

[Legal Notice No. 31]

MINES AND MINERALS ACT
(Cap. 42)

MINES AND MINERALS (AMENDMENT) REGULATIONS 2020

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MINES AND MINERALS ACT
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I, Hon. Bradley Tovosia, Minister for Mines, Energy and Rural Electrification, under section 80 of the *Mines and Minerals Act* (Cap. 42), make the following regulations:

1 Citation

These Regulations may be cited as the Mines and Minerals (Amendment) Regulations 2020.

2 Commencement

These Regulations commence on the date appointed by the Minister by notice in the Gazette.

3 Amendment of Mines and Minerals Regulations 1996

These Regulations amend the Mines and Minerals Regulations 1996 (Cap. 42, LN 106/1996) (“Principal Regulations”).

4 Regulation 22 amended

Regulation 22 of the Principal Regulations is amended:

- (a) by inserting “(1)” before “Application”; and
- (b) by omitting “Schedule” and substituting “Third Schedule”; and

(c) by inserting at the end:

“(2) In the Third Schedule, “km2” includes the remaining part of an area after the area is divided into km2 which is less than a km2.”.

5 Repeal of clause 11 of Second Schedule

Clause 11 of the Second Schedule of the Principal Regulations entitled “Mineral Export Permit and Consignment Permit Fees” is repealed.

6 Repeal and replacement of Third Schedule

The Principal Regulations are amended by repealing the third Schedule and replacing it with:

“THIRD SCHEDULE

(Regulation 22)

FEES

1. Alluvial miner’s permit

- | | | |
|-----|--|--------|
| (1) | Application for alluvial miner’s permit: | |
| | (a) individual | \$100 |
| | (b) group | \$400. |
| (2) | Annual fee for alluvial miner’s permit (including if renewed): | |
| | (a) individual | \$100 |
| | (b) group | \$400. |
| (3) | Application for renewal of alluvial miner’s permit: | |
| | (a) individual | \$100 |
| | (b) group | \$400. |

2. Gold dealer’s licence

- | | | |
|-----|--|-----------|
| (1) | Application for gold dealer’s licence | \$1,000. |
| (2) | Annual fee for gold dealer’s licence (including if renewed): | |
| | (a) individual gold dealers licence | \$10,000 |
| | (b) commercial bank gold dealers licence, for each branch | \$12,000. |
| (3) | Application for renewal of gold dealer’s licence | \$1 ,000. |

3. Reconnaissance permit

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|-----|--|---------|
| (1) | Application for reconnaissance permit: | |
| | (a) application fee | \$5,000 |

- (b) processing fee (including plans) \$5,000.
- (2) Annual fee, per each km² \$200.
- (3) Damage deposit per km² \$400.

4. **Prospecting licence**

- (1) Application for prospecting licence:
 - (a) application fee \$5,000
 - (b) processing fee (including plans) \$5,000.
- (2) Annual fee for prospecting licence (including if renewed) for an area that is 20 km² or less:
 - (a) if the applicant has not held a reconnaissance permit in respect of the area and has satisfied the Director that there are unusual circumstances for granting the applicant a prospecting licence:
 - (i) for the first year, \$1,000 per km²; or
 - (ii) for the second year, \$1,500 per km²; or
 - (iii) for the third year, \$2,000 per km²; or
 - (iv) for the fourth year, \$2,500 per km²; or
 - (v) for the fifth year:
 - (A) 25% more than the fee paid for the fourth year; and
 - (B) \$2,000 per km²; or
 - (vi) for each subsequent year:
 - (A) 25% more than the fee paid for the immediately previous year; and
 - (B) \$500 more per km² than was paid the immediately previous year; or
 - (b) if the applicant has previously held a reconnaissance permit in respect of the area:
 - (i) for the first year, \$1,000 per km²; or
 - (ii) for each subsequent year, \$500 more per km² than was paid the immediately previous year.
- (3) Annual fee for prospecting licence (including if renewed) for an area that is more than 20 km²:
 - (a) for the first year:
 - (i) \$10,000; and
 - (ii) \$200 per km² by which the area exceeds 20 km²; or
 - (b) for second year:

- (i) \$12,500; and
- (ii) \$400 per km² by which the area exceeds 20 km²; or
- (c) for the third year:
 - (i) \$15,000; and
 - (ii) \$600 per km² by which the area exceeds 20 km²; or
- (d) for the fourth year:
 - (i) \$17,500; and
 - (ii) \$800 per km² by which the area exceeds 20 km²; or
- (e) for the fifth year:
 - (i) 25% more than the fee paid for the fourth year; and
 - (ii) \$1,000 per km²; or
- (f) for each following subsequent year:
 - (i) 25% more than the fee paid for the immediately previous year; and
 - (ii) \$200 more per km² than was paid the immediately previous year.
- (4) Damage deposit:
 - (a) \$15,000 for an area that is twenty km² or less; or
 - (b) for an area that is more than 20 km²:
 - (i) \$15,000; and
 - (ii) \$1,000 per km² by which the area exceeds 20 km².
- (5) Renewal of prospecting Licence:
 - (a) application fee \$5,000
 - (b) processing fee (including plans) \$5,000.

5. Mining lease

- (1) Application for mining lease:
 - (a) application fee \$30,000
 - (b) processing fee (including plans) \$30,000.
- (2) Annual fee for mining lease (including if renewed) \$1,000,000.
- (3) Renewal of mining lease:
 - (a) application for renewal \$30,000
 - (b) processing fee (including plans) \$30,000.

6. Export permit and consignment permit

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|-------|---|-----------|
| (1) | Mineral export permit fees: | |
| (a) | application for export permit | \$3,000 |
| (b) | processing fee for application (including plans) | \$7,000 |
| (c) | export permit fee (including if renewed): | |
| (i) | for a permit the term of which is less than 12 months | \$50,000 |
| (ii) | for a permit the term of which is 12 months or more, but is less than 2 years | \$100,000 |
| (iii) | for a permit the term which is 2 years or more, but not more than 3 years | \$150,000 |
| (d) | application for renewal of export permit | \$3,000 |
| (e) | processing fee for renewal (including plans) | \$7,000. |
| (2) | Consignment permit fees: | |
| (a) | application for consignment permit | \$5,000 |
| (b) | consignment permit fee | \$7,000. |
| (3) | Export and consignment permit fees: | |
| (a) | application for export and consignment permit | \$3,000 |
| (b) | export and consignment permit fee | \$7,000. |

7. Special site right

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|-----|--|-----------|
| (1) | Application for special site right: | |
| (a) | application fee | \$10,000 |
| (b) | processing fee (including plans) | \$10,000. |
| (2) | Annual fee for special site right (including if renewed) | \$50,000. |
| (3) | Renewal of special site right: | |
| (a) | application fee | \$10,000 |
| (b) | processing fee (including plans) | \$10,000. |

8. Road access licence

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|-----|---|-----------|
| (1) | Application for road access licence: | |
| (a) | application fee | \$10,000 |
| (b) | processing fee (including plans) | \$10,000. |
| (2) | Annual fee for road access licence (including if renewed) | \$10,000. |

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|-------------|--|-----------|
| (3) | Renewal of road access licence: | |
| | (a) application fee | \$10,000 |
| | (b) processing fee (including plans) | \$10,000. |
| 9. | Building materials permit | |
| (1) | Application for building materials permit: | |
| | (a) application fee | \$10,000 |
| | (b) processing fee (including plans) | \$6,000. |
| (2) | Annual building materials permit fee (including if renewed) | \$15,000. |
| (3) | Renewal of building materials permit: | |
| | (a) application fee | \$10,000 |
| | (b) processing fee (including plans) | \$6,000. |
| 10. | Extension of mineral right (including plans) | |
| | Fee for extension of: | |
| | (a) reconnaissance permit | \$2,000 |
| | (b) prospecting licence | \$5,000 |
| | (c) mining lease | \$10,000 |
| | (d) special site right | \$2,000 |
| | (e) building materials permit | \$20,000 |
| | (f) road access licence | \$2,000. |
| 11 . | Application for consent of transfer of mineral right | |
| | Fee for filing application for approval of transfer or other dealing with a permit or other mineral right: | |
| | (a) reconnaissance permit | \$5,000 |
| | (b) prospecting licence | \$10,000 |
| | (c) mining lease | \$20,000 |
| | (d) export permit | \$3,000 |
| | (e) consignment permit | \$5,000 |
| | (g) special site right | \$2,000 |
| | (h) building materials permit | \$2,000 |
| | (i) road access licence | \$2,000. |
| 12. | Registration of tribute agreement | |
| | Fee for registration of tribute agreement | \$200. |

- 13. Duplicate or certified copy of mineral right**
 Fee for duplicate or certified copy of mineral right \$200.
- 14. Duplicate or certified copy of document**
 Fee for duplicate of a document other than a mining tenement:
 (a) \$100 for 5 pages; and
 (b) \$5 for each additional page.
- 15. Examination of registers**
 Fee for examination of registers \$200.
- 16. Filing agreement for compensation**
 Fee for filing agreement for compensation \$250.
- 17. Appeals to the Minister against the decision of the Director**
 Fee for appeal on:
- (a) application for:
- | | |
|-------------------------------|----------|
| (i) alluvial miner's permit | \$100 |
| (ii) gold dealer's licence | \$2,000 |
| (iii) reconnaissance permit | \$10,000 |
| (iv) prospecting licence | \$15,000 |
| (v) mining lease | \$20,000 |
| (vi) export licence | \$3,000 |
| (vii) consignment licence | \$5,000 |
| (viii) special site right | \$5,000 |
| (ix) road access licence | \$5,000 |
| (x) building materials permit | \$10,000 |
- (b) application for extension, variation, suspension, cancellation or termination of:
- | | |
|-------------------------------|-----------|
| (i) alluvial miner's permit | \$100 |
| (ii) gold dealer's licence | \$2,000 |
| (iii) reconnaissance permit | \$10,000 |
| (iv) prospecting licence | \$15,000 |
| (v) mining lease | \$20,000 |
| (vi) export licence | \$3,000 |
| (vii) consignment licence | \$5,000 |
| (viii) special site right | \$5,000 |
| (ix) road access licence | \$5,000 |
| (x) building materials permit | \$10,000. |

Made this nineteenth day of November 2020

HON. BRADLEY TOVOSIA
MINISTER FOR MINES, ENERGY AND RURAL ELECTRIFICATION
