding reconnaissance surveys.

The work program must include—

- (i) Literature review
- (ii) Remote sensing and airborne geophysical interpretation about the area.
- (iii) Reconnaissance survey.
- (iv) Geological mapping at appropriate scales.
- (v) Rock samples at various stages should be collected.
- (vi) Regional stream geochemical survey (where there is good drainage system).
- (vii) Infill stream geochemical survey.
- (viii) Regional soil sampling on a grid (where there is poor drainage system).
- (ix) Detail/Infill soil sampling on a grid.
- (x) Geophysical surveys using appropriate techniques.
- (xi) Pitting, trenching and augering.
- (xii) Drilling, logging and sampling.
- (xiii) Sample analysis.
- (xiv) Data processing and interpretation.
- (xv) Resource estimation and evaluation (inferred, indicated, measured) or probable and proven reserve.
- (xvi) Comprehensive report detailing step by step exploration activities carried out defining targets and anomalies for follow up.

Expenditure of exploration activities in each quarter must be comparable to the one stated in the work program unless the licensee has requested for change of exploration activities through the Director.

3. Exploration Programme for Industrial Minerals

The exploration program should be laid following the systematic procedure of mineral exploration with:

- (a) Proper description of accessibility.
- (b) Land use and settlement.

- (c) Review of previous work.
- (d) Geology and mineralization.
- (e) Technical competence - Provide Curriculum Vitae of key technical personnel for each discipline. Minimum qualification for key personnel should be graduate level.
- (f) The activities of the work program shall be quantified and costed quarterly. The recommended minimum expenditure should be USD 2,000 per square Km excluding reconnaissance surveys. The work program must include—
 - (i) Literature review on remote sensing and airborne geophysical interpretation.
 - (ii) Reconnaissance survey.
 - (iii) Geological mapping at appropriate scales.
 - (iv) Rock samples at various stages should be collected.
 - (v) Geophysical surveys using appropriate techniques.
 - (vi) Pitting, trenching and augering.
 - (vii) Drilling, logging and sampling.
 - (viii) Sample analysis.
 - (ix) Data processing and interpretation.
 - (x) Resource estimation and evaluation (inferred, indicated, measured) or probable and proven reserve.
 - (xi) Comprehensive report detailing step by step exploration activities carried out defining targets and anomalies for follow up.

4. Quarterly reports for Exploration Licence

- (a) Geological survey
 - (i) Geological maps at appropriate scales.
 - (ii) A table of rock sample sites, coordinates with their descriptions.
 - (iii) Geology maps showing rock sample locations.
 - (iv) Petrological analysis

- (v) Geological cross-sections
- (b) Geochemical survey—
 - (i) Geochemical maps showing sample locations.
 - (ii) Geochemical sample description.
 - (iii) A table of geochemical sample site coordinates with their descriptions.
 - (iv) Maps showing pits and trenches.
 - (v) A table of pits and trenches with location coordinates and logs.
 - (vi) The profiles/ sections showing logs of channel samples from pits and trenches should be provided on appropriate scale indicating various grades. The coordinates of beginning and end of trenches should be provided.
 - (vii) Maps with drill hole coordinates and their logs, inclinations and orientations of holes at appropriate scales.
 - (viii) Certified laboratory results for rock, stream, soil, channel, chip and core must be submitted.
 - (ix) Interpretations of sample analysis results; the thematic maps must be at appropriate scales.
- (c) Geophysics
 - (i) Provide survey plan of profile and specifications of survey equipment deployed.
 - (ii) Raw and processed geophysical data (xyz format) including profile coordinates should be provided.
 - (iii) Provide interpretation of thematic maps and profiles of the geophysical survey results at appropriate scales.

Expenditure of exploration activities in each quarter must be comparable to the one stated in the work program unless the licensee has requested for change of exploration activities through the Director.

5. Renewal of Exploration Licences

- (a) Geological map at appropriate scales;
- (b) Geological cross-sections at appropriate scales;
- (c) Petrological results and interpretation;
- (d) Geochemical maps should show a minimum of 5 classes, maximum of 10 classes on appropriate scales;
- (e) Geochemical gridded maps at appropriate scales;
- (f) The lateral extent of soil anomaly must be given on appropriate scales;
- (g) The results of drilling and trenching showing the anomaly should be indicated on appropriate scales;
- (h) Geophysical surveys profiles/ anomalies should be indicated on appropriate scales;
- (i) All maps and figures must be accompanied with readable legend and scale;
- (j) The coordinate system used on drill holes, samples, pits, trenches, rock samples should be in UTM and the same for the maps provided.

Note:

- (a) Licensee should integrate geological, geophysical and geochemical data to generate target that should be the basis for renewal.
- (b) Summary report of exploration activities carried out during the 3 years showing the geological, geochemical, geophysics and drilling data must be submitted.

Table 1: Minimum requirements for review of application for exploration licence

Activity	Unit	Proposed work in a given area of application			
		<1km ² - 10km ²	10.1km ² - 50km ²	50.1km ² - 200km ²	>200km ²
Geological mapping at appropriate scales. Rock samples at various stages should be collected.	No samples	1:50,000 1 sample/ km ²	1:50,000 1 sam- ple/3km ²	1:100,000 1 sam- ple/4km ²	1:100,000 1 sam- ple/5km ²
Regional stream geochemical survey (good drainage system)	Minimum Sampling density	1 sample/ km ²	1sam- ple/3km ²	1 sam- ple/4km ²	1 sam- ple/5km ²
Infill stream geochemical survey.	Minimum Sampling density	4 sample/ km ²	3 sam- ple/1km ²	4 sample/ km ²	3 sam- ple/1km ²
Regional soil sampling on a grid (poor drainage system)	Minimum Sampling density	1 sample/ km ²	1 sam- ple/3km ²	1 sam- ple/4km ²	1 sam- ple/5km ²
Detail/Infill soil sampling on a grid.	Minimum Sampling density	4 sample/ km ²	3 sam- ple/1km ²	4 sample/ km ²	3 sam- ple/1km ²
Ground follow up geophysical surveys using appropriate techniques.	Magnetics/ Radiometrics/ Gravity	3 line km/ km ²	3 line km/ km ²	3 line km/ km ²	3 line km/ km ²
	IP/Resis- tivity	1 line km/ km ²	1 line km/ km ²	1 line km/ km ²	1 line km/ km ²
Follow up pitting, trenching and augering on defined targets.		10m/ km ²	10m/km ²	10m/ km ²	10m/km ²
Drilling, logging and sampling on defined targets.	Number of metres drilled	50m/ km ²	50m/ km ²	50m/ km ²	50m/ km ²

Sample analysis.		40 sam- ples	100 samples	200 sam- ples	500 sam- ples
Methods of data analysis.	Appro- priate method/s	XRF/ AAS/ ICP/MS/ XRD	XRF/AAS/ ICP/MS/ XRD	XRF/ AAS/ICP/ MS/XRD	XRF/AAS/ ICP/MS/ XRD
Resource evaluation/ estimation		Inferred, indicat- ed and measured resource or Prob- able and proven reserve	Inferred, indicated and measured resource or Probable and proven reserve	Inferred, indicat- ed and measured resource or Prob- able and proven reserve	Inferred, indicat- ed and measured resource or Probable and proven reserve
Comprehensive report on exploration activi- ties carried out	No of reports written	1	1	1	1

C. CHECK LIST ITEMS - MINING LEASE PROGRAM

1. Requirements under the Mining Act and the Mining Regulations, 2019 for Mining Lease application

- (a) indicate financial and technical resources available to the applicant to carry out his or her obligations under such lease;
- (b) be accompanied by a full feasibility study including a plan of the area in respect of which the lease is sought;
- (c) state the period for which the lease is sought;
- (d) give or be accompanied by a statement giving details of the mineral deposits in the area of land over which the lease is sought, including details of all known minerals proved, as well as possible and probable ore reserves and mining conditions;
- (e) be accompanied by a technological report on mining and processing techniques proposed to be used by the applicant;
- (f) give or be accompanied by a statement giving particulars of the programme of proposed development and mining operations, including a statement of the -
 - (i) estimated capacity of production and scale of operations;

- (ii) estimated overall recovery of the ore and mineral products; and
- (iii) nature of the mineral products;
- (g) be accompanied by a report on the goods and services required for the mining operations, which can be obtained within Uganda and the applicant's proposals with respect to the procurement of those goods and services;
- (h) be accompanied by a statement giving particulars of the applicant's proposals with respect to the employment and training of citizens of Uganda; and
- (i) be accompanied by a business plan giving a detailed forecast of capital investment, operating costs and revenues; and the anticipated type and source of financing including the year for the positive cash flow and financial plan and capital structure.

2. Feasibility study content

- (a) description of location and accessibility of applied area;
- (b) topography, climate and settlement;
- (c) ownership of applied area;
- (d) current status and history;
- (e) geology and mineralisation of applied area—
 - (i) nature of the ore;
 - (ii) comprehensive analysis for maximum extraction for sustainable management;
 - (iii) grade of the ore body;
 - (iv) ore model;
 - (v) characterization of mineralisation including structural analysis;
 - (vi) geology, geochemical and geophysical maps, profiles and cross-sections showing ore bodies; and
 - (vii) petrological analysis and interpretation.

3. Mineral resource estimation

- (a) pitting and trenching;
- (b) drilling;
- (c) drill core sampling and analysis (grade in grams/tonne);
- (d) ore modelling;
- (e) classification of the resource as; Inferred, indicated and measured resource or probable and proven reserve;
- (f) mining methods – to be handled by Mines Department

4. Metallurgical studies

- (a) equipment list;
- (b) processing method and plans;
- (c) processing parameters;
- (d) recoverable ore grades;
- (e) energy/ water requirements;
- (f) flow sheet and plant costing;
- (g) consumables list;
- (h) waste management and disposal plan;
- (i) mine plan and marketability of the mineral products;
- (j) RAP and local content.
- (k) Resettlement must be based on the following principles-
 - (i) people should be resettled in a better environment than the previous;
 - (ii) adequate and fair compensation;
 - (iii) gender sensitive (men, women, children and PWDs);
 - (iv) community and stakeholder involvement;
 - (v) local goods and employment should be 40% at technical level;
 - (vi) for each expatriate a Ugandan must be attached for purposes of capacity building.

All the geological, geochemical and geophysical data should be submitted both in hard copies and soft copies on CD-ROM.

Cross References

Companies Act, 2012, Act 1 of 2012

Employment Act, 2006, Act 6 of 2006

National Environment Management Act, 2019, Act 5 of 2019

National Environment (Environmental Impact Assessment) Regulations,
S.I 153-1

Occupational Safety and Health Act, 2006, Act 9 of 2006

Public Finance Management Act, 2015, Act 3 of 2015

IRENE MULONI (MP)
Minister for Energy and Mineral Development

