

# MINES AND MINERALS (PRESCRIBED OPERATIONS) REGULATIONS

under s. 128

G.N. 39/1981

## 1. Citation

These Regulations may be cited as the Mines and Minerals (Prescribed Operations) Regulations.

## 2. Prescribed operations

The operations which may be carried on under section 116 (4) of the Act are—

(a) entering at all reasonable times upon any land with such persons, vehicles, appliances, instruments and materials as are necessary for the purpose of collecting information on the geology and mineral resources of Malawi;

(b) breaking up for that purpose the surface of any land;

(c) taking and carrying away for that purpose samples and specimens of soils, rocks or minerals;

(d) fixing any post, stone, mark or object to be used in the survey of any land for that purpose;

(e) digging up any ground in order to fix any post, stone, mark or object referred to in paragraph (d); or

(f) entering into or upon and passing over any land through which it may be necessary to pass for that purpose, but—

(g) no act of a kind referred to in paragraph (d) shall be effected within any walled or fenced garden or orchard without the consent of the owner or lawful occupier thereof; and

(h) before abandoning any land in respect of which any such right has been exercised all excavations made shall be backfilled or otherwise made safe.

## 3. Manner of carrying on operations

Any person carrying on operations under section 116 (4) of the Act shall cause as little damage and inconvenience as possible in doing so, and the owner and lawful occupier of any land on which any such operations are carried on is entitled to recover from the Republic compensation for any damage sustained by him which is directly attributable to those operations having been carried on.