

THE MINING ACT

REGULATIONS
(under section 99)

THE MINING REGULATIONS, 1947

*(Made by the Governor in Executive Council on the 7th day of
September, 1947)*L.N. 23061
Amend:
L.N. 155/63
277/68
71/74
272/74
392/74
127/79
30/82
118/84
119/84
32E/88

1. These Regulations may be cited as the Mining Regulations, 1947.
2. Wherever reference is made in these Regulations to a company and its memorandum and articles of association, such reference shall include—

See also
L.N. 430/88
36/99
890/2004

- (a) a corporation incorporated in this Island by statute, and the statute by which it was incorporated; and
- (b) a company or corporation created outside this Island, and the charter, statute, regulations or other instruments creating such company or corporation and defining its constitution and powers.

Prospecting Rights

3.—(1) An application for a prospecting right or for any renewal thereof shall be made to the Commissioner in the form set out as Form 1 in the First Schedule.

First
Schedule.
Form 1.

(2) There shall be forwarded with such application the appropriate fee specified in the Second Schedule.

Second
Schedule.

(3) A prospecting right or any renewal thereof shall be in the form set out as Form 2 in the First Schedule.

Form 2.

(4) Before granting a prospecting right to an applicant the Commissioner may require such applicant to attend at a time and place to be notified and to be examined as to the provisions of the Act and of these Regulations.

(5) Where the applicant for a prospecting right is applying as an agent for a person there shall be forwarded with the application an undertaking in the form set out as Form 3 in the First Schedule.

Form 3.

4. The holder of a prospecting right shall within one week of the grant thereof lodge with the Commissioner for the purposes of section 13 of the Act the sum of twenty-five thousand dollars, or such other sum as the Commissioner may in any particular case specify, or give security therefor with one surety.

5. Where a prospecting right is granted to an individual as agent for a person and that individual is in the employ of that person, then if such individual leaves the employ of that person, that person shall thereupon notify the Commissioner of such fact and as from the date of receipt of such notification such prospecting right shall terminate unless that person otherwise requests in such notification.

6. Where the Commissioner calls upon the holder of a prospecting right to show cause why his right should not be revoked under section 20 of the Act, the Commissioner shall forward to the last known address of such holder a notice in the form set out as Form 4 in the First Schedule specifying the contravention complained of and the time, place and manner in which cause is to be shown.

Form 4.

7. Where a prospecting right is terminated for any reason the holder thereof shall surrender to the Commissioner such prospecting right.

8. The holder of a prospecting right shall in the months of January and July of each year make a return to the Commissioner of his prospecting operations, showing the lands upon which he prospected, the nature of his prospecting operations, the places (if any) in which he has found minerals and the quality and quantity of any minerals so found, and the excavations made in the course of such prospecting operations and the action taken to secure such excavations from causing injury to humans or livestock.

Exclusive Prospecting Licences

9.—(1) The area the subject of an application for an exclusive prospecting licence shall, unless the Minister otherwise permits in any special circumstances, be rectangular in shape and shall comprise not more than eighteen metric squares, on the 1/50,000 topographical map of Jamaica.

(2) Before application is made for a licence a temporary beacon shall be erected at the north-west corner of the area and such beacon shall be known as the location beacon.

(3) For the purpose of erecting a location beacon the intending applicant may clear the area around such beacon to a distance of not more than three metres.

(4) The application for a licence shall be made within 14 days (or such extended period as the Minister may permit) of the erection of the location beacon, and if not made within such period the intending applicant shall forthwith remove such beacon or if he fails to do so the Commissioner may cause it to be removed.

10.—(1) An application for a licence shall be made to the Minister through the Commissioner in triplicate, and in the form set out as Form 5 in the First Schedule. Form 5.

(2) There shall be forwarded with such application—

- (a) the appropriate fee specified in the Second Schedule; Second Schedule.
- (b) a sketch plan in quadruplicate on a reasonable scale showing to the satisfaction of the Commissioner the following details—
 - (i) the main topographical features in and about the area applied for in such a manner as will enable the boundaries to be identified on the ground;
 - (ii) the location beacon;
 - (iii) an approximate estimate square kilometers of the area applied for;
 - (iv) such other information as will enable the area to be delineated on the general map of the district in which the area applied for is situated.

(3) A licence shall be in the form set out as Form 6 in the First Schedule, and if granted subject to any conditions, such conditions shall be endorsed thereon. Form 6.

11. Upon receipt of an application for a licence the Commissioner shall cause a notice setting out the main particulars of such application to be published at the expense of the applicant once in the *Gazette* and once in a daily newspaper circulating in Jamaica and shall give notice of the particulars of such application to any person who to his knowledge has any interest in the area contained in such application.

12. The holder of a licence shall within one week of the grant thereof lodge with the Commissioner the sum of twenty thousand dollars or

such other sum as the Commissioner may in any particular case specify, or give security therefor with one surety for the purposes of section 13 of the Act.

13.—(1) The holder of a licence shall, if required by the Commissioner, cause all boundaries of the area of his licence to be permanently beacons or demarcated in accordance with the written directions of the Commissioner, and shall, if required by the Commissioner, cause a survey of the area to be made in strict conformity with the requirements of the regulations made under the Land Surveyors Act and at the expense of the applicant and to the satisfaction of the Commissioner.

(2) Within fourteen days of the grant of a licence, the holder thereof shall forthwith paint clearly on an iron plate securely bolted to every beacon on the side facing the area the subject of such licence, his name and the official number of such licence.

(3) The holder of a licence shall during the period of such licence—

- (a) maintain his beacons in good condition and in proper position;
- (b) keep clearly painted on such beacons the particulars required by paragraph (2); and
- (c) keep cut and cleared of vegetation all or any of the boundaries specified by the Commissioner for a distance of not less than three metres from the beacons defining such boundaries.

14. The expenditure of the holder of a licence for prospecting alone shall be at the rate of not less than five thousand dollars per square kilometer or part thereof for each year of the licence:

Provided that the Minister may suspend or reduce the obligation for such expenditure for such time as he may think fit.

15.—(1) Subject to paragraph (3) the Commissioner may permit the grouping of areas held under licences for the fulfilment of obligations and may at any time revoke such permit.

(2) Where grouping of licences is permitted the sum of the prospecting obligations under such licences may be performed on some part of the area grouped.

(3) The grouping of licences may be permitted on the following conditions—

- (a) application for such grouping shall be in respect of a year ending 31st December and shall be made before 15th December in the previous year;
- (b) the total area in respect of which grouping may be permitted shall not exceed fifty metric squares;
- (c) permission to include in the same group lode and alluvial prospecting shall not be granted;
- (d) the obligations for a group shall be calculated on the area of each licence in the group on the 1st January and no allowance shall be made in respect of any licence expiring before the 31st December;
- (e) if the obligations of the group are not fulfilled by 31st December none of the constituent licences shall be renewable;
- (f) the transfer of a constituent licence shall not affect or reduce the obligation for the group.

16.—(1) Application for the renewal of a licence shall be lodged with the Commissioner not later than two months before the date of expiration of such licence, and shall be in the form set out as Form 7 in the First Schedule. Form 7.

(2) There shall be forwarded with such application the appropriate fee specified in the Second Schedule.

(3) When a licence holder who has so applied has, up to and including the date on which his licence is due to expire, not received any notification of the allowance or disallowance of his application he may continue his operations until he receives such notification.

(4) Where such application is allowed the licence shall be renewed as from the date of expiry, and the fact and particulars of such renewal shall be endorsed on the original licence.

17. Where the Minister calls upon the holder of a licence to show cause why his licence should not be revoked under section 28 of the Act, the Commissioner shall forward to the last known address of such holder a notice in the form set out as Form 8 in the First Schedule specifying the contravention complained of and the time, place and manner in which cause is to be shown; and the Commissioner shall thereafter submit his recommendations to the Minister. Form 8.

18. Where a licence is terminated for any reason the holder thereof shall surrender to the Commissioner such licence.

Form 9.

19. When the holder of a licence desires to transfer his licence or interest or any part or share therein he shall apply for the consent of the Minister in the form set out as Form 9 in the First Schedule and shall forward with such application the appropriate fee specified in the Second Schedule, and if such application is granted the consent of the Minister shall be endorsed thereon.

Form 10.

20. Where the holder of a licence desires to surrender it he shall apply for the consent of the Minister in the form set out as Form 10 in the First Schedule and shall forward with such application the appropriate fee specified in the Second Schedule and the licence, and if such application is granted the fact of such surrender shall be endorsed thereon.

Form 11.

21. The certificate to be furnished to the Commissioner under section 29(1) of the Act by the holder of the licence on the termination of the licence shall be in the form set out as Form 11 in the First Schedule.

Mining Leases

Form 12.

22.—(1) Subject to the provisions of regulations 60-62 (inclusive) an application for a mining lease shall be made to the Minister through the Commissioner in triplicate and in the form set out as Form 12 in the First Schedule.

(2) There shall be forwarded with such application—

- (a) the appropriate fee specified in the Second Schedule;
- (b) a sketch plan in quadruplicate on a reasonable scale showing to the satisfaction of the Commissioner the following details—
 - (i) the main topographical features in and about the area applied for in such a manner as will enable the boundaries to be identified on the ground;
 - (ii) the location beacon;
 - (iii) an approximate estimate in square kilometers of the area applied for;
 - (iv) such other information as will enable the area to be delineated on the general map of the district in which the area applied for is situated.

Form 13.

(3) When permission to mine is given under section 32 of the Act it shall be in the form set out as Form 13 in the First Schedule.

(4) A mining lease shall be in the form set out as Form 14 in the First Schedule, and if granted subject to any conditions, such conditions shall be endorsed thereon. Form 14.

23. Before an application is made for a mining lease the applicant shall mark out the area over which he desires a lease in the manner specified in paragraph (2) of regulation 9.

24. Upon receipt of an application for a mining lease the Commissioner may notify the applicant to the effect that he requires the area included in such lease to be surveyed and thereupon the applicant shall cause such area to be surveyed by a surveyor approved by the Commissioner and shall forward to the Commissioner to be attached to such application a survey plan.

25.—(1) Upon receipt of an application for a mining lease the Commissioner shall cause a notice setting out the main particulars of such application to be published at the expense of the applicant once in the *Gazette* and once in a daily newspaper circulating in Jamaica and shall give notice of the particulars of such application to any person who to his knowledge has any interest in the area contained in such application.

(2) No mining lease shall be granted until at least three weeks have expired after the publication of the notice in the *Gazette* as required under paragraph (1).

(3) The provisions of this regulation shall not apply where the applicant is the owner of all the lands comprised in the area of the application.

26. The holder of a mining lease shall within one week of the grant thereof lodge with the Commissioner the sum of fifty thousand dollars or such other sum as the Commissioner may in any particular case specify, or give security therefore with one surety, for the purposes of section 13 of the Act.

27.—(1) Upon the grant of a mining lease the holder thereof shall, if required by the Commissioner, cause all the boundaries of his area to be permanently beaconed or demarcated in accordance with the written directions of the Commissioner and shall paint clearly on an iron plate securely bolted to every beacon on the side facing the area the subject of such lease his name and the official number of such lease.

(2) The holder of a mining lease shall during the period of such lease—

- (a) maintain his beacons in good condition and proper position;
- (b) keep clearly painted on such beacons the particulars required by paragraph (1); and
- (c) keep cut and cleared of vegetation all or any of the boundaries specified by the Commissioner for a distance of not less than three metres from the beacons defining such boundaries.

28.—(1) Subject to the provisions of paragraph (3) the Commissioner may permit the grouping of areas held under mining leases for the fulfilment of obligations and may at any time revoke such permit.

(2) When grouping of mining leases is permitted the sum of the working obligations on such mining leases may be performed on some part of the area grouped.

(3) The grouping of mining leases may be permitted on the following conditions—

- (a) the minerals specified in the leases shall be the same or minerals which occur associated therewith;
- (b) permission to include in the same group lode and alluvial leases shall not be granted;
- (c) the transfer of a constituent lease shall not reduce the obligation of the group.

29. Where the holder of a mining lease desires to transfer his lease or interest or any part or share therein he shall apply for the consent of the Minister through the Commissioner in the form set out as Form 9 in the First Schedule and shall forward with such application the appropriate fee specified in the Second Schedule and if such application is granted the consent of the Minister shall be endorsed thereon.

30. Where the holder of a mining lease desires to surrender it he shall apply for the consent of the Minister through the Commissioner in the form set out as Form 10 in the First Schedule and shall forward with such application the appropriate fee specified in the Second Schedule and the mining lease, and if such application is granted the consent of the Minister shall be endorsed thereon.

31.—(1) Application for the renewal of a mining lease shall be lodged with the Commissioner not later than six months before the date of the expiration of such lease and shall be in the form set out as Form 15 in the First Schedule. Form 15.

(2) There shall be forwarded with such application the appropriate fee specified in the Second Schedule.

(3) Where the holder of a mining lease who has so applied has, up to and including the date on which his lease is due to expire, not received any notification of the allowance or disallowance of his application, he may continue his operations until he receives such notification.

32. Where the holder of a mining lease commits any contravention of the provisions of the Act, or of any requirement thereunder or of any conditions of the lease, the Commissioner may give to the holder of such lease notice in the form set out as Form 16 in the First Schedule. Form 16.

33. Where a mining lease is terminated for any reason the holder thereof shall surrender it to the Commissioner.

34. Where the holder of a mining lease is desirous on the termination of such lease of removing any plant, machinery, engines or tools on the land the subject of the lease then he shall give notice of such desire to the Commissioner in the form set out as Form 17 in the First Schedule. Form 17.

35. Where the holder of a mining lease is desirous on the termination of such lease of applying to the Commissioner for leave to enter the land comprised in the lease and treat or remove any tailings or stone stacked or dumped by him on the surface of such land he shall apply to the Commissioner in the form set out as Form 18 in the First Schedule and if such application is granted the consent of the Commissioner shall be endorsed thereon. Form 18.

Water Rights

36. [*Deleted by L.N. 89D/2004.*]

General

37.—(1) The following returns and reports of operations shall be made to the Commissioner—

- (i) by every holder of a licence who is producing minerals, and every mining lessee on or before the 14th day of each month complete returns covering the operations of the previous month in such form as the Commissioner may require showing the amount of minerals won, dispatched and on hand, and such other particulars as the Commissioner may desire;
- (ii) by every holder of a licence and every mining lessee in January and July—a written statement setting forth—
 - (a) the name of the holder or lessee;
 - (b) the date and number of the licence or lease;
 - (c) any change which may have been made in the appointment of the attorney, and, in the case of a company, in the officers of the company, during the preceding six months;
 - (d) any change of address of the lessee, holder, attorney or officers;
 - (e) the nature of the operations being conducted on the area of the licence or lease;
 - (f) the average number of persons employed on the area in mining or prospecting during the preceding six months;
 - (g) the amount paid in wages to persons actually engaged in mining or prospecting operations on the area of the licence or lease, or in supervising such operations during the preceding six months;

- (h) the nature and value of any machinery or plant brought on to or removed from the area since the previous return;
- (i) the kind, quantity and quality of minerals obtained during the preceding six months and the manner in which they have been disposed of;
- (j) the particulars of any death or serious accidents which may have occurred amongst the employees during the preceding six months;
- (k) the amount expended in the Island due to prospecting or mining;
- (l) any further particulars that the Commissioner may call for.

(2) The returns required by this regulation shall be signed and certified to be correct—

- (a) in the case of an individual holder of a licence or mining lessee resident in the Island, by the holder or lessee;
- (b) in the case of an individual holder of a licence or mining lessee not so resident, or in the case of a company, body of persons or partnership having its head office out of the Island, by the resident attorney of the holder, lessee, company, body of persons or partnership;
- (c) in the case of a company, body of persons or partnership having its head office in the Island, by the manager or secretary of the company, body of persons or partnership.

38. In the case of opencast mining the Commissioner may determine by notice in writing the angle of slope to be maintained in any mine working so as to ensure the safety thereof and he may also for the same purpose require stepped benches to be cut on the face of the mine.

39.—(1) Save as is otherwise in these Regulations specifically provided, all royalties shall be payable on demand to the Commissioner,

who may, if so requested and after payment has been made issue a permit to export the mineral on which royalty has been paid.

Form 22.

(2) Such export permit shall be in the form set out as Form 22 in the First Schedule.

Form 22A.

(3) Every application for a permit to export any mineral shall be in the form set out as Form 22A in the First Schedule.

40.—(1) In this regulation—

“quarterly period” means a period of three consecutive months commencing on the 1st day of January, or the 1st day of April, or the 1st day of July, or the 1st day of October, in any year,

“tonne” in relation to bauxite or laterite means a metric tonne as specified in the Weights and Measures Act (1,000 kilograms) after deducting the moisture content of the ore.

(2) The rate of royalty payable on all bauxite and laterite mined in Jamaica on and after the 1st day of January, 1984, shall be fifty cents in the currency of the United States of America, per tonne or any other rate specified by the Minister, being a rate mutually agreed by the Government and the relevant mining lessee.

(3) The royalty payable on the total amount of bauxite and laterite mined in Jamaica by any holder of a mining lease in any quarterly period shall be paid at the end of that quarterly period.

(4) The Commissioner shall not issue to any holder of a mining lease a permit to export bauxite or laterite or alumina during any quarterly period unless the royalty payable on the total amount of bauxite or laterite which such holder disposed of in the manner described in sub-paragraphs (b), (c) and (d) of paragraph (5) during the last preceding quarterly period but one has paid.

(5) A permit to export bauxite or laterite or alumina shall be in the form set out as Form 22 in the First Schedule with the words “on which royalty has been paid” omitted therefrom.

(6) Every holder of a mining lease for bauxite or laterite shall, in respect of each quarterly period, make to the Commissioner a return in writing showing—

- (a) the amount of bauxite or laterite mined in Jamaica by him;
- (b) the amount of bauxite or laterite exported by him;

- (c) the amount of bauxite or laterite supplied by him to any other person for processing into alumina in Jamaica and the name of that person;
- (d) if he is a producer of alumina in Jamaica, the amount of bauxite or laterite processed by him into alumina in Jamaica;
- (e) the amount of bauxite or laterite which he has on hand.

(7) The return referred to in paragraph (5) shall be made within thirty days after the end of each quarterly period.

(8) Within three months of the export of any minerals originating in Jamaica, other than bauxite or laterite, or within such extended time as the Commissioner may allow, a sales accounting in respect of such minerals shall be produced to the Commissioner and any adjustments which may be necessary to ensure payment of the full amount of royalty due shall be made.

41.—(1) Subject to regulation 40(2), royalties shall be payable on all minerals at the rate specified in paragraphs (2) and (3).

(2) Royalties payable on metallic minerals shall be at a rate of 5% of the commercial value thereof, determined by reference to—

- (a) the London metal exchange; or
- (b) the London gold market.

(3) Royalties payable on industrial minerals shall be at a rate of 5% of the mine gate value.

(4) Where the Commissioner considers the value of the industrial mineral unreasonable he shall determine the value of such industrial mineral on the basis of the average market price.

(5) The holder of a mining lease shall, in respect of each quarterly period, submit to the Commissioner within thirty days after

the end of the quarterly period, a return in writing specifying the following particulars in relation to all minerals extracted or won by him—

- (a) the quantity by weight;
- (b) the grade;
- (c) the concentration; and
- (d) the value per unit of weight.

(6) The Commissioner may, in his discretion, extend the time specified in paragraph (5) for making the return.

(7) Where the holder of a mining lease fails to make a return or to pay royalties pursuant to these Regulations or if his returns are not substantiated by his records, the Commissioner may make an assessment of the royalties payable by that person.

(8) Where it appears from an inspection, audit or examination of the books, records or documents of the holder of a mining lease, that these Regulations have not been complied with, the person making the inspection, audit or examination shall calculate the amount of royalties payable by the holder of that mining lease and the Commissioner shall assess the amount of royalties so payable.

(9) The Commissioner may, at any time he considers reasonable, assess or reassess any royalties payable by the holder of a mining lease in respect of any period not being earlier than six years prior to that date of such assessment or reassessment.

(10) Where the Commissioner has made an assessment under this regulation, he shall send a notice of assessment by registered mail or by personal service to the holder of the mining lease requiring that the amount of royalties due under the assessment be remitted to the Commissioner or otherwise accounted for.

(11) Liability for the payment of royalties imposed under these Regulations shall not be affected by an incorrect or incomplete assessment or by the fact that no assessment has been made.

(12) The Commissioner shall not be bound by a return or information delivered by or on behalf of any person under this regulation and may, notwithstanding a return so delivered or if no return or information has been delivered, assess the royalties payable under this regulation.

(12A) Every holder of a mining lease who, in respect of any quarterly period, fails to—

- (a) make a return in accordance with paragraph (5), shall be liable to a penalty of an amount equivalent to 5% of the sum payable for that period but such penalty shall not in any case be less than fifty thousand or more than one hundred thousand dollars, whichever is the greater; or
- (b) pay the royalty due, shall be liable to a penalty of an amount equivalent to 15% of the royalty payable for that period.

(12B) Interest shall be chargeable for that period at the rate of 15% per annum on the amount of any royalty payable from the day on which such royalty becomes due until the date of payment thereof.

(13) In paragraph (3) "mine gate value" means the value of industrial minerals which, at the mine, are ready for sale or transfer.

41A.—(1) A holder of a mining lease shall, within thirty days from the date of receipt of a notice of assessment, pay the assessed royalties then remaining unpaid, whether or not an objection or appeal is outstanding in relation to the assessment.

(2) Where, in the opinion of the Commissioner, the holder of a mining lease is attempting to avoid payment of the royalties pursuant to this regulation, the Commissioner may direct that all royalties as set out in the notice of assessment shall be paid forthwith.

41B.—(1) Where the holder of a mining lease objects to an assessment made under regulation 41, he may, within sixty days from the date of receipt of the notice of assessment, serve on the Commissioner, a notice of objection in duplicate in a form approved by the Commissioner, setting out the reasons for the objection and all relevant facts.

(2) Upon receipt of the notice of objection, the Commissioner shall with all due dispatch reconsider the assessment and vacate, confirm

or vary the assessment or reassess it and he shall forthwith notify the holder of the mining leases of his decision by registered mail or by personal service.

41C.—(1) Where a person who has served notice of objection under regulation 41B is dissatisfied with the decision of the Commissioner thereon, he may appeal to the Minister to have the assessment vacated or varied.

(2) The Minister may dispose of the appeal by—

- (a) dismissing it; or
- (b) allowing it and—
 - (i) vacating the assessment;
 - (ii) varying it; or
 - (iii) referring it back to the Commissioner for reconsideration and assessment.

42. Where the holder of a licence or a mining lease is neither the owner nor the occupier of the land he shall, unless the owner or occupier agrees to a shorter period, give fourteen days' notice to the owner or occupier before commencing prospecting or mining operations thereon.

43.—(1) The holder of prospecting or mining rights shall forward to the Commissioner when lodging the deposit required by section 11, 12 or 13 of the Act a notice in the form set out as Form 23 in the First Schedule.

(2) On termination of the prospecting or mining rights the holder may make application for the return of such sum or any part thereof which remains unexpended, lodged under section 11, 12 or 13 of the Act, in the form set out as Form 24 in the First Schedule and if the Commissioner is satisfied that there are no further claims against any such deposit he may cause such deposit, or such part thereof, to be returned to the holder:

Form 24.

Provided that any such return shall not relieve such holder from any claims to which he may be liable.

(3) Where the owner or occupier of land has been awarded any sum as compensation under section 12 of the Act and has not received payment as provided in such section, then he may apply to the Commissioner in the form set out as Form 25 in the First Schedule for payment out of the amount lodged of the sum so awarded and in the event of such payment he shall give a receipt therefore to the Commissioner.

Form 25.

44. Every mining lessee shall keep, to the satisfaction of the Commissioner, proper books, records and accounts showing the expenses incurred and the profits earned, and the Commissioner or any official authorized by him in writing shall have access at all times to such books, records and accounts, and shall be entitled to make extracts therefrom.

45.—(1) Every holder of a licence and every mining lessee who is not resident in the Island or who intends to be temporarily absent from the Island shall appoint some person resident in the Island as his attorney with full powers to represent him during his absence from the Island, in all matter relating to his licence or mining lease.

(2) When any company, body of persons or partnership, whose registered or head office is outside the Island, is a holder of a licence or a mining lessee, such company, body of persons or partnership shall at all times be represented by an attorney resident in the Island and having full powers to represent such holder or lessee in all matters relating to such licence or lease.

(3) Every holder or mining lessee who gives a power of attorney as required by paragraphs (1) and (2) shall forthwith forward to the Commissioner a copy of such power of attorney and shall likewise on the revocation or variation of such power of attorney forthwith forward a copy of any document effecting such revocation or variation.

Second
Schedule.

46. The fees set out in the Second Schedule shall be paid in respect of the matters and things specified in that Schedule.

47.—(1) The Commissioner shall keep a register of prospecting rights, licences, mining leases and rights of passageway and of documents creating, terminating, assigning or transferring such prospecting rights, licences, leases or rights of passageway or any right, title or interest arising therefrom.

(2) Any person desiring to apply for the registration of any document creating, terminating, assigning, transferring or in any way dealing with or affecting any licence, mining lease, or right of passageway, or any right or interest under the same, shall send the original document, with a copy thereof and a copy of any plan attached to such document together with the prescribed fee, to the Commissioner, with a request that it shall be registered, and the Commissioner having first satisfied himself that the copy of the original document and of the plan (if any) is correct, and that the requisite approval of the creation, termination, assignment, transfer or other transaction has been obtained, and that the document if liable to stamp duty has been duly stamped, shall endorse on the document over his signature the word "Registered" together with the date on which the document was presented for registration and shall return the document so endorsed to the person who presented it for registration, and shall file the copy in the register.

48. In the event of a state of national emergency or war (of the existence of which the Minister shall be the sole judge) the Minister shall have the right of pre-emption of all minerals mined under the lease and all products thereof and shall also be at liberty to take control of the mining operations of the lessee.

Mineral Dealers

Form 26.

49. Mineral dealer's licence shall be in the form set out as Form 26 in the First Schedule.

Special provisions applicable to Bauxite or Laterite

50.—(1) Subject to the provisions of paragraphs (2) and (3), a mining lease for bauxite or laterite may be granted to any person whether or not such person is the owner in fee simple of the land.

(2) No mining lease for bauxite or laterite shall be granted to any person other than the owner in fee simple of the land where, on the 1st April, 1957—

- (a) the land was owned by a company holding a mining lease for bauxite or laterite in respect of other land; or
- (b) the land was the subject of an option to purchase held by such a company.

(3) No mining lease for bauxite or laterite shall be granted to any person other than the owner in fee simple of the land where the land is owned by a company which, on the 1st April, 1957, held any mining lease for bauxite or laterite and the land is land which is described by the Minister, by order, as land to which this paragraph applies.

(4) In this regulation "company" does not include—

- (a) Kaiser Bauxite Company;
- (b) Reynolds Jamaica Mines Limited;
- (c) Reynolds Jamaica Alumina Ltd., Kaiser Jamaica Corporation and Anaconda Jamaica Inc., each in its capacity as a partner in the firm which carries on business in Jamaica under the firm name of Alumina Partners of Jamaica,

but includes, in relation to any other company holding a mining lease for bauxite or laterite, any company, present or future, controlling, controlled by, or under common control with, such a company.

51. The royalty on bauxite or laterite shall be calculated on the weight of the ore mined, as ascertained by such method as the Commissioner may approve, after deducting therefrom the moisture content.

52.—(1) A minimum royalty charge shall be payable in each year ascertained on a basis of twenty-five tones of bauxite or laterite being mined (whether or not such amount has in fact been mined) for each hectare, or part thereof, held under the mining lease:

Provided that a mining lessee shall only be liable to a minimum royalty charge equivalent to the royalty on five, ten, fifteen and twenty tonnes for each hectare for the first, second, third and fourth years of the term respectively.

(2) Minimum royalty charges may be averaged over five-year periods, the first commencing on the date of the commencement of the mining lease and the subsequent periods following consecutively, but any excess or deficiency in any five-year period shall not be taken into account in any other five-year period.

(3) In this regulation "tonne" has the meaning specified in regulation 40 (1).

53.—(1) As soon as may be practicable, and in any event not later than three years after mining operations are concluded in any area, the holder of the mining lease shall restore every hectare of land disturbed for mining in such area, as nearly as may be practicable, to the level of agricultural or pastoral productivity or of utilization for afforestation purposes or such other uses as may be approved by the Commissioner or the Town and Country Planning Authority, as the case may require, and for the purpose of securing such restoration the holder of the mining lease shall—

- (a) before commencing mining operations in any deposit, remove the top soil thereof to a depth of not less than fifteen centimetres;
- (b) keep the top soil so removed stacked and preserved until such time as it is replaced in accordance with sub-paragraph (c);
- (c) within two years after mining operations have been concluded in the pit—
 - (i) utilize, remove, clear or dispose of all soil, debris and rubble in such a manner as to effect a smooth grading and prevent the creation of unsightly mounds and dumps in the area; and
 - (ii) replace the top soil which was removed therefrom except where exempt by the Commissioner;
- (d) construct such drains, trenches, drainages and works as will prevent the permanent accumulation of water upon or within the area, if such accumulation would, in the opinion of the Commissioner, be detrimental to the well-being of the land; and
- (e) provide reasonable access to the area.

(2) The provisions of paragraph (1) which specify the measures to be taken by the holder of a mining lease for the purpose of securing the restoration of mined land as nearly as may be practicable to its former level of agricultural or pastoral productivity or of utilization for afforestation purposes or other uses approved pursuant to paragraph (1), shall not take effect in any case in which the Commissioner is satisfied that compliance therewith would—

- (a) not be practicable as part of the operation of mining; or
- (b) not be consistent with good mining practice; or

- (c) be unreasonable or likely to raise costs out of proportion to the value of the ore body or to normal working costs or to the agricultural value of the land or to the final results likely to be achieved; or
- (d) render uneconomical on otherwise economical mining operation.

(3) A lessee shall, before commencing any of the operations specified in sub-paragraph (c) of paragraph (1) and from time to time during the course of such operations, consult the Minister and the Commissioner in relation thereto, and shall do or cause to be done all such things as the Minister or the Commissioner may reasonably require to be done for the effective compliance with the provisions of that sub-paragraph.

(4) For the purposes of this regulation and of regulations 54 and 55—

- (a) "pit" means a hole or cavity in the ground made by the open cut method in order to win minerals;
- (b) mining operations in any pit shall be deemed to be concluded where, at any time after commencement of such operations in such pit, such operations are discontinued by the lessee and are not resumed upon a substantial scale within six months next after the date of such discontinuance, unless within such period the lessee satisfies the Commissioner—
 - (i) that the discontinuance or the failure to resume operations within such period was due to circumstances wholly beyond the control of the lessee; or
 - (ii) that the lessee intends to resume operations upon a substantial scale in such pit within such further period as the Commissioner in his absolute discretion may consider reasonable.

53A.—(1) Subject to paragraph (2), every holder of a mining lease shall, for rehabilitation of the land on which mining is carried out, maintain on deposit with the Commissioner, security in such amount and form and subject to such conditions as the Commissioner shall determine.

(2) The Minister may, owing to special circumstances or in special cases, grant exemption in whole or part from the deposit referred to in paragraph (1), subject to such terms and conditions as he may impose.

(3) Where such rehabilitation is not carried out in accordance with the requirements of these Regulations or of the terms and conditions of the mining lease—

- (a) the Minister may authorize any person to enter upon the premises on which the mine is situated and perform such work as is necessary for rehabilitation; and

- (b) the costs thereof shall be recovered from the amount deposited and the balance (if any) shall be refunded to the holder of the mining lease.

54. Upon concluding mining operations in any pit the lessee shall apply to the Commissioner for a certificate that the requirements of sub-paragraph (c) of paragraph (1) of regulation 53 have been complied with, and the Commissioner upon being satisfied that such requirements have been complied with shall issue to the lessee a certificate to that effect.

55.—(1) A holder of a mining lease who fails to obtain a certificate under regulation 54 upon the conclusion of mining operations in a pit shall pay to the Commissioner for and on behalf of the Government the sum of twenty-five thousand dollars in the currency of the United States of America or the equivalent of that amount in the currency of Jamaica for each hectare of such land.

(2) Where a pit is not restored within the period specified in regulation 53(1) the holder of the mining lease shall, for each year during which the pit remains unrestored, pay to the Commissioner, the sum of two thousand five hundred dollars in the currency of the United States of America or its equivalent in the currency of Jamaica for each hectare of land disturbed for mining.

(3) The Commissioner may extend the period for restoration of the pit if the lessee satisfies the Commissioner that such extension is reasonably warranted.

56. Every company holding a mining lease for bauxite or laterite shall furnish to the Minister when so requested by him such particulars and such documents as he may require in respect of—

- (a) the capital structure of the company;
- (b) any sales or purchase contract;
- (c) any management, service or licence agreement;
- (d) any financial statement, including any profit and loss account or balance sheet; and
- (e) any income tax return filed in a country other than Jamaica in respect of its operations in Jamaica.

and shall give to the Minister in addition any such other information as he may reasonably require for the purposes of making, reviewing or confirming any agreements or arrangements that he may consider necessary for the orderly development of the bauxite industry.

57.—(1) Every company holding a mining lease for bauxite or laterite shall furnish annually to the Minister a return setting out—

- (a) the amount of bauxite or laterite sold by the company on the open market during the year and the average price realized;

- (b) the amount of bauxite or laterite sold or transferred by the company to an associate company and the price at which such transfer or sale was effected;
- (c) particulars of the costs applicable to the operations of the company in the Island during the year in relation to the following items—
 - (i) mining, transportation and drying;
 - (ii) administration and overhead (distinguishing local from overseas);
 - (iii) interest applicable to local operations;
 - (iv) income tax paid in Jamaica;
 - (v) payments other than income tax made to the Government of Jamaica;
 - (vi) normal depreciation;
 - (vii) costs other than those enumerated above;
- (d) particulars of special deductions allowed in computing profits for purposes of income tax under tax laws of countries other than this Island affecting the operations of the company in the Island;
- (e) particulars of the reserves of bauxite or laterite in the Island owned by the company or by associate companies showing—
 - (i) the reserves at the beginning of the year and indicating where necessary, any revision of figures previously supplied;
 - (ii) any reserves acquired or proved during the year;
 - (iii) the amount of bauxite or laterite mined or otherwise disposed of during the year;
 - (iv) the reserves at the end of the year,and, wherever possible, distinguishing between commercial and non-commercial bauxite or laterite.

(2) In this regulation—

“associate company” means, in relation to a company holding a mining lease for bauxite or laterite, any company, present or future, controlling, controlled by, or under common control with, such a company:

“commercial bauxite or laterite” refers to bauxite or laterite which contains at least 47% alumina (by the standard difference method) and not more than 4% silica on a dry basis;

"open market" refers to a market where buyer and seller are independent of each other.

58. Every company holding a mining lease for bauxite or laterite shall furnish annually to the Commissioner of Mines a return setting out—

- (a) the amount of capital investment undertaken in respect of operations in the Island during the year and an estimate of the proposed investment in the next succeeding year showing separately the amount spent or, as the case may be, to be spent on—

- (i) land and development;
- (ii) buildings;
- (iii) machinery and equipment;
- (iv) construction in progress;
- (v) other capital investment,

and, wherever possible, indicating separately capital expenditure in the Island and capital expenditure in respect of undertakings in the Island which are made elsewhere than in the Island;

- (b) particulars of disbursements in the Island and elsewhere in respect of operating expenses of undertakings in the Island showing amounts spent on—

- (i) wages;
- (ii) salaries;
- (iii) other services;
- (iv) materials and supplies;
- (v) machinery and equipment;
- (vi) other items (specifying any major items),

and, wherever possible, indicating separately amounts spent in the Island and amounts spent elsewhere;

- (c) particulars of the number of persons employed by the company at the end of the year showing the number of persons engaged in—

- (i) mining and related occupation;
- (ii) construction;
- (iii) agriculture;
- (iv) other occupations;

- (d) the average grade of bauxite or laterite mined during the year.

59. Returns required to be furnished by regulations 56 and 57 in respect of any year shall be furnished within ninety days after 31st day of December of that year and shall be signed and certified to be correct—

- (a) in the case of a company having its head office out of the Island, by the resident attorney of the company;
- (b) in the case of a company having its head office in the Island, by the manager or secretary of the company.

Special Mining Leases for Bauxite or Laterite

60. Where application is made for a special mining lease for bauxite or laterite pursuant to section 46 of the Act the provisions of these Regulations except regulations 23 and 27 shall have effect subject to the following modifications—

- (a) for the reference to "Form 12" in paragraph (1) of regulation 22 there shall be substituted a reference to "Form 27";
- (b) the sketch plan required by paragraph (2) of regulation 22 shall show, instead of the location beacon, particulars of the metric squares and the relative position of each of the applicant's holdings within the metric squares affected by the application;
- (c) for the reference to "Form 14" in paragraph (4) of regulation 22 there shall be substituted a reference to "Form 28".

Form 27.

Form 28.

61. Upon the grant of a special mining lease for bauxite or laterite the holder thereof shall cause the boundaries of all his lands included in the special mining lease to be permanently beacons or demarcated in accordance with the written directions issued from time to time by the Commissioner and shall during the period of such lease keep such boundaries demarcated in accordance with such written directions.

62.—(1) An application made pursuant to section 47 of the Act for the addition of other lands to a special mining lease for bauxite or laterite shall be made through the Commissioner in triplicate in the form set out as Form 29 in the First Schedule.

Form 29.

(2) There shall be forwarded with such application—

- (a) the appropriate fee specified in the Second Schedule;

Second
Schedule.

- (b) a sketch plan in quadruplicate showing to the satisfaction of the Commissioner the following details—
- (i) the main topographical features in and about the area applied for in such manner as to enable the boundaries to be identified on the ground;
 - (ii) an approximate estimate in square kilometers of the additional area applied for;
 - (iii) particulars of the metric squares in relation to which the application is made and of those in relation to which the special mining lease aforesaid was granted;
 - (iv) such other information as will enable the area to be delineated on the general map of the district in which the area applied for is situated.

FIRST SCHEDULE

FORM No. 1

(Regulation 3)

THE MINING REGULATIONS, 1947

Application for a Prospecting Right or Renewal thereof

To the Commissioner:

1. Name of applicant.....
 2. Nationality of applicant.....
 3. Age of applicant.....
 4. Address in Jamaica at which notices, etc., may be served.....
 5. Whether the applicant intends to prospect on his own account, or as an agent of any other person.....
 6. If he is in the employ of any other person, the name and address of such person.....
 7. Whether he has previously made an application for a prospecting right or licence, and if so, whether any such application has been refused.....
 8. Whether the applicant or his employer (if any) has been convicted of an offence against the Mining Act, or previously held any prospecting right, licence or mining lease in Jamaica which has been revoked or forfeited.....
 9. I am (not) in possession of a valid prospecting right
or
I hereby surrender prospecting right No.....
- (Strike out whichever is inapplicable)*
10. I attach hereto from my principal an undertaking in the prescribed form.
(Strike out if inapplicable).
 11. I forward herewith the appropriate fee.
I hereby declare the above particulars to be true.

.....
Signature of applicant

FORM No. 2

(Regulation 3)

THE MINING REGULATIONS, 1947

Prospecting Right

No.....

The right, subject to the provisions of the Mining Act and of the Regulations thereunder now in force or which may come into force during the continuance of this right, is hereby granted to (1).....
of.....agent for

THE MINING REGULATIONS, 1947

(2).....for one year
from the date hereof to prospect for minerals.

This.....day of.....19.....
Fee:

.....
Commissioner

(1) Here insert name, address and description of prospector.

(2) If the prospector is to use this right as agent, state name, address and description of principal.

FORM No. 3

THE MINING REGULATIONS, 1947

(Regulation 3)

Undertaking by Principal

In consideration of the grant of a prospecting right to.....

I/We hereby undertake to be responsible for all the acts or omissions of the
said.....
done or purported to be done in the course of prospecting operations under
prospecting right No.....granted to him as my/our agent, and to pay
to the Commissioner or to any other person any sum payable by the said.....
.....under or in respect of such rights or acts
or omissions.

.....
Signature of Principal

FORM No. 4

THE MINING REGULATIONS, 1947

(Regulation 6)

Notice to Show Cause

To.....the holder of prospecting right No.....

Whereas it has been brought to my attention that you have committed the
following contravention of the provisions of the Mining Act or of the
Regulations thereunder or of your prospecting right.....

Now, therefore, I hereby require you to show cause to me at.....
.....on or before the.....in
writing (or by attending personally) why your prospecting right should not be
revoked.

.....
Commissioner

FORM No. 5

THE MINING REGULATIONS, 1947

(Regulation 10)

Application for an Exclusive Prospecting Licence

To the Minister through the Commissioner.

Date and hour of receipt by the Commissioner.....

1. Name of application.....
2. Nationality of applicant.....
3. Name and nationality of directors of company, body of persons or partnership (if any)
4. Address in Jamaica at which notices, etc., may be served.....
5. Number of applicant's prospecting right.....
6. If a prospecting right was held by an individual as agent for the applicant, name of that agent and number of his prospecting right
7. If no prospecting right is held by the applicant or his agent, the special circumstances in which he is asking for the grant of the licence
8. Parish and approximate area (in square kilometres or part of a square kilometer) of area applied for.....
9. Mineral for which applicant desires to prospect.....
10. A financial statement as to the position of the applicant is appended hereto.
11. Is a copy of the memorandum and articles of association lodged with the Commissioner? If not, a copy must be enclosed herewith.
12. A sketch plan as required by the Regulations is attached hereto.
13. The date upon which the location beacon was erected was.....
14. The appropriate licence fee is forwarded herewith.
15. The delineation of the area is as follows—

An area of approximately square kilometers.

The location beacon consists of and is situated approximately at the intersection of false co-ordinates North East on sheet of the topographical map of Jamaica.

The first corner is situated approximately at the intersection of the false co-ordinates North and East, approximately metres distant from the location beacon on an approximate grid bearing of degrees.

The second corner is situated approximately at the intersection of the false co-ordinates North and East, approximately metres distant from the first corner on an approximate grid bearing of degrees.

The third corner is situated approximately at the intersection of the false co-ordinates North and East, approximately metres distant from the second corner on an approximate grid bearing of degrees and is metres distant from the location beacon on an approximate grid bearing of degrees.

.....
Signature of applicant

NOTE—All descriptions should be clockwise.

THE MINING REGULATIONS, 1947

FORM NO. 6

(Regulation 10)

THE MINING REGULATIONS, 1947

Exclusive Prospecting Licence

No.

The exclusive licence, subject to the provisions of the Mining Act and of the Regulations thereunder, now in force or which may come into force during the continuance of this licence or any renewal thereof, for one year from the day of subject to the special conditions hereunder written, is hereby granted to

(here insert name, address and description of licensee)

to prospect for the following mineral with the following limits
(here insert boundaries of area)

as delineated approximately on the plan attached hereto and coloured.....

This day of 19.....

Minister

SPECIAL CONDITIONS

FORM NO. 7

(Regulation 16)

THE MINING REGULATIONS, 1947

Application for renewal of Licence

To the Minister through the Commissioner.

1. Name of applicant.....
2. Number of applicant's licence for which application to renew is being made
3. State whether alluvial or lode deposits are being explored.....
4. State whether renewal is sought for the whole of the area or only a part.....
5. If renewal is sought for only a part delineation an approximate area must be given (see under) and a sketch plan of the area applied for must be attached.
6. The appropriate renewal fee is forwarded herewith.

*DELINEATION

An area of approximately.....

The location beacon consists of and is situated at

The first corner beacon consists of..... and is situated
..... metres distant from the location beacon on an approximate
bearing of.....degrees.

The second corner beacon consists of.....and is situated
.....metres distant from the first corner beacon on an approximate
magnetic bearing of.....degrees.

The third corner beacon consists of.....and is situated
.....metres distant from the second corner beacon on an approximate
magnetic bearing of.....degrees and is
metres distant from the location beacon on an approximate magnetic bearing of
.....degrees.

.....
Signature of applicant

*NOTE—All descriptions should be clockwise.

FORM NO. 8

(Regulation 17)

THE MINING REGULATIONS, 1947

Notice to Show Cause

To..... the holder of licence No.....

Whereas it has been brought to the attention of the Minister that you have (or your
attorney or manager.....
has) committed the following contravention of the provisions of the Mining Act or of the
Regulations thereunder, or of your licence.....

now therefore you are hereby required to show cause to me at.....
..... on or before the in
writing (or by attending personally) why your licence should not be revoked.

.....
Commissioner

FORM NO. 9

(Regulations 19, 29)

THE MINING REGULATIONS, 1947

Transfer

To the Minister through the Commissioner.

I.....the holder
of licence/mining lease No..... hereby apply for consent
to transfer such licence/lease to

The reason for my application is.....

The following are the particulars of the persons to whom I am applying for
permission to transfer—

1. Name of applicant.....
2. Nationality of applicant.....

THE MINING REGULATIONS, 1947

3. Address in Jamaica at which notices, etc., may be served.....
4. Name and nationality of directors of the company, body of persons or partnership (if any).....
5. A financial statement of the position of the applicant is appended hereto.
6. If a copy of the memorandum and articles of association has not already been lodged with the Commissioner a copy must be enclosed herewith.
7. The appropriate transfer fee is forwarded herewith.

.....
Signature of applicant

I desire to acquire the interest above referred to and the above particulars are correct.

.....
Signature of the person to whom application for transfer is made

Consent is given to the above transfer.

.....
Minister

Date.....

FORM NO. 10

(Regulations 20, 30)

THE MINING REGULATIONS, 1947

Surrender

To the Minister through the Commissioner.

Ithe holder of licence / mining lease No.hereby apply for your consent to surrender my licence / mining lease.

The reasons for my application are.....

I forward herewith my licence / mining lease and the appropriate surrender fee.

.....
Signature of holder

Consent is given to the surrender.

.....
Minister

Date.....

FORM NO. 11

(Regulation 21)

THE MINING REGULATIONS, 1947

Certificate on termination of Licence

To the Commissioner.

1. Name of holder of licence.....
2. Number of the licence.....
3. Date of termination of the licence.....

I hereby certify that all the excavations (a list whereof appears hereunder) have been secured in the permanent manner set out below against each excavation, and I also certify that I have removed all beacons marking out the boundaries of the area the subject of the licence which has been terminated and that I have complied with the provisions of section 29 of the Act.

Excavations	Manner in which secured
(a)	
(b)	

.....
Signature of holder

FORM NO. 12

(Regulation 22)

THE MINING REGULATIONS, 1947

Application for Mining Lease

To the Minister through the Commissioner.

Date and hour of receipt by the Commissioner.....

1. Name of applicant.....
2. Nationality of applicant.....
3. Name and nationality of members or directors of the company, body of persons or partnership (if any).....
4. Address in Jamaica at which notices, etc., may be served.....
5. Number of the applicant's prospecting right of licence.....
6. Parish and area (in square kilometres or part of a square kilometer) of the area applied for.....
7. Mineral for which the applicant desires to mine.....
8. Length of term desired.....
9. A financial statement of the position of the applicant is appended hereto.
10. In the case of an application by a company if a copy of the memorandum and articles of association has not already been lodged with the Commissioner a copy must be enclosed herewith.
11. The date on which the location beacon was erected was.....
12. A sketch plan as required by the Regulations is attached hereto
13. The appropriate mining lease fee is forwarded herewith.

14. The delineation of the area is as follows—

The area of approximately square kilometres

The location beacon consists of and is situated approximately at the intersection of false co-ordinates North and East on sheet of the topographical map of Jamaica.

The first corner is situated approximately at the intersection of the false co-ordinates North and East, approximately metres distant from the location beacon on an approximate grid bearing of degrees.

The second corner is situated approximately at the intersection of the false co-ordinates North and East, approximately metres distant from the first corner on an approximate grid bearing of degrees.

The third corner is situated approximately at the intersection of the false co-ordinates North and East, approximately metres distant from the second corner on an approximate grid bearing of degrees and is metres distant from the location beacon on an approximate grid bearing of degrees.

FORM NO. 13

(Regulation 22)

THE MINING REGULATIONS, 1947

Temporary Permission to Mine

This temporary permission to mine is granted to offor the purpose of mining..... in, under or upon..... in respect of which an application for a mining lease has been made by the saidwhich said area is delineated on the application plan hereto annexed furnished by the said..... for a period ofsubject to the provisions of the Mining Act and of the Regulations made thereunder, which are now in force or which may hereafter come into force during the continuance of this temporary permission and subject to the following conditions and restrictions.....

Rent payable—

Dated the.....day of..... 19.....

Minister

FORM NO. 14

(Regulation 22)

THE MINING REGULATIONS, 1947

Mining Lease

This mining lease is granted to offor the purpose of mining..... in, under or uponas the same is delineated on the plan annexed hereto and coloured..... for a term ofyears from theday ofsubject to the provisions

of the Mining Act and of the Regulations made thereunder, which are now in force, as well as to any regulations which may come into force during the continuance of this lease and relating to the safe working of the mines or to health or welfare of the persons employed therein, and subject also to the following conditions—

The surface rent payable in respect of the lands comprised in this Lease is

Dated the day of 19

Minister

FORM NO. 15

(Regulation 31)

THE MINING REGULATIONS, 1947

Application for Renewal of Mining Lease

To the Minister through the Commissioner.

1. Name of applicant.....
2. Number of applicant's mining lease.....
3. Mineral for which applicant desires to mine.....
4. Length of term desired.....
5. If the application is for any area less than the area covered by the lease a sketch plan as required by the regulations must be attached and the delineation with the beacons set out.
6. The appropriate fee is forwarded herewith.

Date.....

Signature of applicant

FORM NO. 16

(Regulation 32)

THE MINING REGULATIONS, 1947

Notice of contravention to Mining Lessee

Toholder of mining lease No.

Whereas it has been brought to my notice that you have (or your attorney or managerhas) committed the following contravention of the Mining Act or the Regulations made thereunder, or of the conditions of your mining lease

Now therefore I hereby require you to remedy that contravention on or beforeand if you do not your lease will be liable to revocation.

Date.....

Commissioner

THE MINING REGULATIONS, 1947

FORM NO. 17

(Regulation 34)

THE MINING REGULATIONS, 1947

Notice of removal of plant

To the Commissioner.

I who was holder of mining lease
No. which terminated on hereby
notify you of my intention to remove from the area of the lease the following plant,
machinery, engines or tools—
.....
.....
.....

The removal of the abovementioned articles will be completed by.....
.....

Date.....
.....

.....
Signature of holder

FORM NO. 18

(Regulation 35)

THE MINING REGULATIONS, 1947

Application to Treat Tailings

To the Commissioner.

I the holder of mining lease
No. which terminated on hereby apply
for leave to enter the land comprised in such lease and to treat/remove the tailings dumped
or stacked at.....
.....

Date.....
.....

.....
Signature of applicant

I consent to the application.
.....

.....
Commissioner

FORM NO. 19 [Deleted by L.N. 89D/2004]

FORM NO. 20 [Deleted by L.N. 89D/2004]

FORM NO. 21 [Deleted by L.N. 89D/2004]

FORM NO. 22

(Regulation 39)

THE MINING REGULATIONS, 1947

Export Permit

I hereby authorize..... to export
 on which royalty has been paid to

 Date.....

.....
Commissioner

FORM NO. 22A

(Regulation 39)

THE MINING REGULATIONS, 1947

Application for an Export Permit

To the Commissioner.

1. Name of applicant.....
2. Address.....
3. Mining lease No.....
4. Parish.....
5. Quarterly period (where applicable).....
6. Mineral.....
7. Destination and amount as set out below.

DESTINATION			Amount of mineral*
Consignee	Country	Port	
			Total

*Bauxite: dry metric tons (dmt); alumina and other bulk minerals: metric tons (mt).

The appropriate fee of is sent with this application.

.....
Signature of applicant

THE MINING REGULATIONS, 1947

FORM NO. 23

(Regulation 43)

THE MINING REGULATIONS, 1947

Notice of Lodgment

I..... the holder of prospecting right
 licence/mining lease No..... hereby forward the sum of
 as required under section of the Act.
 Date.....

.....
Signature of holder

FORM NO. 24

(Regulation 43)

THE MINING REGULATIONS, 1947

Application for return of lodgment

I..... the holder of prospecting right licence/
 mining lease No..... which terminated on.....
 hereby apply for the return of my lodgment of.....
 or the balance thereof lodged by me on the
 and I certify that there is no liability or claim outstanding to which such lodgment is liable.
 Date.....

.....
Signature of applicant

FORM NO. 25

(Regulation 43)

THE MINING REGULATIONS, 1947

Application for payment from lodgment

I..... have been awarded the sum of
 and..... costs against
 the holder of prospecting right licence / mining
 lease No..... on the..... day of
 in the Resident Magistrate's Court at
 and there remains outstanding the sum
 of which I have not as yet been paid. I
 therefore apply for the payment of such sum out of the amount lodged by
 the said..... under section 11 or 12 of the
 Act.

Date.....

.....
Signature of applicant

FORM NO. 26

(Regulation 49)

THE MINING REGULATIONS, 1947

Mineral Dealer's Licence

Licence is hereby granted to..... of
to deal in the following minerals
at.....subject to the
 provisions of the Mining Act and of the Regulations made thereunder from
 time to time in force.

This Licence expires on 31st December, 19.....

Date.....

.....
Commissioner

FORM NO. 27

(Regulation 60 (a))

THE MINING REGULATIONS, 1947

Application for Special Mining Lease for Bauxite or Laterite

To the Minister through the Commissioner.

Date and hour of receipt by the Commissioner.....

1. Name of applicant.....
2. Nationality of applicant.....
3. Name and nationality of members or directors of the company, body of persons or partnership (if any).....
4. Address in Jamaica at which notice, etc., may be served.....
5. Number of the applicant's prospecting right or licence.....
6. Parish and area (in square kilometres or part of a square kilometer) of the area applied for.....
7. Mineral for which the applicant desires to mine.....
8. Length of term desired.....
9. A financial statement of the position of the applicant is appended hereto.
10. In the case of an application by a company if a copy of the memorandum and articles of association has not already been lodged with the Commissioner a copy must be enclosed herewith.

11. A sketch plan as required by the Regulations is attached hereto.
12. The volume and folio numbers of the registered titles of the applicant's lands.
13. Particulars of the metric squares in relation to which the application is made.
14. The appropriate mining lease fee is forwarded herewith.

.....
Signature of applicant

FORM NO. 28

(Regulation 60 (c))

THE MINING REGULATIONS, 1947

Special Mining Lease for Bauxite or Laterite

This special mining lease is granted to.....
of..... for the purpose of mining
 bauxite or laterite in, under or upon..... as
 the same is delineated on the plan annexed hereto and coloured.....
for a term of..... years from the
 day of..... subject to the provisions
 of the Mining Act and of the Regulations made thereunder now in force, as well as
 to any regulations which may come into force during the continuance of this lease
 and relating to the safe working of the mines or to the health or welfare of the
 persons employed therein, and subject also to the following conditions—

Date the day of 19.....

.....
Minister

FORM NO. 29

(Regulation 62(1))

THE MINING REGULATIONS, 1947

*Application for Addition of other Lands to area of special Mining Lease
for Bauxite or Laterite*

To the Minister through the Commissioner.

1. Name of applicant.....
2. Number of applicant's special mining lease for bauxite or laterite.....
3. A sketch plan as required by the Regulations is attached hereto.
4. Approximate area in square kilometres of area applied for.....
5. The volume and folio numbers of the registered titles of the applicant's lands.....
6. Particulars of the metric squares in relation to which the application is made and of those in relation to which the special mining lease for bauxite or laterite was granted.....

7. The appropriate fee is forwarded herewith.

Date.....

.....
Signature of applicant

SECOND SCHEDULE

(Regulations 3(2),
10, 16(2), 19, 20,
22(2)(a), 29, 30,
31(2), 36(2), 46,
47(2) and 62)

Rates

					\$
1.	Prospecting Right or renewal thereof	...	...	...	5,000.00
2.	Exclusive Prospecting Licence	...	...	...	10,000.00
3.	Renewal of Exclusive Prospecting Licence	...	...	...	5,000.00
4.	Surrender or transfer of Exclusive Prospecting Licence and Special Exclusive Prospecting Licence or any share or interest therein	...	...	...	1,000.00
5.	Surrender or transfer of Mining Lease or any share or interest therein	...	...	...	5,000.00
6.	Temporary permission to mine or renewal thereof	...	...	...	10,000.00
7.	Sanction to group Exclusive Prospecting Licences or Mining Leases...	...	...	...	5,000.00
8.	Export Permit	...	...	...	1,000.00
9.	Mineral Dealers Licence	...	...	...	5,000.00
10.	Search of register	...	...	...	500.00
11.	Surrender or transfer of Special Mining Lease	...	...	...	5,000.00
12.	Addition of minerals to Prospecting Licences or Mining Leases—				
	for a single mineral	...	...	...	2,000.00
	for each additional mineral	...	...	...	1,000.00
13.	Special Exclusive Prospecting Licences (per metric square or part thereof)	...	...	...	600.00
14.	Renewal of Special Exclusive Prospecting Licence (per metric square or part thereof)...	...	...	...	400.00
15.	Mining Lease (per metric square or part thereof)				1,200.00
16.	Renewal of Mining Lease (per metric square or part thereof)...	...	...	...	600.00
17.	Special Mining Lease (per metric square or part thereof)...	...	...	...	1,200.00

SECOND SCHEDULE, *contd.*

					\$
18.	Special Mining Lease for bauxite or laterite (per metric square or part thereof)...	...	...	...	1,200.00
19.	Addition to Special Mining Lease (per metric square or part thereof)...	...	...	...	1,200.00
20.	Renewal of Special Mining Lease (per metric square or part thereof)...	...	...	...	1,200.00