

**SECTION 108-THE MINES AND MINERALS  
(APPLICATION FOR MINING RIGHTS)  
REGULATIONS**  
*Regulations by the Minister*

**CAP. 213  
Statutory  
Instrument  
123 of  
1996  
144 of  
1996  
154 of  
1996**

- |   |                                   |
|---|-----------------------------------|
| <p><b>1.</b> These Regulations may be cited as the Mines and Minerals (Application for Mining Rights) Regulations.</p>  | Title                             |
| <p><b>2.</b> (1) A person may apply to the Minister for the following licences in the form set out in the First Schedule:</p> <p>(a) Prospecting Licence;</p> <p>(b) Mining Licence; and</p> <p>(c) Large Scale Mining Licence.</p> <p>(2) A person may apply to the Director for the following licences or permit, as the case may be, in the form set out in the First Schedule:</p> <p>(a) Small Scale Mining Licence;</p> <p>(b) Gemstone Licence; and</p> <p>(c) Prospecting Permit.</p> | Application for licence or permit |
| <p><b>3.</b> A person may apply to the Authorised officer for an Artisan's Mining Right in the form set out in the Second Schedule.</p>   | Artisan's Mining Right            |
| <p><b>4.</b> A person may apply to the Director for a Gemstone Sales Certificate</p>  | Gemstone Sales                    |

in the form set out in the Third Schedule.

Certificate

**5.** The fees set out in the Fourth Schedule shall be paid for licences, permits, an artisan's mining right or for a gemstone sales certificate.

Fees

# FIRST SCHEDULE

(Regulation 2)

Mines Form No. ....  
Stocked by Mines Development Department  
Date and time of receipt: .....  
.....  
Checked by: .....

## APPLICATION FORM FOR A MINING RIGHT

THE MINES AND MINERALS ACT, 1995  
(PARTS III AND IV)

Type of licence

Type(s) of mineral(s)

Area ..... District ..... Province

Period

A. PARTICULARS OF APPLICANT (other than company or association)

(1) Full names of applicant

(a) Surname ..... (Maiden Name)

(b) Other names

(c) Place and date of birth

(2) Address of applicant

(a) Residential address

..... Telephone No.

(b) Business address

..... Telephone No. .... Fax No.

(3) Identity documents

(a) NRC No. .... Date/place of issue

(b) Passport No. .... Date/place of issue

(c) Nationality

**B. PARTICULARS OF ORGANISATION (company/association)**

(4) (a) Name of company

(b) Location and postal address of company/association

..... Telephone No. .... Fax No.

Telex No. .... E-mail No.

(c) Company Registration No.

(d) Address of registered office in Zambia

(e) Date of incorporation

(f) Nominal capital

(g) Paid up capital

(h) Full names of

	Shareholders	Shares held	Nationality	NRC/Passport No.
(i)	.....	.....	.....	.....
(ii)	.....	.....	.....	.....
(iii)	.....	.....	.....	.....
(iv)	.....	.....	.....	.....
(v)	.....	.....	.....	.....

(i) Full names of

	Directors	Nationality	NRC/Passport No.
(i)	.....	.....	.....
(ii)	.....	.....	.....
(iii)	.....	.....	.....
(iv)	.....	.....	.....
(v)	.....	.....	.....

(j) Full name and nationality of Chief Executive

(k) Full name and nationality of Company Secretary

C. PARTICULARS OF FINANCE

(5) Name and address of bankers

..... Telephone No.

Fax No. .... Telex No.

(6) Financial status

(a) Details of finance available for intended operations (with documentary evidence)

(b) Details of other assets

(7) Financial references (other than own bankers)

(i)

(ii)

(8) Name and address of lawyers

..... Telephone No.

Fax No. .... Telex No.

D. PARTICULARS OF TECHNICAL COMPETENCE AND EXPERIENCE

(9) Details relevant to prospecting/mining experience (with supporting documentary evidence)

(10) Details of previous mining rights held and reports submitted:

E. PARTICULARS OF OTHER STATUTORY REQUIREMENTS

(11) Details required for application for a prospecting licence:

(a) Description of the area with a plan (map) in Scale 1:50 000 or 1:250 000

(b) Programme of operations (annualized, with budget)

(12) Details required for application for a retention licence:

(a) Feasibility Study

(b) Environmental Impact Assessment Study.

(13) Details required for application for a large-scale mining licence:

(a) Description of the area with a plan (map) in Scale 1:50 000 or 1:250 000

(b) Technological reports (feasibility studies)

(i) Geology (reserves, etc.)

(ii) Mining and processing

(c) Programme of mining operations

(d) Environmental Plan.

(14) Details required for application for prospecting permit:

(a) Description of the area with a plan (map) in Scale 1:50 000 or 1:250 000

(b) Programme of operations.

(15) Details required for application for a small-scale mining licence:

(a) Description of the area with a plan (map) in Scale 1:50 000 or 1:250 000

(b) Programme of mining operations.

(16) Details required for application for a gemstone licence:

(a) Description of the area with a plan (map) in Scale 1:50 000 or 1:250 000

(b) Programme of mining operations including forecast for investment and estimated recovery rate of ore and gemstones.

NOTE: Any declaration in this application which is to the knowledge of the maker, false or untrue, shall render this application void *ab initio*.

I, \_\_\_\_\_ do hereby declare that the information given above is true and correct and I make this declaration conscientiously believing the same to be true.

Signature

(In what capacity?)

Date:

NOTES:

1. Mining Right means a prospecting licence, retention licence, a large-scale mining licence, a prospecting permit, small-scale mining licence and gemstone licence granted under the provisions of Parts III and IV of the Mines and Minerals Act, 1995.
2. Prospecting licence means a licence granted under Part III of the Mines and Minerals Act, 1995. It empowers the holder to carry on prospecting operations in accordance with the programme of operations.
3. Retention licence means a licence granted under the provisions of Part III of the Mines and Minerals Act, 1995. It empowers the holder exclusive rights to retain and develop the deposit in accordance with the studies and assessments.
4. Large-scale Mining Licence means a licence acquired under the provisions of Part III of the Mines and Minerals Act, 1995. It empowers the holder to develop and mine mineral deposits covered by his licence in accordance with the programme of operations.
5. Prospecting Permit means a permit granted under the provisions of Part IV of the Mines and Minerals Act, 1995. It empowers the holder to carry on prospecting operations in accordance with the programme of operations.
6. Small-Scale Mining Licence means a licence acquired under the provisions of Part IV of the Mines and Minerals Act, 1995. It empowers the holder to develop and mine mineral deposits covered by his licence in accordance with the programme of operations.
7. Gemstone Licence means a licence acquired under Part IV of the Mines and Minerals Act, 1995. It empowers the holder to develop and mine mineral deposits covered by his licence in accordance with the programme of operations.

\*Where space is not adequate additional information to be submitted separately.

For paragraphs D and E above the information to be submitted in accordance with the provisions of the following sections:

-13 (2) (b) and 14 (3); 19 (2) (a) and (b); 24 (3) (c), (d), (h) and (4); 30 (2) (b) and 31 (3); 35 (3) (a) and (d); and 41 (1) (a) and (c) of the Mines and Minerals Act, 1995.

Three copies to be submitted to: Director, Mines Development Department, P.O. Box

31969, Lusaka.

Application forms can be obtained from: Director, Mines Development Department, P.O. Box 31969, Lusaka.

Price: 100 fee units.

**Mines Form.....**  
**Stocked by Mines Development Department**  
**Registration No. LML .....**  
**REPUBLIC OF ZAMBIA**

**LARGE-SCALE MINING LICENCE**

(Section 25 of the Mines and Minerals Act, 1995, No. 31 of 1995)

Applicant's name:

Address:

Prospecting Licence No.

The mining area shall be the area described in the Schedule and annexed hereto and bordered ....., on the Plan.

The licence shall relate to the following minerals:

The licence is granted for a period of ....., commencing on the day of

The programme of mining and development operations shall be as shown in the Appendix hereto.

The following conditions included in Prospecting Licence No. PL shall continue to apply:

Issued at ..... this ..... day of

*Director*

Endorsement of Registration

This large-scale mining licence has this ..... day of ..... been registered in the Register of Mining Rights.

*Director*

**RENEWALS AND AMENDMENTS**

Date of Amendment	Details of Renewal or Amendment	Date of Registration and Registration No.	Signature of Director

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**Mines Form.....**  
**Stocked by Mines Development Department**  
**Registration No. PL .....**  
**REPUBLIC OF ZAMBIA**

**PROSPECTING LICENCE**

(Section 14 of the Mines and Minerals Act, 1995, No. 31 of 1995)

Applicant's name:

Address:

The prospecting area shall be the area described in the Schedule annexed hereto and bordered ....., on the Plan.

The licence shall relate to the following minerals:

The licence is granted for a period of , commencing on the ..... day of

The programme of prospecting operations shall be as shown in the Appendix hereto.

In addition to the above conditions, the licence shall be subject to the following special conditions-

(here shall be inserted any conditions under section 14 (3) of the Mines and Minerals Act, 1995):

Issued at ..... this ..... day of .....,

*Director*

**ENDORSEMENT OF REGISTRATION**

This prospecting licence has this ..... day of ....., been registered in the Register of Mining Rights.

*Director*

**RENEWALS AND AMENDMENTS**

Date of Amendment	Details of Renewal or Amendment	Date of Registration and Registration No.	Signature of Director

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**Mines Form.....**  
**Stocked by Mines Development Department**  
**Registration No. SML .....**  
**REPUBLIC OF ZAMBIA**

**SMALL-SCALE MINING LICENCE**

(Section 36 of the Mines and Minerals Act, 1995, No. 31 of 1995)

Applicant's name:

Address:

Prospecting Permit No. PP

The mining area shall be the area described in the Schedule and annexed hereto and bordered ....., on the Plan.

The licence shall relate to the following minerals:

The licence is granted for a period of ....., commencing on the day of

The programme of mining and development operations shall be as shown in the Appendix hereto.

The following conditions included in Prospecting Permit No. PP shall continue to apply:

Issued at ..... this ..... day of

*Director*

**ENDORSEMENT OF REGISTRATION**

This small-scale mining licence has this ..... day of .....,  
..... been registered in the Register of Mining Rights.

*Director*

**RENEWALS AND AMENDMENTS**

Date of Amendment	Details of Renewal or Amendment	Date of Registration and Registration No.	Signature of Director

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**Mines Form.....**  
**Stocked by Mines Development Department**  
**Registration No. PP .....**  
**REPUBLIC OF ZAMBIA**

**PROSPECTING PERMIT**

(Section 31 of the Mines and Minerals Act, 1995, No. 31 of 1995)

Applicant's name:

Address:

Prospecting Permit No. PP

The mining area shall be the area described in the Schedule and annexed hereto and bordered ....., on the Plan.

The licence shall relate to the following minerals:

The permit is granted for a period of ....., commencing on the day of

The programme of prospecting operations shall be as shown in the Appendix hereto.

In addition to the above conditions, the permit shall be subject to the following special conditions (here shall be inserted any conditions, imposed under subsection (3) of section 31 of the Mines and Minerals Act, 1995):

Issued at ..... this ..... day of .....

*Director*

**ENDORSEMENT OF REGISTRATION**

This prospecting permit has this ..... day of ..... been registered in the Register of Mining Rights.

*Director*

**RENEWALS AND AMENDMENTS**

Date of Amendment	Details of Renewal or Amendment	Date of Registration and Registration No.	Signature of Director

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**Mines Form.....**  
**Stocked by Mines Development Department**  
**Gemstone Sales Certificate GSC .....**  
**REPUBLIC OF ZAMBIA**

**GEMSTONE SALES CERTIFICATE**

(Section 99 of the Mines and Minerals Act, 1995, No. 31 of 1995)

(PART XIII)

Applicant's name:

Address:

The certificate is for a period of one year commencing on the            day  
.....,

This certificate is subject to the following conditions:

Issued at ..... this ..... day of .....,  
.....

*Director*

**Mines Form.....**  
**Stocked by Mines Development Department**  
**Registration No. RL .....**  
**REPUBLIC OF ZAMBIA**

**RETENTION LICENCE**

(Section 20 of the Mines and Minerals Act, 1995, No. 31 of 1995)

Applicant's name:

Address:

Prospecting Licence No. PL

The mining area shall be the area described in the Schedule and annexed hereto and bordered ....., on the Plan.

The licence shall relate to the following minerals:

The licence is granted for a period of ....., commencing on the day of .....

A feasibility study on the market conditions and trends and economic factors as well as the environmental plan for the recovery shall be as shown in the appendix hereto.

In addition to the above conditions, the licence shall be subject to the following special conditions-(here shall be inserted any conditions, imposed under subsection (2) of section (20) of the Mines and Minerals Act, 1995):

Issued at ..... this ..... day of .....

*Director*

**ENDORSEMENT OF REGISTRATION**

This Retention licence has this ..... day of .....,  
been registered in the Register of Mining Rights.

*Director*

**RENEWALS AND AMENDMENTS**

Date of Amendment	Details of Renewal or Amendment	Date of Registration and Registration No.	Signature of Director

**Mines Form.....**  
**Stocked by Mines Development Department**  
**Artisan's Mining Right AMR .....**  
**REPUBLIC OF ZAMBIA**

**ARTISAN'S MINING RIGHT**

(Section 64 of the Mines and Minerals Act, 1995, No. 31 of 1995)

Applicant's name:

Address:

The artisan's mining right area shall be the area described in the Schedule and annexed hereto and bordered ....., on the Plan.

The artisan's mining right shall relate to the minerals: .....,

The artisan's mining right is granted for a period of two (2) years commencing on the ..... day of .....,

Issued at ..... this ..... day of .....,

*Authorised Officer*

This artisan's mining right has this ..... day of .....,  
been registered in the Register of Mining Rights.

*Authorised Officer*

**Mines Form.....**  
**Stocked by Mines Development Department**  
**Registration No. GL .....**  
**REPUBLIC OF ZAMBIA**

**GEMSTONE LICENCE**

(Section 42 of the Mines and Minerals Act, 1995, Act No. 31 of 1995)

Applicant's name:

Address:

The prospecting and mining area shall be the area described in the Schedule and annexed hereto and bordered on the Plan.

The licence shall relate to the following minerals:

The licence is granted for a period of \_\_\_\_\_, commencing on the \_\_\_\_\_ day of \_\_\_\_\_

The programme of prospecting and mining operations shall be as shown in Appendix hereto.

In addition to the above conditions, the licence shall be subject to the following special conditions-(here shall be inserted any conditions imposed under subsection (2) of section 42 of the Mines and Minerals Act, 1995):

Issued at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_,

*Director*

**ENDORSEMENT OF REGISTRATION**

This gemstone licence has this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ been registered in the Register of Mining Rights.

*Director*

**AMENDMENTS**

		Date of
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Date of Amendment	Details of Amendment	Registration and Registration No.	Signature of Director

*(As amended by SI Nos. 144 of 1996 and 157 of 1996)*

# SECOND SCHEDULE

(Regulation 3)

Mines Form.....  
Stocked by Mines Development Department  
Date and time of receipt: .....

Checked by: .....

## APPLICATION FORM FOR AN ARTISAN'S MINING RIGHT

THE MINES AND MINERALS ACT, 1995  
(PARTS VII)

### I. DETAILS OF APPLICANT (complete A or B, whichever is applicable)

#### A. Application by an individual

Name

Chief ..... District

Postal address

Residential address

Telephone No. .... Fax No.

Citizenship ..... NRC/Passport No.

#### B. Application by a community

##### (i) Where community is not a co-operative:

Name of representative

Name of village

Chief ..... District

Postal address

Name of members

NRC No.

Residential address

.....

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.....

(use separate sheet if necessary)

(ii) Where community is a co-operative:

(a) Name and address of the co-operative

..... Telephone No.

(b) Registration Certificate No. .... Fax No.

(c) Date and place of registration

(d) Share capital (nominal and paid-up)

(e) Name of village (Place of mining activities)

(e) Chief ..... District

(f) Full names of

Members

NRC No./Passport No.

Residential address

(i) .....

.....

.....

(ii) .....

.....

.....

(iii) .....

.....

.....

(g) Full names of Chairman

(h) Full names of secretary

II. PARTICULARS OF APPLICATION

(a) Area required      Hectares (not exceeding five Hectares)

(b) Location of area

(c) Mineral(s)

III. BRIEF TECHNOLOGICAL INFORMATION ON MINING AND PROCESSING

(if space not enough, use separate sheet )

IV. SKETCH PLAN

Show the following details on the plan:

(a) The dimensions of the area

(b) The position of any area in the vicinity already held under a mining right

(c) The direction and distance of the area from any feature which can be identified on maps, e.g. roads, river, beacon, river or road junctions, etc.

I,            do hereby declare that the information given above is true and correct and I make this declaration conscientiously believing the same to be true.

Signature

(In what capacity?)

Date:

NOTES:

Artisan's Mining Rights means an artisan's mining right granted under the provisions of Part VII of the Mines and Minerals Act, 1995. It empowers the holder of the mining right to develop and mine mineral deposits covered by his mining right.

Three copies to be submitted to: Director, Mines Development Department,  
P.O. Box 31969, Lusaka.

Application forms can be obtained from: Director, Mines Development Department,  
P.O. Box 31969, Lusaka.

Price: 100 fee units.

# THIRD SCHEDULE

(Regulation 4)

Mines Form.....  
Stocked by Mines Development Department  
Date and time of receipt: .....

Checked by: .....

## APPLICATION FORM FOR A GEMSTONE SALES CERTIFICATE

THE MINES AND MINERALS ACT, 1995  
(PART XIII)

Type(s) of gemstones:

### A. PARTICULARS OF APPLICANT (other than company or association)

(1) Full names of applicant

(a) Surname ..... (maiden name)

(b) Other names

(c) Place and date of birth.

(2) Address of applicant

(a) Residential address

..... Telephone No.

(b) Business address

..... Telephone No. .... Fax No.

(3) Identity documents

(a) NRC No. .... Date/place of issue

(b) Passport No. .... Date/place of issue

(c) Nationality

(4) Situation of registered office.

### B. PARTICULARS OF ORGANISATION (company/association)

- (4) (a) Name of company  
 (b) Location and postal address of company/association

Telephone No. .... Fax No. .... Telex No.  
 E-mail No.

- (c) Company Registration No.  
 (d) Address of registered office in Zambia  
 (e) Date of incorporation  
 (f) Nominal capital  
 (g) Paid up capital  
 (h) Full names of

	Shareholders	Shares held	Nationality	NRC/Passport No.
(i)	.....	.....	.....	.....
(ii)	.....	.....	.....	.....
(iii)	.....	.....	.....	.....
(iv)	.....	.....	.....	.....
(v)	.....	.....	.....	.....

- (i) Full names of

	Directors	Nationality	NRC/Passport No.
(i)	.....	.....	.....
(ii)	.....	.....	.....
(iii)	.....	.....	.....
(iv)	.....	.....	.....
(v)	.....	.....	.....

- (j) Full name and nationality of Chief Executive

- (k) Full name and nationality of Company Secretary

- (l) Situation of registered office

C. PARTICULARS OF FINANCE

- (5) Name and address of bankers

..... Telephone No. .... Fax No.  
 Telex No. ....

- (6) Financial status

- (a) Details of finance available for intended operations (with documentary evidence)

(b) Details of other assets

(7) Financial references (other than own bankers)

(i)

(ii)

(8) Name and address of lawyers

..... Telephone No. .... Fax No.

Telex No. ....

NOTE: Any declaration in this application which is to the knowledge of the maker, false or untrue, shall render this application void *ab initio*.

I, do hereby declare that the information given above is true and correct and I make this declaration conscientiously believing the same to be true.

Signature

(In what capacity?)

Date:

NOTES:

The gemstone sales certificate granted under the provisions of Part XIII of the Mines and Minerals Act, 1995, empowers the holder to carry on business of trading in gemstones.

Three copies to be submitted to: Director, Mines Development Department, P.O. Box 31969, Lusaka.

Application forms can be obtained from: Director, Mines Development Department, P.O. Box 31969, Lusaka.

Price: 100 fee units.

# FOURTH SCHEDULE

(Regulation 5)

<i>Type of licence</i>	<i>Fee units</i>
LARGE SCALE MINING OPERATIONS	

1. *Prospecting licence*

(a) basic licence fee	, 500
(b) annual area charges per square kilometre	, 10

2. *Retention licence*

(a) basic licence fee	1,000
(b) annual area charges per square kilometre	, 100

3. *Mining licence*

(a) basic licence fee	1,000
(b) annual area charges per square kilometre	, 200

SMALL SCALE MINING OPERATIONS

4. *Prospecting permit*

(a) basic licence fee	, 250
(b) annual area charges per hectare	, 5

5. *Small scale mining licence*

(a) basic licence fee	, 250
(b) annual area charges per hectare	, 10
(c) tonnage fees for building materials	, 2
(d) annual rent on any mineral other than building material sold, percentum of mineral sold	, 5

6. *Gemstone licence*

(a) basic licence fee	, 250
(b) annual rent and deemed turnover shall be as set out in the table below-	

Year of duration of Right	Rent per hectare (fee units)	Deemed turnover per hectare (fee units)
Year 1	nil	nil

Years 2-4	100	2000
Years 5-7	150	3000
Year 8 and subsequent years	200	4000

7. *Artisan's mining rights*

- (a) basic licence fee , 100
- (b) annual area charges per hectare , 100
- (c) tonnage fees for building materials , 2

8. Reconnaissance Permit , 250

9. Gemstones Sales Certificate 1,000

10. Gold Dealer's Licence 1,000

11.(a) survey charges per kilometer , 100

(b) other related charges for transport, subsistence, etc., shall be determined by the Director in accordance with the scale approved from time to time by the Government