

under s. 128

G.N. 33/1981

102/1988

6/2001

1. Citation

These Regulations may be cited as the Mines and Minerals (Non-Exclusive Prospecting Licence) Regulations.

2. Application for licence

Any person wishing to obtain a non-exclusive prospecting licence shall make application therefor in duplicate to the Commissioner; the application shall be in or to the effect of a form approved by the Commissioner.

3. Application for renewal of licence

(1) Any person wishing to renew a non-exclusive prospecting licence shall make application in writing in that behalf to the Commissioner not more than two months nor less than one month before the expiry of the licence which is to be renewed.

(2) An applicant for the renewal of a non-exclusive prospecting licence shall submit to the Commissioner—

(a) his licence; and

(b) in such detail as the Commissioner may require, a report on the prospecting operations carried out by the applicant together with a description of the prospecting operations which the applicant intends to carry out during the renewal period.

4. Filing of application

Every application for the grant or renewal of a non-exclusive prospecting licence shall be filed in the office of the Commissioner for a period of three years from the date of the application and shall be open for inspection by the public on payment of a fee of K250.

5. Information

An applicant for the grant or renewal of a non-exclusive prospecting licence may be required to give information as to whether he has been convicted of a criminal offence and, if he has been so convicted, to give particulars of every such conviction.

6. Restriction

A non-exclusive prospecting licence shall not be issued to an individual, whether alone or in partnership, who is under 18 years of age.

7. Duties of holder of licence

(1) The holder of a non-exclusive prospecting licence—

(a) shall, himself or by his agent, be present and in control at the place at which prospecting work is being carried out under the authority of the licence; and

(b) shall produce to the Commissioner, an authorized officer or a police officer, when required to do so, his licence.

(2) Any person who fails or neglects to comply with subregulation (1) is guilty of an offence and liable on conviction to a fine of K5,000.

8. Licence not transferable

A non-exclusive prospecting licence may not be transferred.

9. Form of licence

A non-exclusive prospecting licence shall be in a form approved by the Commissioner.

10. Fees

The fees to be paid in respect of a non-exclusive prospecting licence are, in respect of each District or part of a District included in the licence— G.N. 102/1988

(a) on issue, K200; and

(b) on each renewal, K100.