

Decree n° 28/2003 of June 17

Being necessary to regulate the Law 14/2002, of June 26, (Mining Law), which defines the general use of mineral resources, in conformity with paragraph b) of article 44 of the Mining Law, the Council of Ministers decrees:

Article 1, the Mining Law Regulations and their annexures that are their integral part, are approved.

Article 2. the Minister who oversees the area of mineral resources will issue the executor and specific rules in order to assure the implementation of the Mining Law Regulations.

Article 3. Decree n° 13/87, of February 24 and Decree of September 17, 1901 are revoked. Approved by the Council of Ministers.

Let be Published

The Prime Minister, Pascual Mucumbe

MINING LAW REGULATIONS

CHAPTER I GENERAL PROVISIONS

SECTION 1 Preliminary Provisions

Article 1 (Definitions)

For the purposes of the present regulations, the following terms have the meanings herewith indicated, unless otherwise stated:

1. *Cadastral Atlas*: Set of maps or charts containing geographical locations of areas with current mining titles, as well as designated areas of mining pass, declared areas of mining reserve, restricted mining areas, total or partial protection zones, or any other areas of geological interest.
2. *Mining Cadastre*: System of recordings and administration of the mining activity licence process nationwide, containing textual and graphic information, and operating under the National Directorate of Mines and respective Provincial Directorates.
3. *Minister*: Minister who oversees de area of mineral resources.
4. *Mining Operator*: Singular or collective person or company holding a mining title or permit, or hired by the latter to carry out reconnaissance, exploration, mining exploitation and beneficiation.
5. *Cadastral Unit*: Quadrilateral formed by the intersection of meridians and parallels, with an equal distance of 15 sexagesimal seconds and covering an average planimetric surface of 20 hectares, the coordinates of the vertices being multiples of 15.

Article 2 (Scope)

These Regulations establishes the rules that regulate mining activity, under the terms of Law nr.14/2002, of 26 June.

Article 3 (Powers)

1. The Minister has the power to grant the reconnaissance licence, exploration licence, and mining concession, as well as to act in accordance with related activities established in these Regulations.
2. The National Director of Mines has the power to grant the Mining Certificate and the Provincial Director of Mining has the power to grant mining pass in the mining pass designated areas under his jurisdiction.

3. The Minister may delegate all or part of the power defined in number 1 of this article.

SECTION II Mining Cadastre

Article 4 (Contents of the Mining Cadastre)

1. The Mining Cadastre should contain records of the licence process regarding mining activity, as well as the cadastral atlas.
2. The mining cadastral atlas should contain the following information:
 - a) requested areas;
 - b) areas under existing titles;
 - c) mining pass designated areas;
 - d) areas declared as mining reserves, in accordance with the law;
 - e) areas excluded from mining activity;
 - f) totally protected zones declared, under law;
 - g) partially protected zones declared under the terms of the law;
 - h) any other areas requiring special permit; and
 - i) other areas of geological and mining interest.
3. The Mining Cadastre is of public nature, and the National Directorate of Mines is in charge of defining the respective access rules.
4. The Mining Cadastre should provide regular information to the National Land Cadastre, and this should reciprocally provide data concerning granted mining areas.

Article 5 (Cadastre Procedures)

1. Following an application for a mining title, the cadastre official shall:
 - a) immediately write down the data on the records book and indicate the exact time in which the application was submitted, signing the book together with the applicant;
 - b) fill in a form with the presented data, as well as indicate the time referred above and print two copies of the form, which will later be stamped and signed by the applicant and by the cadastre official, being a copy for the applicant and the other attached to the respective file.
2. In case of inaccuracies or omissions, the applicant will be granted five working days to amend the inaccuracies or fill the gaps, after which the application shall be considered null and void.

3. The mining cadastre official should verify and inform the applicant about the availability of the requested area within five working days;
4. In case of total overlapping of the area, the application shall be considered null and void.
5. In case of partial overlapping, the applicant shall be informed of the fact for decision on the maintenance of the application in relation to the available area.
6. In case of total availability of the requested area, the applicant shall, within fifteen days from the date of notification, be notified of the fact, so that he/she may proceed to payment for the publication of the notice in the leading newspaper, after which the application shall be considered null and void,
7. If no claim is made after thirty days of publication of the notice, the National Directorate of Mines shall proceed to the granting of the respective mining title.

Article 6
(Cadastral Archive)

1. The mining titles referred to in the Mining Law and in these Regulations are issued in three identical copies, being the original for the mining title holder and the other two copies to be filed in the archives of the National Directorate of Mines and respective Provincial Directorate.
2. The Mining Cadastre shall:
 - a) Keep the different mining titles in separate files;
 - b) Keep complete and updated files of requests, numbered by sequence;
 - c) Organise each issued title in a file to include:
 - (i) duplicate of the mining title and mining agreement, if available;
 - (ii) title number;
 - (iii) issuing date;
 - (iv) term and validity of the title;
 - (v) name and address of the mining title holder;
 - (vi) description of the area;
 - (vii) cadastral units in which the title area is located, for mining concession or mining certificate, and any cadastral units that include the licence area, for reconnaissance or exploration licence;
 - (viii) date of rescission or other form of extinction;
 - (ix) any conveyance, including legal succession;
 - (x) any modification, including extension, renouncement of part of the area, expansion of the area and any onus or encumbrance
 - d) At the level of the respective Provincial Directorate, keep the archive updated about the mining pass designated areas to contain the following information:
 - (I) diploma that establishes the mining pass designated area;
 - (II) code of the area declared as mining pass;

- (III) description of the mining pass designated area;
 - (IV) location of the mining pass designated area;
 - (V) cadastral units corresponding to the area;
 - (VI) identification of the relevant authority duly authorised to issue mining pass in the designated areas;
 - (VII) any changes, including expansion, reduction or cancellation of the area.
- e) Keep the archive updated about the declared areas of mining reserve in accordance with article 42 of the Mining Law, which shall contain the following information:
- (I) diploma that establishes the area declared as mining reserve;
 - (II) code of the area declared as mining reserve;
 - (III) location, description and mining potential of the area;
 - (IV) location of the mining reserve;
 - (V) cadastral units corresponding to the area;
 - (VI) any modifications, including expansion, reduction or cancellation of the area.
- f) Keep a separated and updated archive of mineral products for building material extracted under line b) of number 2 of article 40 of the Mining Law.
3. Title holders may obtain certified copies of their titles or of any reports submitted by them in the fulfilment of the obligations established in the respective mining title through payment of the tax foreseen in Annex 6 of these Regulations.
4. Whoever concerned may have access to or obtain a copy of any document not marked as confidential by the National Directorate of Mines .
5. Whoever concerned may obtain certified copies of any document or records contained in the archives referred to in lines a) and b) of number 2 of this article through payment of the fee defined in Annex 6 of these Regulations

Article 7
(Conflicts over Areas)

1. In the event of overlapping of mining areas written report should be submitted to the National Directorate of Mines or to the Provincial Directorate of the respective Mining Cadastre for amendment purposes.
2. The Minister can decide upon any conflicts resulting from overlapping of mining areas.

CHAPTER II
MINING TITLES AND PERMITS

SECTION 1
General Provisions

Article 8

(Granting of Mining Titles and Permits)

1. The reconnaissance licence, mining certificate and mining pass are granted upon request from whoever concerned.
2. The exploration licence and mining concession are granted upon request from whoever concerned or through a public bid in the case referred in number 1 of article 11 of these Regulations.
3. The National Directorate of Mines is responsible for conducting the bidding process defined in the previous number, setting the rules, deadlines and further terms and conditions for the effect.

Article 9 (Submission of Mining Title Applications)

Applications for mining titles are submitted to the National Directorate of Mines or to the Provincial Directorate with jurisdiction over the requested mining area.

Article 10 (Priority over the Requested Area)

1. The right to preference of the requested mining title is granted by priority of submission in the National Directorate of Mines or in the Provincial Directorate where the application was submitted, according to the requirements established for each mining title, without prejudice to the established in number 2 of article 13 of the Mining Law.
2. Following submission of the application, a bond shall be written and signed by the concerned party or by his/her legal representative in the appropriate book available at the place of submission of the application. The precise day and time of submission of application should be included in the bond.
3. All requests received with the interval of an hour regarding a free area resulting from an expired, cancelled or revoked mining title shall have the same priority.
4. In case of overlapping of the area for two or more requests received within the same hour, the applicants will be informed of the fact and invited to bid for the granting of the overlapped area.

Article 11 (Bidding for Areas With Overlapping Applications)

1. For areas with overlapping applications, under number 3 of article 10 of these Regulations, a bidding shall be launched within a maximum period of ten days from the date of acknowledgement of the overlapping, to which the concerned parties will be invited to present their monetary proposals, in sealed envelopes, for the exercise preference over the area.

2. The monetary proposal mentioned in the previous number must be higher than the surface tax to be charged during the first year of its validity and is deducted from the tax to be paid in the same period.
3. In case of partial overlapping, the offer to be presented under the terms of number of this article corresponds to the area with overlapping applications.

Article 12
(Delimitation of Mining Titles)

1. Mining titles are granted in cadastral units contiguous or having at least one common side.
2. For a single request, no areas corresponding to disperse cadastral units shall be granted, nor those linked through a single vertice.

Article 13
(Demarcation of Mining Areas)

1. The limits of an exploration area, mining concession or mining certificate area consist of vertical plans extending to underneath the points of surface demarcation.
2. The surface demarcation of an exploration area, mining concession or mining certificate area is obligatory and is done by placing landmarks on the land, which are defined by geographic coordinates.
3. The demarcation area must coincide with the limits of the cadastral units allocated to the respective mining title.
4. The demarcation of the area shall be carried out by the title -holder and will be subject to verification by the National Directorate of Mines or by the Provincial Directorate where the area is located, in accordance with the provisions in nr.2 of this Article.
5. Should the demarcation be incorrect, a period of ninety days shall be granted to the title-holder to rectify it, indicating the changes to be introduced in fulfilment of the contents of nr.2 of this Article.
6. No exploration activities shall take place in mining areas under dispute over their limits.

Article 14
(Publication of Grants for Mining Titles, Constitution of Mining Reserves and Declaration of Designated Areas of Mining Pass)

1. The National Directorate of Mines is liable to publish the granting, modification and revocation of mining titles in the official gazette within a maximum of thirty days from the date of occurrence of the facts subject to publication.
2. The declaration of constitution, modification or extinction of mining reserve areas or designated areas of mining pass is equality subject to publication in the official gazette.

Article 15
(Opposition)

Any mining title holder or person affected may claim about any situation regarding the granting process of a mining title in area under previous mining title or occupied, following issuing of edicts in the press or in the Government Gazette under the terms of nr.6 of article 5 to article 14 of these Regulations..

Article 16
(Models of Mining Titles and Permits)

1. The mining titles and permits have the size and content of the models presented in Annexes 1 to 5 of these Regulations.
2. Mining title and permit models are subject to modification by (*despacho*) of the Minister.
3. Mining titles are issued in three identical copies, being one copy handed over to the titleholder, and the other kept in the files of the respective National Directorate of Mines and Provincial Directorate.

Article 17
(Protection and Preservation of the Environment)

The mining title holder and operator shall carry out mining operations in harmony with the best and safest mining practices, observing the legally established environmental quality standards.

Article 18
(Land Use)

Whenever there is land that is subject to another title within the mining concession area of the title holder, he/she shall have the right to undertake the activities authorised by the respective title, in accordance with line d) of article 14 of the Land Law Regulation.

Article 19
(Fees)

1. The issuing, enlargement, extension, and transmission of mining titles are subject to payment of the respective processing fee established in Annex 6 of these Regulations.
2. The Minister of Plan and Finance and **the Minister who oversees the area of mineral resources** have the power to update the fees.
3. The Minister, following proposal from the Provincial Director of Mineral Resources with jurisdiction over an area designated area of mining pass, is responsible for approving the mining pass processing and extension taxes.
4. The fees referred to in this article shall be delivered to the Taxation Office (**recebidoria de Fazenda**) of respective fiscal area up to the 10th day of the month following its collection, to serve the following purposes:

- a) 60% for the State;
- b) 40% for the promotion of mining activities, under the terms to be defined by a joint Ministerial Diploma of the Ministers in charge of the areas of finance and mineral resources.

SECTION II

Reconnaissance Licence

Article 20 **(Application for Reconnaissance Licence)**

1. The request for reconnaissance licence is addressed to the Minister and submitted at the National Directorate of Mines or Provincial Directorate of Mineral Resources with jurisdiction over the area under request.
2. The request should include the following requirements:
 - a) Full identification of the applicant and, in the case of an institution, should indicate their main office, statutory capital, the identity, nationality, and address of any of its legal representatives and, in case of commercial representation in Mozambique, its domicilium and identification of the representative;
 - b) Identification of the mineral resources to be included in the licence;
 - c) Indication of the requested area, mentioned the cadastral units, in accordance with article 5 of these Regulations;
 - d) Timeframe requested, which should not exceed two years;
 - e) Properly filled in Licensing form acquired in the place of submission of Application.
3. The following documents should be attached to the Application:
 - a) Documentation of technical and financial resources held by the applicant, as well as his/her experience in the management and administration of the requested activities;
 - b) In the case of a legal person, a certified copy of its registration certificate or any other relevant document and actual changes to the Articles on the Association;
 - c) Proof of payment of processing fees;
 - d) Any other relevant information that the applicant may wish to include.
4. The application shall be regarded as submitted on the date of receipt, indicated by the official stamp and payment of the relevant processing fee.

Article 21 **(Processing of the Application)**

1. Following receipt of Application, the appropriate procedures are followed in accordance with the article 5 of these Regulations.
2. When considering the Application, the National Directorate of Mines or the respective Provincial Directorate of Mineral Resources may:

- a) Request the applicant to amend any inaccuracies or omissions, or to provide additional information related to his/her technical or financial resources, setting a deadline for the purpose, which should not exceed fifteen days;
 - b) Check the data provide in the application, as well as the background and references regarding the applicant;
 - c) Carry out consultations with other bodies, should these be a need;
 - d) Propose changes to the application.
3. If the applicant does not provide any of the requested data in conformity with the previous number within the defined deadline or does not amend the identified inaccuracies and omissions, the application shall be considered null and void.

Article 22
(Decision Over the Application)

1. The decision to accept or reject the application for a reconnaissance licence is taken by the Minister and notified to the concerned party within a maximum period of fifteen days following the decision.
2. The decision of rejection of the application shall be properly justified.
3. The reconnaissance licence issued on the terms of the previous number will only be handed to the concerned party following payment of the due fees.
4. The applicant failing to collect the reconnaissance licence within a period of fifteen days following communication of the decision of its grant shall result in of the licence being cancelled.

Article 23
(Content and Validity of the Reconnaissance Licence)

1. The reconnaissance licence contains the following information:
 - a) Issuing date and licence number;
 - b) Identity of the licence title holder and of the local representative;
 - c) The listed minerals;
 - d) Period of validity;
 - e) Reconnaissance area;
 - f) Topographic map of the area covered by the licence, with indication of the cadastral units;
 - g) The rights and obligations of the title holder;
 - h) Any restrictions under the terms of the law.
2. The reconnaissance licence has a maximum duration of two non-renewable years.

Article 24
(Area of the Reconnaissance Licence)

1. The area for which the reconnaissance licence may be granted shall not exceed 100.000 hectares.

2. The reconnaissance area is not expandable after the issuing of the licence.

Article 25
(Excavations and Drillings)

Without prejudice of the duties established in article 9 of the Mining Law and of the articles in the terms and conditions of the respective licence, when carrying out reconnaissance activities the title -holder shall not:

- a) Carry out excavations beyond 1 meter deep and remove more than 3 m³ of material;
- b) Carry out excavations beyond 12 m³ per hectare;
- c) Carry out drillings beyond 102 mm of diameter;
- d) Perform more than 4 drillings per hectare
- e) Perform drillings using mechanical rigs.

Article 26
(Reconnaissance Report)

The title-holder of the reconnaissance licence shall present an annual report of the work carried out during the defined period, which in terms of its size and contents should comply with the established in Annex 7 of these Regulations.

Article 27
(Abandonment of Area)

1. The title holder may, during the period of validity of the licence and subject to a pre-notice of a minimum of ninety days addressed to the Minister, abandon the reconnaissance area.
2. Abandonment of the reconnaissance area does not release the respective title holder from the fulfilment of any obligations regarding the abandoned area assumed up to the date of abandonment, under the terms of article 9 of the Mining Law.

Article 28
(Cause of extinction of the Reconnaissance Licence)

The following constitute causes for extinction of the Reconnaissance Licence:

- a) Its caducity;
- b) Abandonment of the reconnaissance area, under the terms of the previous article;
- c) Its revocation under the terms of nr.3 of article 9 of the Mining Law;
- d) Its cancellation, under the terms of nr.4 of article 23 of these Regulations.

SECTION 1V
Exploration Licence

Article 29
(Application for an Exploration Licence)

1. Applications for an exploration licence is addressed to the Minister and submitted by the applicant to the National Directorate of Mines or the Provincial Directorate of Mineral Resources with jurisdiction over the area requested for registration and processing purposes.
2. Applications for exploration licence must contain the following information:
 - a) Complete identification of the applicant and , if a legal person, its headquarters, statutory capital, identification, nationality and residence of its legal representatives and, in case of commercial representation in Mozambique, its domicilium and identification of the representative;
 - b) Identification of the mineral resources to be included in the licence;
 - c) Identification of the requested area, including the cadastral units, under the terms of article 12 of these Regulations;
 - d) Timeframe requested, which should not exceed 5 years;
 - e) Work programme and minimum budget;
 - f) Properly filled in licensing form acquired in the place of submission of application.
3. The following documents must be attached to the application:
 - a) Prove of technical and financial resources held by the applicant;
 - b) In the case of an institution, a certified copy of its registration certificate or another constitutive document and eventual changes to the social pact;
 - c) Proof of payment of the processing fee;
 - d) Any other relevant information that the applicant may wish to include.
4. The application shall be considered submitted in the date of its reception through apposition of the confirming stamp, as long as all the requirements established in nr.2 of this article have been met and the respective processing fee has been paid.

Article 30
(Application Processing)

1. Following submission of application, the appropriate procedures shall be followed under the terms established in article 5 of these Regulations.
2. When considering the application, the National Directorate of Mines or the respective Provincial Directorate of Mineral Resources may:
 - a. Request the applicant to amend any inaccuracies or omissions, or to provide additional information related to his/her technical or financial resources, setting a deadline for the purpose, which should not exceed fifteen days;
 - b. Check the data provided in the application, as well as the background and references regarding the applicant;
 - c. Carry out consultations with other bodies, should these be a need;
 - d. Propose changes to the application.
3. Failure of the applicant to provide any of the requested data in conformity with the previous number within the defined period of time or to amend the identified

inaccuracies and omissions, shall result in the application being considered null and void.

Article 31
(Decision Over the Application)

1. The decision to accept or reject the application for an exploration licence shall be taken by the Minister and notified to the concerned party within a maximum period of fifteen days following the decision.
2. The decision of rejection of the application shall be properly justified.
3. The Minister shall reject any application for an exploration licence for areas previously held by the applicant and whose licences have been cancelled or revoked for a period of 12 months in relation to submission of the new application.
4. The exploration licence issued on the terms of nr.1 of this article shall only be handed to the concerned party following payment of the respective fees, due charges, and proof of payment of publication of the granting (*despacho*).
5. Failure of the applicant to collect the exploration licence within a period of thirty days following communication of the decision of its grant shall result in cancellation of the licence.

Article 32
(Content and Validity of the Exploration Licence)

1. The exploration licence shall contain the following information:
 - a) Issuing date and licence number;
 - b) Identity of the licence title holder and of the local representative;
 - c) The listed minerals;
 - d) Period of validity;
 - e) Licence area;
 - f) Topographic map of the exploration area covered by the licence, with indication of the cadastral units;
 - g) The rights and obligations of the title holder;
 - h) Any restrictions under the terms of the law.
2. The exploration licence shall have a maximum duration of five years, renewable for a maximum of another five years.

Article 33
(Validity of the Exploration Licence)

1. The exploration licence shall be valid during:
 - a) The initial period established in the licence, from its issuing date;
 - b) The extension period, granted in conformity with article 8 of these Regulations.

2. Should the exploration licence period expire during the process of its extension or during the process of granting a mining concession covering the entire or part of the area for exploration, the exploration licence shall be regarded as void until a decision is reached concerning the extension or the application for a mining concession.

Article 34
(Area of the Exploration Licence)

The area of the exploration licence shall not exceed 25.000 hectares.

Article 35
(Export of Samples)

1. The holder of mineral rights shall be entitled to export samples which comply with the following standards and criteria:
 - a) Commercial value;
 - b) Type of analysis and testing;
 - c) Type of mineral and its concentration.
2. The procedure regarding the permit for export of samples shall be defined by Ministerial Diploma.

Article 36
(Duties of the Exploration Licence Holder)

1. Without prejudice to the duties established in the Mining Law and to the terms and conditions established in the mining contract or in the respective licence, the mining holder shall:
 - a) Demarcate the area by means of easily identifiable concrete landmarks within a maximum period of a hundred and eighty days from the issuing date of the exploration licence or of change of area;
 - b) Carry out exploration activities according to the submitted work programme;
 - c) Present an annual report of investments made in the previous year and an adequate investment programme for the following year, until January 31 of the following year;
 - d) Pay the specific due fees.
2. The absence of demarcation established in line a) of the previous number can constitute cause for revocation of the exploration licence;
3. The title holder should submit, within a period of three months prior to the completion of each licence annuity, an adequate work programme and minimum expenses to be made in the following year.
4. The licence holder may, for justified reasons, review the details of any submitted exploration programme.

Article 37
(Conditions for Extension)

1. The licence holder may apply the extension of the licence with a minimum of sixty days in advance from the date of its completion.
2. The extension of the exploration licence may be authorised by the Minister for a maximum period of five years, subject to fulfilment of the conditions established in the Mining Law, in these Regulations, and in the mining agreement, if that is the case, by the licence holder.
3. The application for extension should contain:
 - a) Report of activities carried out, including investments made;
 - b) Programme of activities to be carried out during the extension period and expected expenses;
 - c) Proof of payment of specific fees of the mining activity, defined under the terms of the law.
4. The extension of the exploration licence shall be authorised by the Minister once all the requirements defined in the previous number have been met and the extension fee has been paid by the applicant.
5. Should the application for extension be received a shorter period than that defined in nr.1 of this article, the title-holder will be subject to the payment of the fee established in Annex 6 to these Regulations.

Article 38
(Decision Over the Application for Extension)

1. The rejection of extension of the exploration licence by the Minister is preceded by a notification to the applicant on his/her intention to refuse the application, including the reasons, and encouraging the applicant to take appropriate corrective measures or present a founded contestation within a period of thirty days.
2. In case of rejection of the application for extension, the concerned party shall be informed in writing, with indication of the reasons, within thirty days after the decision has been made.
3. In case of rejection of the application for extension of the exploration licence under the terms of this article, the concerned party may impugn the (*despacho*) under this law.
4. The applicant of the extension shall pay the due fees within thirty days following notification of the decision, after which it shall be considered as cancelled.

Article 39
(Exploration Report)

The exploration report shall comply, in terms of its size and contents, with the established in Annex 8 of these Regulations.

Article 40
(Expansion of the Area)

1. The exploration licence holder may request expansion of the area of the respective licence, indicating the reasons.
2. The expansion shall be authorised by the Minister, setting the terms and conditions found to be appropriate.
3. The application for expansion of the area shall be rejected when:
 - a) The required area is not available;
 - b) The applicant is in a situation of non-fulfilment of his/her obligations in relation to the State, established in the Mining Law and in these Regulations.
4. The interested party shall be notified about any decision regarding the application for expansion within a maximum period of thirty days after a decision has been made, specifying the reasons in case of refusal.
5. Should the application be approved, registration of the expansion in the respective mining certificate shall be made upon payment of the respective fees, appropriate taxes, and proof of payment for the publication of the decision on the expansion of the area.
6. Refusal of the applicant to comply with the established in the previous number within a period of thirty days following communication of the decision regarding expansion of the area, shall result in cancellation of the referred decision.

Article 41
(Abandonment of Area)

1. The exploration licence holder may, during the period of validity of the licence and subject to a pre-notice of a minimum of ninety days addressed to the Minister, abandon part or all the exploration area.
2. Any partial abandonment carried out under the terms of this article shall be recorded in the respective title.
3. In case of abandonment of all the exploration area, the exploration licence shall be extinct.
4. Abandonment of any area under the terms of nr.1 of this article does not release the respective title holder from the fulfilment of any obligations regarding the abandoned area assumed up to the date of abandonment, and those resulting from the contents of article 103 of these Regulations.

Article 42
(Causes of Extinction of the Exploration Licence)

The following constitute causes of extinction of the exploration licence:

- a) Its caducity;
- b) Total abandonment of the area, under the terms of the previous article;
- c) Its revocation under the terms of nr.2 of article 12 and article 24, both from the Mining Law, and nr.2 of article 37 of these Regulations;
- d) Cancellation of the licence under the terms of nr.5 of article 32 of these Regulations.

SECTION V

Mining Concession

Article 43

(Application for Mining Concession)

1. The application for mining concession may or may not arise from the exploration licence, under the terms of nr.2 of article 13 of the Mining Law.
2. The application for mining concession shall be addressed to the Minister and submitted by legal person to the National Directorate of Mines or Provincial Directorate of Mineral Resources with jurisdiction over the area under request, for registration and processing.
3. The application for mining concession should include the following information:
 - a) Full identification of the applicant, address of main office, statutory capital, the identity, nationality, and address of its legal representatives and the identity and address of its commercial representative in Mozambique, if available, according to the model in use at the National Directorate of Mines ;
 - b) Information about the exploration licence, if available;
 - c) Location of the requested area, including the cadastral units, under the terms of article 12 of these Regulations;
 - d) Indication of the mineral resources to be included in the mining concession;
 - e) Requested period, which should not exceed twenty five years;
 - f) Properly filled in licence form obtained in the place of submission of application.
4. The following documents should be attached to the application:
 - a. Documentation confirming the technical and financial resources held by the applicant, as well as his/her experience in management and dealing with the proposed operations;
 - b. Certified copy of certificate of constitution of the society or organisation or any other document confirming the constitution and any changes;
 - c. Economic viability study to include the mining production plan, under the terms of the following article;
 - d. Proof of payment of the processing fee;
 - e. Any other relevant information that the applicant may wish to include.
5. The application shall be considered submitted in the date of its reception through apposition of the confirming stamp, as long as all the requirements established in nr.2 of this article have been met and the respective processing fee has been paid.

Article 44
(Mining Plan)

1. The mining production plan should contain:
 - a) Description of the mining plan, including details about the operations schedule, the probable location of main mining operations, boreholes, wells, land fillings and embankments;
 - b) Expected date to begin mining development;
 - c) Expected date to begin commercial production;
 - d) Profile of production and capacity;
 - e) Characteristics and nature of end products;
 - f) Detailed description of mining methods;
 - g) In case of underground mining, description of the rock covering the deposit, fixed and temporary slopes of mine walls and surface ground.
 - h) In case of open cast mining, an indication of the location of the dam for waste disposal;
 - i) Description of transport, ventilation, lighting, drainage, and safety and security problems;
 - j) Description of local systems for the supply of water, power, and materials;
 - k) Description of beneficiation procedures and, where applicable, the mineral processing technology;
 - l) Description of infrastructures required for mining exploitation and the applicant's proposals in this regard.
 - m) Proposals for anti-pollution measures, environment protection, and land restoration and rehabilitation measures, including vegetation, as well as proposals aiming at minimizing the effects of the mining exploration over the land and surface water located in the mining area, and in the adjacent area;
 - n) Identification of any safety and health risk for the people involved in mining exploration and the general public, and proposals for the control and elimination of any of those risks;
 - o) Need for qualified and unqualified work force;
 - p) Other information that the applicant finds relevant.
2. The Minister may revoke or modify any data and requirements under nr. 1 of this article, having into account the type of mineral resource and the operations schedule.

Article 45
(Application Procedure)

1. Following submission of application, the appropriate procedures shall be followed under the terms established in article 5 of these Regulations.
2. When considering the application, the National Directorate of Mines may:
 - a) Request the applicant to amend any inaccuracies or omissions, or to provide additional information related to his/her technical or financial resources, setting a deadline for the purpose, which should not exceed thirty days;
 - b) Verify the data provided in the application, as well as the background and references regarding the applicant;

- c) Carry out consultations with other bodies, if need arises;
 - d) Propose changes to the application.
3. Failure of the applicant to provide any of the requested data in conformity with the previous number within the defined period of time or to amend the identified inaccuracies and omissions shall result in the application being considered null and void.

Article 46
(Decision Over the Application)

1. Mining concession shall only be granted to those who prove to have financial and technical resources to undertake mining operations.
2. The decision of rejection or granting of mining concession shall be taken by the Minister and notified to the concerned party within a maximum period of fifteen days.
3. The Minister shall reject any application for mining concession regarding areas previously held by the applicant and whose concessions have been cancelled or revoked within a period less than of 12 months in relation to submission of the new application.
4. The issued mining concession shall be handed to the concerned party following payment of the respective fees, due charges, and proof of payment of publication of the granting (*despacho*)
5. Failure of the applicant to collect the concession within a period of thirty days following communication of the decision of its grant shall result on its cancellation.

Article 47
(Content of the Mining concession)

The mining concession shall contain the following information:

- a) Issuing date and concession number;
- b) Identity of the title holder or of the local representative;
- c) The listed minerals;
- d) Validity; Period
- e) Identification of the mining concession area through geographic coordinates;
- f) Topographic map of the area covered by the mining concession, with the indication of the cadastral units;
- g) The terms and conditions the title holder will be subject to, in respect to exploitation, processing and/or trade of mineral products.

Article 48
(Mining Concession Validity)

1. The mining concession shall remain valid during:
 - a) The period established in the concession starting, from its issuing date;
 - b) The extension period, granted in conformity with article 52 of these Regulations.

- 2 In case of expiry of the mining concession during the process of its extension, the mining concession shall be considered valid until a decision over the concession is taken.

Article 49
(Duties of the Mining Concessionaire)

1. In addition to the duties established in the Mining Law and to the terms and conditions established in the mining contract or in the respective concession, the mining concessionaire shall:
 - a) Demarcate the area by means of easily identifiable concrete landmarks within a maximum period of a hundred and eighty days from the issuing date of the mining concession or of change of area;
 - b) Perform mining exploration activities in accordance with the submitted mining plan;
 - c) Submit a work report under Article 54 of the present Regulations.
 - d) Pay the taxes due.
2. Lack of demarcation established in line a) of the previous number, as well as lack of payment of specific taxes, due constitute grounds for revocation of the mining concession.
3. The mining title holder must submit until September 30 of each year an adequate work programme and minimum expenses to be undertaken in the following year.
4. The mining concessionaire holder may, with justified reason, review the details of any work programme submitted.

Article 50
(Conditions for Extension)

1. The title-holder may request extension of the concession with a minimum of twelve months prior to the date of its termination.
2. The extension application shall contain:
 - a) The indication of the requested extension period and justification of the need for such period;
 - b) The area to be kept, outlined in the updated topographic map;
 - c) Proposal of operations programme to be carried out during the extension period;
 - d) Detailed reports, containing the following:
 - i) overall number of reserves;
 - ii) estimated economic life of the mine;
 - iii) other aspects that the applicant may find relevant.
3. The Minister shall grant the extension within a period of six months from the date of submission of the application if:

- a) The application has been submitted at least twelve months prior to the initial termination date of the concession, under nr.1 of this article;
 - b) All conditions have been fulfilled during the mining concession period;
 - c) The conditions of the mining contract, if available, signed under article 25 of the Mining Law, have been fulfilled; and
 - d) The title-holder is not in default under these Regulations.
4. Should the application for extension be received in short period than that defined in nr.1 of this article, the title-holder will be subject to payment of additional fee established in Annex 6 these Regulations.

Article 51
(Decision on the Extension Application)

1. The Minister shall decide on the extension request under the terms of the previous article.
2. The dismissal of the mining concession extension by the Minister is preceded by a notice to the applicant on his intention to refuse the application, including the reasons, and inviting the applicant to take appropriate corrective measures or to present a founded contestation within a maximum period of ninety days.
3. In case of dismissed of the extension application the interested party shall be informed in writing, with the indication of the reasons, within fifteen days after the decision has been taken.
4. The applicant of the extension shall pay the due fees until thirty days before mining concession terminates following notification of the decision, after which the decision shall be considered as cancelled.

Article 52
(Mine Development and Mining)

The mining concessionaire shall submit to the National Directorate of Mines, within thirty days prior to the beginning of exploitation in the area, written report on the beginning of works, as well as the environmental licence and land use permit under article 15 of the Mining Law.

Article 53
(Mining Production)

1. Whenever there is a significant change in the established capacity, the title-holder shall have to present to the National Directorate of Mines a written report about the established capacity of the mine or, in the case of mining processing, of the processing plant.
2. Failure of the title-holder to maintain the level of production equal or higher than 20% for five consecutive years, under line c) of number 6 of article 15 of the Mining Law, shall result in revocation of the concession under number 7 of same article.

Article 54
(Mining Exploitation Report)

1. The mining concessionaire shall:
 - a) Submit, up to the fifth day of each month, monthly report about the production and trade of the mineral products, carried out in the previous month;
 - b) Submit, within fifteen days after the end of each quarter, a report of the activities carried out in the previous quarter;
 - c) Submit up to 31 of January of each year, a report of the activities developed during the previous year.
2. Four identical copies, including a digital copy, of the information and reports referred to in the previous number shall be submitted, being one of them for to the Provincial Directorate of Mineral Resources of the concession area, and the remaining copies to the National Directorate of Mines.
3. The form and content of the mining exploitation report shall comply with the requirements defined in Annex 10 to these Regulations.

Article 55
(Enlargement of the Area)

1. The mining concession holder may apply for enlargement of the area of the respective licence or concession, with the indication of due reasons therefore.
2. The Minister may authorise the expansion, defining the appropriate terms and conditions, for each case.
3. Applications for the enlargement of an area shall be dismissed whenever:
 - a) The enlargement of the area does not assure the correct use of the mineral resources and benefits to the national economy;
 - b) The enlargement requested area is not available;
 - c) The application is in default of his liabilities in relation to the State.
4. The decision over the application for enlargement shall be notified to the interested party within a maximum period of fifteen days after the decision has been taken, with specifying of the reasons in case of dismissal.
5. In case of granting of the application, the endorsement of the enlargement in the respective mining title shall be done after payment of respective fees, due taxes and submission of proof of payment of the publication of the (*despacho*) regarding enlargement of the area.
6. Failure of the applicant to comply with that established in the previous number within a period of thirty days following communication of the decision regarding enlargement of the area shall result in cancellation of the referred decision.

7. The title-holder whose expansion has been authorised under the terms of this article, shall not initiate any development work or mining operations in the area authorised for enlargement until the issuing or change of respective environmental management plans and land use permit, under applicable legislation.

Article 56
(Abandonment of the Concession Area)

1. Without prejudice to the terms and conditions established in the mining contract, the mining concessionaire holder may, during the validity period of the mining concession and subject to a prior notice of at least a hundred and eighty days addressed to the Minister, abandon part or all the mining concession area.
2. Abandonment of any area under previous number does not exonerates the title holder from:
 - a) Paying any tax, fee fine or compensation due until the date of abandonment;
 - b) Fulfilling any obligations regarding environmental issues;
 - c) Fulfilling any obligation required by law or mining contract, until the date the abandonment is effective.
3. The abandonment shall be effective place from the date shown in the notification to the title-holder, which should not be less than three months, nor more than the prior-notice period.
4. In case of total abandonment of the area, the mining concession shall cease.
5. In case of partial abandonment of the mining area, the title-holder shall update the limits of the remaining area, and proceed to its endorsement in the mining title, and registration of the updated area.
6. The abandonment referred in this article shall only be possible through written consent by all the concerned people registered in the mining concession, and such consent is subject to appreciation by the Minister.

Article 57
(Cause for Extinction of the Mining Concession)

The following constitute causes of extinction of the mining concession:

- e) Its caducity;
- f) Total abandonment of the area, under nr.4 of the previous article;
- g) Its revocation under nr.7 of article 15 and article 24, both from the Mining Law, and nr.2 of article 50 of these Regulations;
- h) Cancellation under nr.5 of article 47 of these Regulations.

SECTION VI
Mining Certificate

Article 58
(Characteristics and Limitations)

1. The mining certificate holder has the right to carry out small-scale mining operations.
2. Small-scale mining operations can be described as those that:
 - a) Do not exceed, in case of extraction of mineral resources from mainly alluvial deposits, an annual extraction of 60,000 cubic meters, and also:
 - i) in case open cast of extraction of mineral resources from non-alluvial deposits, the annual extraction of 20,000 cubic meters;
 - ii) in case of extraction in ruins and waste material, and surface production, the annual extraction of 10,000 cubic meters.
 - b) Do not carry out underground works of more than 20 meters deep or in galleries with more than 10 meters long;
 - c) Do not make intensive and regular use toxic chemicals or any other reagent.

Article 59
(Application for Mining Certificate)

1. The application for mining certificate may be submitted by any singular or collective person with residence in the country, national or foreign, and any cooperative with the capacity to carry out mining operations authorised by this title, whether the application emerges or not from an exploration licence.
2. The application for a mining certificate is considered emergent from an exploration licence in the following cases:
 - a) When the survey has been carried out by the exploration licence holder during the period of the exploration licence; and
 - b) When the area required for inclusion in the mining certificate area has already been included in the area of the exploration licence.
3. Any applications for mining certificate not complying with the requirements established in nr.2 shall be considered as not emerging from exploration licence.

Article 60
(Requirements for Mining Certificate)

1. The applicant shall submit the application for mining certificate to the National Directorate of Mines for registration and processing or to the respective Provincial Directorate of Mining and Energy Resources relatively to the required area, depending on the case.
2. The application for mining certificate shall contain the following information:

- a) Full identification of the applicant, address of head quarter office, social capital, the identity, nationality, and address of its legal representative and the identity and address of its commercial representative in Mozambique, if available;
- b) Information about the exploration licence of the applicant, if available;
- c) Location of the requested mining area, its dimension and configuration, outlined in the topographic map of the region, complying with the system established for cadastral units;
- d) Indication of the mineral resources to be extracted in the requested area;
- e) Period of validity of the requested mining certificate;
- f) Properly filled in licence form obtained in the place of submission of request.

3. The following documents should be attached to the application:

- a. Documentation confirming the technical and financial resources held by the applicant;
- b. In the case of legal person, certified copy of certificate of constitution of the society or organisation or any other document confirming the constitution and any subsequent changes;
- c. A technical and economic assessment to include:
 - I. Mining plan;
 - II. Production plan;
 - III. Environmental management plan;
 - IV. Expected starting date of production;
 - V. Characteristics and nature of final products.
- d. Proof of payment of the processing fee;
- e. Any other relevant information that the applicant considers relevant.

4. The request shall be considered submitted in the date of its reception through apposition of the confirming stamp, as long as all the requirements established in nr.2 of this article have been met and the respective processing fee has been paid for.

Article 61 (Processing of Application)

- 1. Following submission of the applicant, the appropriate procedures shall be followed under article 6 of these Regulations.
- 2. When considering the request, the National Directorate of Mines may:
 - a) Request the applicant to amend any inaccuracies or omissions, or to provide additional information related to his/her technical and financial resources, setting a deadline for the purpose, which should not exceed fifteen days;
 - b) Check the data provided in the request, as well as the background and references regarding the applicant;
 - c) Carry out consultations with other bodies, should the need arise;
 - d) Propose changes to the request.

3. Failure of the applicant to provide any of the requested data in conformity with the previous number within the defined period of time or to amend the identified inaccuracies and omissions shall result in the request being considered null and void.

Article 62
(Decision Over the Application)

1. The mining certificate shall be granted by the National Mining Director or he whom the Minister may delegate
2. When granting mining certificates priority shall be given to those emerging from exploration licence.
3. Mining certificate requests application areas previously held by the applicant and whose titles have been cancelled or revoked for the same area or part of it within a period of less than twelve months from the date of cancellation or revocation shall be turned down.
4. The National Directorate of Mines shall notify the applicant in writing about the decision on the application within a maximum period of fifteen days.
5. The mining certificate issued under the terms of nr.2 of this article shall be handed to the concerned party following payment of the surface tax relatively to the first year of validity.
6. Failure of the applicant to collect the mining certificate within a period of thirty days following communication of the decision of its grant shall result on its cancellation.

Article 63
(Content of the Mining Certificate)

The mining certificate shall contain the following information:

- a) Issuing date and number of the mining certificate;
- b) Identity of the title holder or of the mandatary;
- c) The relevant minerals;
- d) Period of validity;
- e) Identification of the mining certificate area through geographic coordinates;
- f) Topographic map in the scale 1/50,000, with indication of cadastral units;
- g) The terms and conditions which the title holder shall be subject to.

Article 64
(Validity of the Mining Certificate)

1. The mining certificate shall remain valid during:
 - a) The period established in the mining certificate, counting from its issuing date;
 - b) Any extension period granted in conformity with the article below.
 - c) In the case referred in article 67 of these Regulations up to the issuing date of the mining certificate.

- 2 In case of expiry of the period of the mining certificate during the process of its extension, the mining certificate shall be considered valid until a decision over the certificate is reached.

Article 65
(Conditions for Extension)

1. The title-holder may request extension of the mining certificate within sixty days from the date of its completion.
2. The extension should contain:
 - a) Proposal of the programme of operations to be carried out during the extension period;
 - b) Topographic plan of the area;
 - c) Reports containing the following:
 - i) Estimated reserves;
 - ii) Estimated economic life of the mine;
 - iii) Other aspects that the applicant may find relevant.
3. The decision over the request shall be taken within a period of thirty days from the date of registration of the respective application.
4. If the extension application is received relatively thirty days after the expiry date of the mining certificate, it shall be accepted and shall be subject to payment of the fee established in Annex 1 of these Regulations.
5. In case of refusal of the extension request, the concerned party shall be notified in writing, with indication of the reasons for the refusal.
6. The extension of the mining certificate shall only be valid following payment of the extension fee and the surface tax corresponding to the first year of extension, in conformity with the specified in Annex 6 of these Regulations.
7. Failure to pay the extension tax charged in the terms of the previous number of this article within thirty days after notification of the decision, shall result in cancellation of the request.

Article 66
(Replacement of Title)

1. The National Directorate of Mines may, within the period of validity of the mining certificate, demand the activity of its title-holder to be subject to acquiring mining concession if the exercise of the activity exceeds the limits established in article 59 of these Regulations.
2. The title-holder shall be notified through notice to arrange for the substitution of the title, and the National Directorate of Mines should justify the reasons for the change of

regimen and set a deadline of more than sixty days, but less than a hundred and twenty days to arrange for the due replacement.

3. The request for replacement of the mining certificate for mining concession shall comply with article 44 of these Regulations.
4. Failure of the title-holder to formulate the request for the replacement of the title within the deadline established in nr.2 of this article shall result on revocation of the existing title by the National Director.
5. The revocation of the mining certificate, under the terms of the previous number, shall not exempt the respective title-holder from fulfilling the obligations he was subject to up to the date of its revocation.

Article 67
(Alteration of the Installed Capacity)

In case of significant change in the installed capacity, the mining certificate title-holder shall inform the National Directorate of Mines of the fact in writing, indicating the installed capacity of the mine or of the processing plant.

Article 68
(Information and Annual Reports)

1. The mining certificate holder shall:
 - a) Submit, up to the fifth day of each month, mensal information on the production of the previous month;
 - b) Submit, up to 31 of January of each year, a report of activities undertaken during the previous year.
2. Three identical copies, including digital copies whenever possible, of the information and reports referred in the previous number shall be submitted to the Provincial Directorate of Mineral Resources of the concession area, and the remaining copies to the National Directorate of Mines .
3. The annual report complies, in terms of its size and contents, with the established in annex 10 of these Regulations.

Article 69
(Expansion of the Area)

1. The mining certificate title-holder may request expansion of the certificate area, indicating the reasons, and area of the certificate shall not exceed 500 hectares.
2. The application for expansion of the area includes:
 - a) Details of the title for which the expansion is requested;
 - b) The requested area and reasons for the expansion;

- c) Cadastral units of the requested area with indication of the respective geographic coordinates;
 - d) Other information that the applicant may want to include.
3. The National Directorate of Mines may authorise the expansion, establishing the terms and conditions found to be appropriate.
4. The request for enlargement of the area shall be refused when:
 - a) Enlargement of the area does not guarantee effective exploration of mineral resources does not and benefits to national economy;
 - b) The required area is not available;
 - c) The applicant is in a situation of non-fulfilment of his/her obligations in relation to the State.
5. The decision over the request for the enlargement shall be notified to the concerned party within a maximum period of thirty days after the decision has been taken, with specification of the reasons in case of refusal.
6. In case of approval of the request, the endorsement of the expansion of the respective mining title shall be done after payment of respective fees, on tax and presentation of proof of payment of the publication of the (*despacho*) regarding the enlargement of the area.
7. Failure of the applicant to comply with the established in the previous number within a period of thirty days following communication of the decision regarding enlargement of the area shall result in cancellation of the referred decision.
8. The title-holder whose enlargement has been authorised under the terms of this article, shall not initiate any development work or mining operations in the area authorised for enlargement until the issuing or change of respective environmental management plans and land use and exploration permit, under the terms of applicable legislation.

Article 70
(Abandonment of the Area)

1. The mining certificate title-holder may, at any time, through a pre-notice of ninety days addressed to the National Mining Director, abandon part or all the mining area.
2. Abandonment of any area under the terms of the previous number does not release the title-holder from:
 - a) Paying any, tax, royalties, fine or compensation due up to the date of abandonment;
 - b) Fulfilling any obligations regarding environmental issues;
 - c) Fulfilling any obligation enforced by law or mining contract, up to the date in which the abandonment takes place.

3. The abandonment shall be taken into account from the date in which the title-holder is notified by the Minister on the fulfilment of the terms and conditions of the mining concession, and the deadline shall not be less than thirty days, or over ninety days of pre-notification.
4. In case of total abandonment of the area, the mining certificate shall be considered null and void.
5. In case of partial abandonment of the mining area, the National Mining Director shall request the mining certificate title-holder the updating of the limits of the remaining area, and order its endorsement, in the mining title, and the registration of the updated area.
6. The abandonment referred in this article shall only be possible through written consent by all the concerned people registered in the mining certificate, and when such consent has been submitted to the National Mining Director.

Article 71
(Cause for Termination of the Mining Certificate)

The following constitute causes for termination of the mining certificate:

- a) Its caducity;
- b) Total abandonment of the area, under nr.4 of the previous article;
- c) Its revocation under the terms of nr.3 of article 18 of the Mining Law, and nr.4 of article 67 of these Regulations;
- d) Cancellation under the terms of nr.6 of article 63 of these Regulations.

SECTION VII
Mining Pass

Article 72
(Characteristics and Limitations)

1. The holder of the mining pass has the right to carry out small-scale mining operations, within the area designated a mining pass area.
2. Small-scale mining operations can be described as those that present the following characteristics:
 - a) Rudimentary nature of the activity, using simple tools and equipment;
 - b) Small volume and scale of mining operations;
 - c) Manual methods for processing and transportation;
 - d) Operations carried out in mining pass designated areas.

Article 73
(Power for the Designation of Areas and Granting of Mining Pass)

1. The Minister has the power to declare, modify and extinguish areas designated as mining pass areas.
2. The Provincial Director of Mineral Resources has power to grant mining pass in the mining pass designated areas under his jurisdiction.
3. The declaration of the mining pass designated area should include:
 - a) Cadastral units comprising the area;
 - b) The mineral or minerals included;
 - c) Location of known mineral occurrences;
 - d) Any area exclusion.
4. The designated area may be modified or extinct in case of need for other purposes of greater advantage for the public or interest of the State, or for submission to another regime of exploitation of the mineral resources found in the area.
5. The constitution and modification and extinction of the mining pass designated area shall be published in the Government Gazette.

Article 74
(Requirements for the Granting of Mining Pass)

1. The Mining pass is granted to a singular person of Mozambican nationality fulfilling the following requirements:
 - a) Juridical capacity;
 - b) Residence in the mining pass designated area duly confirmed by the local authority.

Article 75
(Granting of Mining pass)

7. The granting of mining pass is subject to payment of the issuing fee, in conformity with the table presented in Annex 6 of these Regulations.

Article 76
(Content and Validity of Mining Pass)

1. The mining pass is personal and intransmissible, and contains the following information:
 - a) Identification of the holder of mining pass;
 - b) Number and issuing date of mining pass;
 - c) Code and name of designated area and its location;
 - d) Validity;
 - e) Listed minerals;
 - f) Terms and conditions to which the holder is subject to, namely:
 - i) Prohibition of exercise of activity outside the mining pass designated area;

- ii) Prohibition of sale of production to people not authorised to trade minerals.

2. The mining pass is issued for the period of one year renewable for another equal period.

**Article 77
(Commercialisation)**

- d) In the exercise of the rights established in article 21 of the Mining Law, the holder of the mining pass shall only sell his production to title-holders of commercialisation licence.

**Article 78
(Extension of Mining Pass)**

1. The extension of mining pass shall occur at the request of the title-holder and subject to fulfilment of the terms and conditions established in it, relatively to the previous period.
2. The endorsement of the extension of mining pass shall be conditioned to the payment of respective tax.

**Article 79
(Causes for Termination of Mining Pass)**

- a) The following shall constitute causes of cessation of mining pass:
 - a. Its caducity;
 - b. Its collective revocation as consequence of modification or extinction of the respective designated area under the terms of article 74 of these Regulations;
 - c. Revocation by respective holder.
- 2. The mining pass shall also be revoked in the following cases:
 - a) By violation of the provisions of the Mining law, the present Regulation and any other applicable legislation;
 - b) By non-compliance of obligations related to mining pass;
 - c) By practice of offensive acts towards national economy.
- 3. Collective revocation of mining pass shall be preceded by prior notification of not less than ninety days.
- 4. Revocation of mining pass occurs with abandonment of the mining activity and restitution of the respective coupon.

**SECTION VIII
Mineral Water**

Article 80

(Granting of Titles)

In conformity with the provisions of article 41 of the Mining Law, the exploration and capturing of mineral water shall be carried out through the exploration licence and the mining concession, with the specificities outlined in the articles below.

Article 81 (Area of Exploration Licence and Mining Concession)

The area on which the exploration licence may be granted shall not exceed 80 hectares.

Article 82 (Validity of the Exploration Licence)

The period of validity of the exploration licence of mineral water, minero-medicinal or thermal water shall be 12 months, renewable for maximum of another equal period.

Article 83 (Exploration Report)

1. The holder of the licence for exploration of mineral water shall present an annual report and the final work report, complying, in terms of its size and contents, with the established in annex 9 of these Regulations.
2. The final work report shall be presented sixty days before the expiring date licence period.

Article 84 (Application for Mineral Water Concession)

1. The application for the concession of mineral water may be submitted by any Mozambican collective person, regardless of application resulting or not from the exploration licence.
2. The application shall be considered emergent from the exploration licence if:
 - (i) The request has been made by the holder of the exploration licence during the period of validity of the licence;
 - (ii) The area requested for inclusion in the concession area is contiguous to that of the exploration licence.
3. Mining concession requests that do not meet the requirements of nr.2 shall be considered as non-emergent from an exploration licence.
4. The application for concession shall be addressed to the Minister and submitted to the National Directorate of Mines or Provincial Directorate of Mineral Resources with jurisdiction over the area under request, for registration and processing.
5. The application for concession of mineral water should include the following elements:

- a) Full identification of the applicant, address of head quarter office, statutory capital, the identity, nationality, and address of its legal representative and the identity and address of its commercial representative in Mozambique, if available, according to the model in use at the National Directorate of Mines ;
 - b) Information about the exploration licence, if available;
 - c) Location of the requested area, its size and configuration, outlined in the topographic map of the region;
 - d) Cadastral unit where the requested area is located;
 - e) Period of Validity of the requested Concession of Mineral Water;
 - f) An exploration project containing:
 - (i) Geological report and plan of all surface and undergrounds works to be carried out at scale of 1:10000;
 - (ii) Detailed description of the value and importance of the water, made by legally authorised entity, together with its qualitative analysis, made by a credited laboratory, and indication of the volume and quality of the water, including hygiene and cleaning conditions of the place;
 - (iii) Description of the exploitation and processing of water plant;
 - (iv) An assessment of the environmental impact and respective environmental management plan;
 - (v) Characteristics and nature of final products;
 - (vi) Any other information considered relevant.
6. The application shall be considered submitted in the date of its reception through apposition of the confirming stamp, as long as all the requirements established in the previous number have been met and the respective processing tax has been paid for.
7. The application for the Concession of Mineral Water received at the National Directorate of Mines or respective Provincial Directorate of Mineral Resources shall be submitted to the regional water departments or to the National Directorate of Waters for the purposes of technical evaluation, and should be issued within a maximum period of 30 days, after which the application will follow the normal procedures under articles 47 and 48 of these Regulations.

Article 85
(Conditions for Extension)

The provisions of articles 51 and 52 of the present Regulation are applicable, with the necessary modifications, to the application for extension of concession of mineral water.

Article 86
(Reports of Exploration of Mineral Water)

The holder of the Concession of mineral water shall present periodical reports of his activities, applying, with the necessary modification, the provisions of article 55 of these Regulations.

CHAPTER III
PROMOTION OF THE MINING ACTIVITY

Article 87
(Geological Investigation Carried Out by the State)

1. The National Directorate of Geology is in charge of promoting and carrying out geological research, namely:
 - a) Systematic geological cartography of the national territory;
 - b) Archive, control and publication of all geological information and documentation;
 - c) Cadastre of mining resources reserves and their evaluation;
 - d) Other studies and works for the definition of the mining potential of the national territory.
2. The geological research referred to in the previous number may be carried out in any area or in relation to any mineral resource.
3. The Minister shall define the terms and conditions for carrying out of such research.

Article 88
(Service Provision)

While carrying out the works referred to in the previous number, namely geophysical, cartographical, geochemistry, geotechnical, sampling, drilling and laboratorial services, the National Directorate of Geology may provide technical services and other kinds of support to third parties, with the faculty of demanding payment for such service provision.

Article 89
(Scientific Studies by Educational or Scientific Research Institutions)

1. The Minister can authorise educational or scientific research institutions to carry out, without a mining title, science based studies.
2. The scientific studies mentioned in the previous number may be carried out in any area for which the Minister shall grant written permission.
3. The Minister shall establish the terms and conditions for the carrying out of the studies mentioned in the previous number.
4. In case of necessity to enter or occupy an area subject to a mining title, for the carrying out of a scientific study in accordance with this article, permission for the study shall be subject to the attainment, by the relevant educational or scientific research institution, of authorisation from the legal occupant or holder of the right to use the land for the carrying out of the study in the referred area.

CHAPTER IV
SUPERVISION AND FISCALISATION

Article 90
(Powers)

1. The mining activity is subject to inspection and fiscalisation, under the law, aiming at guaranteeing proper and effective use and exploration of mineral resources.
2. The activities of inspection and fiscalisation of mining activities include:
 - a) Inspection of areas under mining titles or permits, including premises and works and operations undertaken under such titles and permits;
 - b) Inspection and testing of machines and equipment;
 - c) Collection of samples and specimen of rocks and mineral resources or its aggregates or residuals, for testing or analysis, or verification of eventual breach of the Mining Law or these Regulations;
 - d) Acquisition of copies of reports, technical data and drawings, including books and records on economic and financial activities, including production and sale of data;
 - e) Research and verification of compliance with the legal and contractual obligations to which mining title-holders and holders of mining pass are committed, as well as the problems found in their implementation;
 - f) Compliance with the regulation technical rules of safety, hygiene and environmental protection;
 - g) Written requests for data and information deemed to be necessary for the exercise of the inspectorate power.
3. Mining title -holders must provide all the support needed by the inspectorate agents in order to carry out the tasks described in this chapter.

Article 91
(Information and Documentation)

The holder of a mining title shall:

- a) Maintain and keep in Mozambique all information, documentation, records and technical data regarding the activities carried out under the terms of the mining title, including all financial and economic data;
- b) Maintain complete and updated information, documentation and other data specified in the previous line;
- c) Submit periodically to the Minister data, reports and other information or documentation required under the Mining Law or these Regulations;
- d) Answer to any enquiries by the competent authorities regarding the quantity and quality of mineral production;
- e) Allow consultation in the specific time and place, including extraction of copies of books and records by the competent authorities, regarding the quantities and values of mining production.

CHAPTER V
OFFENCES AND PENALTIES

Article 92
(Illegal Mining Activities)

1. The exercise of mining activities shall be prohibited unless if undertaken:
 - a) Under a mining title or permit, in accordance with the Mining Law and these Regulations;
 - b) In accordance with article 40 of the Mining Law.
2. Breach of the provision of previous number shall be penalised with a fine of five to a hundred million meticaís and seizure of the extracted product and confiscation of the equipment used, depending on the severity of the offence.

Article 93
(Violation Regarding Information)

1. A fine of ten millions to a hundred million meticaís, depending on the severity of the offence, and in the absence of any other more serious penalties available, shall be charged those who:
 - a) Consciously submit false information in any application, report or documentation under the Mining Law or these Regulations; or
 - b) Purposely provide or make others provide to any member of staff false information or statements in relation to any matter on which the employee requires details, information or statement to be provided under the Mining Law or these Regulations;
 - c) Intentionally deny to respond or provide false statements to any question posed by the employee in order to obtain any data or information or statement necessary under the Mining Law or these Regulations;
 - d) Forge or deceitfully use a false document required by the Mining Law or by these Regulations or any instrument used for the execution of any deal or matter under Mining Law or these Regulations;
 - e) Fraudulently alter any document or instrument or forge the stamp, seal, signature or other signs used by the employee for the verification of those documents or instruments or any other purpose in dealing with any business or matter under the Mining Law or these Regulations;
 - f) Consciously use or try to use the errors in any book, instrument, document or any incorrect annotation in any book, document or instrument kept, for the purposes specified in the Mining Law or these Regulations;
 - g) Intentionally make, try to make or drive others to make an incorrect annotation in any book, document or instrument kept for the purposes stated in the Mining Law or these Regulations;
 - h) Do not comply or deny, without any plausible reason, to produce a document related to any matter on the Mining Law or these Regulations as may be required by an authorised employee under the Mining Law or these Regulations.

2. Those who do not submit the report in accordance with the Mining Law or these Regulations or submit it after the established deadline, shall be liable to payment of a fine of five millions to thirty five million meticaïs, depending on the severity of the offence, without prejudice of the criminal liability.
3. Obstruction or impediment, without a just cause, to the fulfilment of the obligations referred to in article 90, shall be punished with a fine of ten to fifty million meticaïs, depending on the severity of the offence.

Article 94
(Miscellaneous Offences)

1. A fine ranging from five million to fifty million meticaïs, depending on the severity of the offence, there being no other more serious penalty, shall be charged to all individuals who:
 - a) Without any justified reason, prevent the holder of a mining title or mining pass from undertaking the activities allowed by the Mining Law, by these Regulations, or under the respective mining title or permit;
 - b) Bury or help to bury mineral substances anywhere, with the purpose of misleading third parties in relation to the mining potential available on site;
 - c) Forge or help to forge samples or results of sample analysis aiming at misleading the State or any third parties in relation to the quality of the mineral substances or products.
2. Those who assault, prevent, obstruct or interfere with any employee while exercising their duties under the Mining Law or these Regulations, or deny to comply with a legal order given by an employee exercising his duties under the Mining Law or these Regulations, shall be charged with a fine ranging from ten millions to a hundred million meticaïs, in case no other more serious penalty can be imposed.
3. Those asked to comply with the notification requirements of articles 41, 57 or 71 of these Regulations and who do not comply with such obligation, shall be subject to payment of a fine ranging from five millions to fifty millions meticaïs.
4. Those who do not comply with the content of nr.1 of article 106 of these Regulations shall be sentenced to payment of a fine ranging from five millions to fifty million meticaïs, without prejudice to the application of other measures in relation to the availability of personal and real estate.
5. Individuals who divulge information in violation to article 109 of these present Regulations shall be sentenced to payment of a fine ranging from five millions to fifty million meticaïs.
6. In case of reincidence in the violation of the provisions of the Mining Law or of these Regulations, the fine shall be the double of the initial value of the fine.

7. Any violation to the contents of the Mining Law or of these Regulations that govern mining activities for which no specific penalty is specified, shall be charged with a minimum fine of five million meticaís.
8. The minimum and maximum limits of the fines foreseen in these Regulations may be altered through a joint Ministerial Diploma of the Minister of Plan and Finance and the Minister overseeing the area of mineral resources.
9. The application of the fines, within the defined limits, shall be in accordance with the severity of the offence, the circumstances around the practice of the offence, and the scope of the mining exploitation.

Article 95
(Reincidence)

The recidivists in the practice of the offences foreseen in this chapter shall be sentenced to double the value of the foreseen fine, in terms of its minimum and maximum values, and cumulatively to the suspension of the activity for a period ranging from six months to one year.

Article 96
(Destination of the Fines)

The value of the fines referred to in this Diploma shall be handed over to the taxation office of the respective fiscal area until the tenth day of the following month of its collection, with the following destination:

- a) 40% for the State;
- b) 60% for the promotion of mining activity, under the terms to be defined by a joint Ministerial Diploma of the Ministers overseeing the areas of finance and mineral resources.

Article 97
(Destination of Seized Products)

1. Mineral products seized as a result of illegal mining activity shall revert to the State, and for such effect after their evaluation, they should be sent to the Mining Development Fund.
2. In case of seizure of mineral products for building material, these shall be evaluated and sold by the Provincial Directorate with jurisdiction over the area of occurrence of the infraction.
3. The distribution of the earnings resulting from the sale of seized products under the terms of the previous numbers, complies with the provision of the previous article.

Article 98
(Offences by Collective person)

When the person accused of infraction to the Mining Law or these Regulations is a collective person, he who at their commitment of the infraction is, the general director, manager, or of similar position shall be jointly condemned in conformity with the terms of the previous articles, except when there is proof that the offence was carried out without his knowledge or that he took the due precautions to prevent its occurrence.

Article 99
(Jurisdiction and Procedural Rules)

1. The opening of judicial proceedings and the occurrence of trials concerning violations to these Regulations shall be subject to the Penal Procedural Code and other applicable legislation, without prejudice, however, to the following requirements:
 - a) The representatives of the General Inspection or of the Ministry, duly authorised to carry out inspections and audit, have the power to write reports on the offences foreseen hereof;
 - b) The reports written due to offences referred in the previous number shall follow the procedures established by the General Inspection;
 - c) Whenever the cause of infraction also constitute crime under the terms of the penal legislation, the report shall be equally submitted by the Inspection to the Criminal Police of Investigation for procedure in accordance with the penal legislation.

2. The administrative authorities and the police shall provide the necessary facilities for the ministry agents to comply with their obligations of inspection, auditing and judicial proceeding of the cases of offence to the mining legislation.

Article 100
(Civil Liability)

The application of the penalties foreseen in these Regulations shall be made without prejudice to the civil liability for losses and damages resulting from any infraction defined hereof.

CHAPTER VI
MISCELLANEOUS PROVISIONS

Article 101
(Large -Scale Engineering Works)

The Ministry overseeing the area of mineral resources shall be previously consulted on the construction of dams, railways, public roads and other large -scale engineering works, in order to find out and decide whether there is any mineral deposit of national economic interest in the area of such constructions, and which exploitation might be affected by the referred constructions.

Article 102

(Mineral Resources for Building Materials)

1. The Minister can authorise the extraction of mineral resources for construction for public purposes, referred to in line b) of nr.2 of article 40 of the Mining Law.
2. The entities involved in the construction of infrastructures of public interest requiring authorisation for the use of mineral resources for building material, should, within ninety days prior to the beginning of the construction, submit the application for authorisation for extraction, containing the period, production plan and measures of rehabilitation of the land to be affected by the extraction after the extraction activity has ceased.
3. The Minister can also limit, suspend or subject the extraction of the resources mentioned in the previous number to a mining title, when the mineral products are sold or transferred for commercial purposes.

Article 103 (Transmission)

1. The title-holder of the licence of exploration, mining concession or mining certificate may request the transmission of the respective mining title, subject to the following terms:
 - a) The mining certificate shall only be transmitted to a singular or collective person with residence in Mozambique;
 - b) The application for transmission, of the reconnaissance licence, exploration licence and mining concession addressed to the Minister shall be submitted to the National Directorate of Mines in the appropriate form and should specify the terms and conditions of the transmission, together with the proposal of the transmission instrument;
 - c) The Minister shall authorise the transmission of the exploration licence and mining concession within a period of ninety days from the date of submission of respective application;
 - d) The National Directorate of Mines shall authorise the transmission of the mining certificate within thirty days from the date of submission of respective application.
2. The transmission application should contain the following requisites:
 - a) The transferee expressly declares in writing to accept the terms and conditions established in the mining title;
 - b) The transferee gives evidence of having juridical capacity;
 - c) The transferee gives evidence of having technical and financial resources to undertake the mining operations foreseen in the mining title; and
 - d) Payment of the mining title transmission tax in conformity with Annex 6 to these Regulations.
3. In case of dismissed of the transmission application, the National Directorate of Mines shall inform the applicant in writing within a maximum period of fifteen days after the decision has been taken.

4. The transmission of the title is subject to endorsement and shall only be enforced after payment of the respective fee.
5. Any act of transmission that violates the provisions of this article shall be declared null and void.

Article 104
(Transmission Due to Death or Incapacity)

1. Mining titles may be transmitted due to death or mental impairment of the holder of the exploration licence or mining concession, under the following numbers.
2. The transmission application is submitted to the National Directorate of Mines and should include the following requisites:
 - a) Statement of Acceptance of the terms and conditions established in the title;
 - b) Copy of document certifying the heir or, in the case of mental incapacity, a copy of the legal proof of mental incapacity, certified by a medical board;
 - c) Evidence of technical and financial incapacity to undertake the mining operations foreseen in the title;
 - d) Evidence of payment of the mining title transmission fee in conformity with Annex 6 to these Regulations.
3. The Minister shall authorise the transmission of the exploration licence or mining concession within a period of ninety days after application by the heir or legal representative of the title-holder.
4. The National Director of Mines shall authorise the transmission of the mining certificate within a period of sixty days after the submission of the application by the heir or legal representative of the title-holder.
5. In case of existence of more than one heir or beneficiary and the area is not divisible, they should then establish a company or other type of association within a period of ninety days from the date of the opening of the succession and submit an application to the National Directorate of Mines for the transmission of the mining title in favour of such company, foundation or association, after which the title is considered null and void.
6. The decision over the application shall be communicated in writing to the applicant within a period of thirty days.
7. After acceptance, by the applicant, of the terms and conditions of the approval of transmission of the mining title, the fact shall be registered in the respective mining title.
8. The transmission of a mining title shall only be effective after payment of the respective transmission fee and payment for the publication of the transmission *despacho*.
9. Any act of transmission that violates the provisions of this article shall be declared null and void.

Article 105
(Warranties)

Mining titles, infrastructures, premises and other estate may be taken as warranty, as long as, being part of mining operations, it is done to guarantee funding to the mining activity and the constitution of such warranties have been authorised by the Minister.

Article 106
(Destination of Property)

1. If all or part of an area of mining concession or mining certificate ceases to be part of the respective mining title as a result of the provisions of these Regulations, the personal and real estate shall, unless contrary decision by the Minister, be subject to the following regimen:
 - i) Personal estate related to mining operations located in the area and that is no more subject to mining title, must be removed by the respective title-holder;
 - ii) Real estate related to mining operations located in area and that are no more subject to mining title, must be destroyed and removed, delivered in good conditions or otherwise recovered by respective title-holders, in this case reverting to the State;
2. In case the title-holder fails to remove the personal estate as established in a) of nr.1 of this article, or fails to recover the personal estate as established in b) of the same number, the Minister shall notify the title-holder of the fact, setting a deadline of no less than thirty days and no more than sixty days.
3. Once the deadline set under the terms of the previous number has elapsed, the Minister shall order the removal of the property and the State shall benefit from the respective right of recovering the expenses made.

Article 107
(Liability for Losses and Damages)

1. The holder of the mining title is liable for any damages caused to crops, constructions and any upgrading, as well as by the resettlement of any occupiers of the land resulting from the exercise of his rights under the respective title or permit, and shall compensate the owner of the referred goods or the resettled people.
2. The compensation shall be determined having into account the emerging damages and ceasing profits, through negotiation, under the law, and the payment of the referred compensation shall be made prior to the removal of goods or resettlement.
3. The holder of the mining title and the respective operator are jointly responsible for any compensation for losses and damages resulting from the mining activities.
4. If the parties involved do not agree in relation to the terms of compensation, both parties may request the mediation of the Ministry of Mineral Resources and Energy or other means of resolution of conflicts established by law.

5. If no resolution is reached under the previous number, any of the parties may refer the case to the competent tribunal.
6. Any person applying for a mining title shall be subject to the jurisdiction of the Mozambican courts in relation to all actions and obligations resulting from the duty of compensation under this article.

Article 108
(Ownership of Data)

Any report, data or other information produced during the period of validity of the respective mining title constitutes property of the State.

Article 109
(Confidentiality)

1. The information contained in reports submitted by the holder of the mining title under the Mining Law, these Regulations, or other rules applicable to mining activities shall be considered confidential, and shall not be divulged for a period of six months from the date of extinction of the mining title, unless by prior consent of the respective title-holder.
2. The technical information submitted with the application for mining concession or mining certificate, or any extension shall always be maintained confidential, except in case of consent from the respective title -holder.
3. Prohibition of disclosure under the previous numbers shall not be applicable:
 - a) To the Minister or other government entity in the fulfilment of obligations imposed by law;
 - b) When connected to any judicial or arbitral procedure;
 - c) When connected to the definition of the obligations of the title-holder in relation to payments owed to the State.
4. It shall not be considered disclosure of confidential data whenever there is evidence that the disclosed data were already known by the public before its disclosure.

Article 110
(Change of Address)

1. In case of change of address or of legal representative, the applicant of the mining title, holder of the mining title or mandatory shall inform the National Directorate of Mines, within a period of five days, about the new address or new legal representative in Mozambique.
2. Any information necessary to provide to the holder of the mining title shall be effective when sent to the address supplied under the previous number or when otherwise indicated in the respective application for a mining title.

Article 111
(Force Majeure)

1. Delay or partial or total non-fulfilment of the obligations to which the holder of the mining title or of mining rights is subject to the terms of the law and of these Regulations, shall exempt him from liability when such delay or non-fulfilment has been due to cause of force majeure.
2. All external and unforeseen cause beyond the reasonable control of the mining titleholder or holder of mining rights shall be considered of force majeure, and it includes acts of nature, such as disasters, floods, storms, inundations, earthquakes, fire, acts of declared or undeclared war, blockades, riots, disturbance, work constraints, or any act or lack of action from an entity, agent, or Government representative
3. In cases in which the holder of the mining title or of mining rights wishes to invoke cause of force majeure, he shall notify, in writing and within forty-eight hours, the entity that issued the mining title or permit, about the nature, circumstances and date of occurrence of the fact, its foreseen duration, consequences and other issues deemed to be relevant.
4. The Minister shall refuse the extension period foreseen in the previous number in cases where, despite the fact of force majeure, the holder of the mining title or of mining rights is able to adopt all provisions available to him aiming at complying with his obligations, within a shorter period of time.
5. Following the ceasing of the cause of force majeure, the holder of the mining title or of mining rights shall be obliged to resume the suspended operations within a period of thirty days.

Article 112
(Conditions for Revocation of Mining Titles)

1. Mining titles shall only be revoked based on any of the grounds stated in the Mining Law and in these Regulations when:
 - a) Subject to prior notification of sixty days, the mining title-holder is notified of the intention of revocation of the respective mining title and of the reasons that sustains such revocation;
 - b) A minimum of thirty days and a maximum of ninety days period is set, within which the mining title-holder may submit, in writing, any issue intended to be considered;
 - c) The issue referred to in the previous line has been considered.
2. Immediate revocation shall take place based on lack of payment of production tax or surface tax if, after a hundred and twenty days from the date in which the tax is due, the mining title-holder fails to make the referred payment including interests legally established.

CHAPTER VII
FINAL AND TRANSITORY PROVISIONS

Article 113
(Existing Mining Titles)

1. Mining title-holders and holders of mining rights at the time of enforcement of these Regulations shall comply with its provisions, relatively to the configuration of the area of the respective title in cadastral units.
2. Payments of any fees or duties shall follow the tables established in accordance with the Law nr.14/2002, of June 26.
3. A period of one year shall be granted to mining title-holders and holders of mining rights for the regularization of the configuration of the area under mining title, in accordance with nr.1 of this article.

Article 114
(Regularization of Mining Rights)

1. For the purposes of nr.2 of article 47 of the Mining Law, title-holders of any mining right should request the granting of the appropriate mining title within the period of one year from the date of enforcement of these Regulations.
2. Singular persons, title-holders of mineral water, should establish a company within of ninety days from the enforcement date of these Regulations.
3. Applicants with pending requests of mining titles, as well as transmission or extension of mining titles at the time of enforcement of these Regulations should reformulate their requests according to its provisions, within a period of 90 days from the date of enforcement of these Regulations, after which the right shall cease, there being no further compensation.

Article 115
(Existing Contracts)

Singular and collective persons authorised through signed contracts with the State before the enforcement of these Regulations to undertake exploration or other mining operations, shall comply with the provisions of article 48 of the Mining Law.

ANNEX 6
Mining Titles Proceedings Fees

1	Proceeding	Amount (Mt)
	Reconnaissance Licence	
	• Application registration fee	2,000,000.00
	• Licence issuance fee	850,000.00
	Exploration Licence	
	• Application registration fee	2,000,000.00
	• Licence issuance fee	850,000.00
	• Fee for late submission of extension application	600,000.00
	• Extension fee	500,000.00
	Mining concession	
	• Application registration fee	2,000,000.00
	• Concession issuance fee	1,200,000.00
	• Fee for late submission of extension application	600,000.00
	• Extension fee	850,000.00
	Fee for title transmission applications	
	• Exploration licence	5,000,000.00
	• Mining concession	5,000,000.00
	• Mining certificate	2,500,000.00
	Fee for registration of transmission of title	
	• Exploration licence	850,000.00
	• Mining concession	850,000.00
	• Mining certificate	250,000.00
	Fee for application registration for enlargement of area.	
	• Exploration licence	1,000,000.00
	• Mining concession	2,000,000.00
	• Mining certificate	750,000.00
	Fee for endorsement enlargement of area.	
	• Exploration licence	750,000.00
	• Mining concession	2,000,000.00
	• Mining certificate	500,000.00
	Authenticated copy of any licence/certificate	200,000.00
	Authenticated copy/abstract of any registry filed (per page)	200,000.00

ANNEX 7 – form and content of the reconnaissance report

1 the text of the report mentioned in article 26 of the Mining Law Regulation is compulsory and written simultaneous in Portuguese and English and submitted duly printed and bound in A4 size, being both versions equally valid. Whenever possible, the report that be submitted in digitalized format. All copies submitted should be confirmed as authentic by the title holder

the for and content of the report should meet the general rules of an internationally accepted mineral prospecting report.

The report may be submitted in two volumes duly bound, being the first volume corresponding to the text and the second one containing the annexes. Maps and other illustrations submitted together with the report should be readable and folded into A4 size.

In the cover page, following should appear:

- The name of the title holder;
- The number of the reconnaissance licence;
- The name of the project, with district and province;
- The name of the author or authors;

The mentioned report should the following items.

1st Volume

1. executive Summary
- 0 Index
01. Introduction
 - 1.1. Purpose and object of the work
 - 1.2 Methods used during reconnaissance
02. Form of undertaking the work and the incurred expense
03. Synthesis of existing knowledge
04. Geographical characterization (location accesses and infrastructure)
05. Fisiographic aspects and general data about the climate, flora and fauna.
06. Geological environment.
07. Mineralization.
08. Conclusion and recommendations
09. Bibliography

2nd Volume

Annexes

Annexes 1 – Summary table, with the precise area location through geographical coordinates, cadastral units, plan metric surface, toponimics and cartographic reference and mineral characterization.

Annexes 2 Topographic map, in precise graphical representation of the area subject to reconnaissance, at 1: 50 000 scale.

Annexes 3 – Topographic map, in graphical representation of the area subject to reconnaissance, at 1: 250 000 scale.

Annexes 4– Topographic map, with the administrative division, with the indication of the area subject to reconnaissance, at the scale referred to in the geographical characterization.

Annexes 5 – Topographic map, with an estimated representation of the area submitted to reconnaissance, with the indication of the itineraries undertaken, location of the observatory stations, prints of sample collection, etc.

Annexes 6 – Topographic map, with the representation of the excavations and/or preparations made, as well as other relevant data.

Annexes 7 – Geological survey of the excavations

Annexes 8 – Geological diagrams of the preparations undertaken containing the location of the borehole head (through, geographical coordinates), direction and inclination sinking, quotes of the mouth and depth, columns of the samples recovery, litho logy and prints of location of the sampling.

Annexes 9 – Topographic map, in geological sketch.

Annexes 10 – Geological maps

Annexes 11 – Tables with laboratory results indicating the location to the samples through geographical coordinates.

Annexes 12 – Map representing the size of the geochemical studies

Annexes 13 – Tables containing the result of laboratory analysis referring to the geochemical studies

Annexes 14 – Sketches with flight lines of aerial geophysics where aerial geophysics survey has seen made

Annexes 15 – Sketches with profiles or size of the ground geophysical studies, in case ground geophysical survey look place.

6. The topographical maps should define clearly the quadricle of the geographical coordinates.

Annex 10 – Form and Content of Exploitation Report

1. The quarterly report should include, besides any other information that it can be demanded, the following information:
 - a) Details Relative to the progress, accomplishment of any development or construction work inside of the mining area;

- b) Data on the work force, data about accidents, quantity and quality of all row minerals processed or produced, its commercial value, laboratory test results related to the quality of row mineral, processed mineral or produced and its commercial value, calculation of any tax or fee due to the State, sale details other forms disposing and mineral transportation, existence of row or processed row mineral during the quarter.

2. The annual Report of the Mine shall:

- a) Be typed in a good quality paper with the pages of the text numbered;
- b) Be in A4 size, exception for graphics, maps and illustrations;
- c) The measures and scale of the maps must be in metric system;
- d) Be bound to allow easy use
- e) Be certified by geologist or mining engineer of high degree technician with experience, at the end of the report shall state: I certify that it is an exact report of activity and production undertaken on the mine which name is presented in the cover sheet .

3. The annual report should contain the following information in the following order:

- a) At the cover sheet, title of the report with the name of the person, partner or organization to which the work is undertaken, sub block within the area subject to report is located, district, name and qualification of the primary author(s) of the report and year of the calendar in which is made.
- b) First page of text, signature of author, authors and date of the report;
- c) Table of content shall include the list of each appendix, plan, map, diagram, figure or other type of illustrations, title and number showing corresponding or the location in the report.
- d) Executive summary
- e) Introduction that shall include
 - i. Map indicative of the location of the area
 - ii. A short description of geographical characterization and the fisiographical environment of the mine area.
 - iii. A short description previous activity undertaken in mine;
 - iv. A short description of the activities undertaken in the year that the report refer
- f) The description of the activities undertaken in the year that the report refer, shall include:
 - i. the annual production of the mine expressed in usual physical units for the type of mineral produced;
 - ii. other production statistics, including grad, if there is, grad and quality of all extracted and recovered mineral resources, cumulative tonnage and the wastes;
 - iii. commercial value of the produced mineral resources, per months;
 - iv. commercialisation including information on short and long periods contracts, customers and values of sale of the sold mineral resources, per month;
 - v. information on the work force, including the number of workers in the mine, its nationalities, profession and position
 - vi. information about concluded constructions, in course and planned;

- vii. an updated topographical map including the location of every holes, wells, trenches waste dumping place, access, lines of transmission of energy, conducts and facilities to the surface;
 - viii. a updated topographical map a, showing the location of all the underground works, ventilation wells and access points;
4. a) the maps and other illustrations submitted with the work report should be in appropriate scale and:
- i. not exceed A0;
 - ii. be readable and they possess a reasonable size and a clear impression or symbols that are easily to deciphered after they have been reduced at the half of its original dimension;
 - iii. Be written to black;
 - iv. have clear back ground;
 - v. use black model code or numeration in black colour, that can combine with the clear colour of the code;
 - vi. indicate the geographical orientation in all the plans of the map and it index;
 - vii. to indicate the scales of the coordinates in the (secções), profiles or similar diagrams;
 - viii. in the appropriate cases indicate in the right bottom of the title the identification, scale and a legend.
- b) all the illustrations will be numbered consecutively;
- c) the illustrations of the size of letters will be filed in a safe way in the file and the widest will be bent and put in an envelope that will be linked with safety to the text bound or put with the text bound in a wide file with cover sheet.
- d) additionally to the annual report of the mine, the title-holder of the mining concession will, in the last year of validity of the concession or in case of renouncement or total or partial abandonment, submit a final report of mining, contends the following information:
- i. Executive Summary
 - ii. Introduction
 - iii. summary of the previous work
 - iv. geology and mineralization
 - v. summarize of the exploration work carried out
 - vi. reserve balance of the ore in each deposit;
 - vii. map in the appropriate scale showing the final location of all the excavations, holes, tailings, mine waste, surface works and of the underground, access roads, lines of transmission of energy, conducts and other information were appropriate
- e) Conclusion and recommendation

Annex 11 - Form And Content O Mining Certificate Report

- 1 The monthly and quarterly reports should include, besides any other information that it can be demanded, the following information:

- a) Details Relative to the progress, accomplishment of any development or construction of any infrastructure;
- b) Date on the work force, work accidents, characterization of the ore, production volumes and financial flows,

2. The annual report will, in relations to the form:

- a) Be printed in paper of format A4, excepting graphic, maps and other illustrations;
- b) have numbered pages;
- c) the measures and scales of the maps be presented in the metric system;
- d) be bound;
- e) be certified by a qualified technician and with recognized experience and with following content: I " certify that the report is trustworthy ".
- f) the annual report will, in relation to its content, to include:
 - i. At the cover sheet title of the report, the name of person, partner or organization for which the work was accomplished, cadastral units corresponding to the area, district, name(s) main author(s) of the report e date;
 - ii. Signature of author(s) and the date of the report.
 - iii. Executive summary
 - iv. Introduction, map indicative of the location of the area, a short description of geographical characterization and the fisiographical environment, short description previous activity undertaken in mine, a short description of the activities undertaken in the year that the report refer;
 - v. the description of the activities accomplished in the year, that the report refers, should include, analytic data of production, commercialisation, residues and financial flow as well as clients and type of contracts,
 - vi. information on the work force, including the number of workers in the mine, its nationalities, profession and position;
 - vii. information about development of basic infrastructure;
 - viii. an updated topographical map including the location of every holes, wells, trenches waste dumping place, access, lines of transmission of energy, conducts and facilities to the surface; underground works, ventilation wells and access points;

3. The maps shall.

- a) have the indication of the geographical north and the respective cadastral unit, be readable and possess a reasonable size and a clear impression or symbols that are easily deciphered after they have been reduced at the half of its original dimension;
- b) indicate the geographical coordinates in the secções, profiles or diagrams;
- c) to include legends, as well as the used scales.