

STATUTORY INSTRUMENTS SUPPLEMENT

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

2011 No. 64.

The Mining (Amendment) Regulations, 2011.

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

IN EXERCISE of the powers conferred on the Minister by section 121 of the Mining Act, 2003, these Regulations are made this 1st day of October, 2011.

1. Title.

These Regulations may be cited as the Mining (Amendment) Regulations, 2011.

2. Amendment of regulation 15 of SI No. 71 of 2004.

The Mining Regulations, 2004, in these Regulations referred to as the principal regulations are amended by substituting for regulation 15 the following—

“15. Transfer instruments and surrender of mineral right.

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

3. Replacement of Third Schedule of SI No. 71 of 2004.

The principal regulations are amended by substituting for the Third Schedule the following—

“THIRD SCHEDULE.

Regulation 121 (h)

FEEES.

1. For preparation of an exploration licence, eight hundred thousand shillings.
2. For preparation of a retention licence, eight hundred thousand shillings.
3. For preparation of a location licence, five hundred thousand shillings.
4. For a renewal of an exploration licence or retention licence, eight hundred thousand shillings.
5. For a renewal of a location licence, five hundred thousand shillings.
6. Annual fee for a prospecting licence, two hundred thousand shillings.
7. For preparation of a mining lease, two million five hundred thousand shillings.
8. For a renewal of a mining lease, two million five-hundred thousand shillings.
9. Certificate of amalgamation of location licences or mining leases, one million three hundred thousand shillings.
10. Certificate of suspension of working obligations of a mineral right, four hundred thousand shillings.
11. For the registration in the office of the Commissioner of any instrument other than a notice of abandonment or forfeiture, one hundred thousand shillings.
12. For each search in a register of mining instruments, one hundred forty thousand shillings.
13. For copy of or extract from any registered document, for every page, eighty thousand shillings.
14. For a mineral dealer's licence in—
 - (a) industrial or building minerals, one million three hundred thousand shillings;

- (b) base metals (or a metal which is not precious metal), one million nine hundred thousand shillings;
 - (c) precious metals, two million five hundred thousand shillings;
 - (d) precious stones, two million five hundred thousand shillings;
15. For any copy issued for lost or destroyed certificates, including copy of any map attached to the original instrument, the same fees as specified for original Instrument, eighty thousand shillings.
16. The fees to be paid in respect of an import permit under sub-section 3 of section 117 of the Act shall be as follows—
- (a) Precious metals1 % of the prevailing price on the London Metal Exchange or any other Metal Exchange or Market;
 - (b) Precious stones 1 % of the prevailing price on the London Metal Exchange or any other Metal Exchange or Market;
 - (c) Base metals1% of the prevailing price on the London Metal Exchange or any other Metal Exchange or Market;
 - (d) Industrial or building minerals one thousand shillings per tonne.
17. Annual fees for Goldsmith's licence, one million three hundred thousand shillings.
18. Annual mineral rents. The following annual mineral rents shall be paid to the Commissioner by an applicant for, or the holder of, a mineral right other than prospecting licence -
- (a) by the holder of an exploration or retention licence, for every square kilometre (1km²), or part of every square kilometer, twenty thousand shillings per annum;
 - (b) by the holder of a location licence, two hundred and fifty thousand shillings per annum;

- (c) by the holder of location license class VII, ten thousand shillings per annum;
 - (d) by the holder of a mining lease, twenty thousand shillings per annum per hectare or part of hectare.
19. The following royalties shall be paid by holders of mineral rights or mineral dealers—
- (a) on precious metals, five per centum of the gross value;
 - (b) on precious stones, ten per centum of the gross value;
 - (c) on base metals and ores, five per centum of the gross value;
 - (d) on coal, or peat five thousand shillings per tonne;
 - (e) on vermiculite ten thousand shillings per tonne;
 - (f) on kaolin, limestone, chalk, gypsum five thousand shillings per tonne;
 - (g) on marble, granite and other dimension stones, five thousand shillings per tonne;
 - (h) on pozzolanic materials, one thousand shillings per tonne;
 - (i) on salt, five hundred shillings per tonne.
20. Fees for the transfer of mineral rights. The following fees shall be paid for the transfer of mineral rights—
- (a) a location licence, one million shillings;
 - (b) an exploration licence, two million shillings; and
 - (c) a mining lease, five million shillings.”

ENG. IRENE MULONI,
Minister of Energy and Mineral Development.