Minerals And Mining (General) Regulations, 2012 (L.I. 2173)

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In exercise of the powers conferred on the Minister responsible for Mines under section 110 of Minerals and Mining Act, 2006 (Act 703), these Regulations are made this day 20th of March, 2012.

Recruitment of expatriates, training of Ghanaians and preference for local products

Regulation 1—Recruitment of expatriates and employment and training of Ghanaians

(1) An application for a mineral right, a licence to export or deal in minerals or to provide mine support services under the Act or any Regulations made under the Act shall be accompanied by particulars of the applicant's proposals with respect to the recruitment of expatriates and employment and training of Ghanaians.

(2) The particulars to be submitted shall include:

(a) the curriculum vitae of the expatriates;
(b) the positions to be filled by the expatriates and their job descriptions;
(c) the conditions of service of the expatriates, including remuneration, allowances and other benefits;
(d) the term or duration of the contract of the expatriates;
(e) a statement indicating how the applicant intends to train Ghanaians to replace the expatriates within a specified time frame, if available; and
(f) the level of compliance with the ratios stipulated in these Regulations.

(3) The particulars shall be submitted:

(a) together with Form One as set out in the First Schedule; and
(b) at intervals of five years after the application has been granted.

(4) An immigration quota shall be granted to a holder of a mineral right under the Act subject to the approval by the Commission of the proposals submitted under subregulation (1).

(5) The approved proposals shall form part of the conditions to the mineral right agreement or the appropriate licence granted under the Act.

(6) The Commission shall not approve an immigration quota or an application to recruit an expatriate unless the Commission is satisfied that no Ghanaian has the requisite qualification and experience to occupy the position for which the expatriate is to be recruited.

(7) On the commencement of these Regulations, a holder of a reconnaissance licence or a prospecting licence shall submit for approval, a programme for recruitment and training of Ghanaians which shall include:

(a) details of ongoing and planned recruitment and training of Ghanaians to replace expatriates; and
(b) the percentage of expatriate staff relative to the total number of staff and senior staff to be maintained by a holder of a reconnaissance licence or a prospecting licence as specified in the Second Schedule.

(8) Where the employment of expatriate skilled labour is critical, a holder of a reconnaissance licence or a prospecting licence may,

(a) after two years, substitute part or all of the holder's proportion of expatriate staff allowed in the technical, supervisory and management category for skilled labour; or
(b) after four years, substitute part or all of the holder's proportion of staff allowed in the management category for skilled labour.

(9) On the commencement of these Regulations, a holder of a mining lease shall submit for approval, a programme for recruitment and training of Ghanaians which shall include:

(a) details of ongoing and planned recruitment and training of Ghanaians to replace expatriates;
(b) the percentage of expatriate staff relative to the total number of senior staff to be maintained by a holder of a mining lease which is as follows:

> (i) for the first three years from the commencement of these Regulations or the commencement of mining operations, whichever is later, the percentage shall not exceed ten percent; and
> (ii) after the third year of the commencement of these Regulations or the commencement of mining operations, whichever is later, the percentage shall not exceed six percent.

(10) An expatriate shall not be employed in an unskilled or clerical position.

(11) Where the application of the percentages specified in subregulation (9) results in

(a) the holder of a mining lease being entitled to employ less than three expatriates, the Commission may permit the holder of a mining lease to employ three expatriates; or
(b) a fraction, the next whole number shall be the number of expatriates to be employed.

(12) On the commencement of these Regulations, a person registered to provide mine support services or licensed to export or deal in minerals shall:

(a) submit for approval a programme for training and recruitment of Ghanaians which shall include details of ongoing and planned training and recruitment of Ghanaians to replace expatriates; and
(b) maintain expatriate staff as specified in the Second Schedule.

(13) Subject to paragraph (b) of subregulation (12), unskilled labour, skilled labour, and clerical positions shall be reserved for Ghanaians.

(14) Where the employment of expatriate skilled labour is critical for the purposes of training Ghanaian personnel, a mine support service provider or a holder of a licence to export or deal in minerals may substitute part of the proportion of expatriate staff allowed as specified in the Second Schedule with the required skilled labour.

(15) A person who does not comply with the localisation programme approved under these Regulations is liable to pay to the Commission a penalty of one year's gross salary of the expatriate involved for each month or part of each month that the expatriate worked.

(16) The penalty shall be paid into an account to be established by the Commission for training of Ghanaians for employment in the mining sector.

(17) The payment of the penalty shall not prejudice any other actions that may be taken against the person or the expatriate involved under any other law;

(18) The Commission may approve the employment of additional expatriates in exceptional circumstances upon consideration of justification submitted by the applicant, including

(a) where specialised technology would be used;
(b) where training of Ghanaians being carried out would require a longer period than the transition period;
(c) where a special project including a new mine development, expansion or rehabilitation is to be undertaken, provided that the duration of the project does not exceed three years; or
(d) where Ghanaians are transferred to work as expatriates in the company's operations in other countries.

(19) Where prospecting operations are being carried out on five or more prospecting licences and a corporate office is maintained separately from the exploration site offices, a maximum of two additional expatriates may be employed in the corporate office.

(20) Where mining operations are being carried out on two or more mining leases and a corporate office is maintained separately from the mine offices, a maximum of two additional expatriates may be employed in the corporate office.

Regulation 2—Procurement of local products

(1) A mine Support Service provider, a holder of a mineral right or a licence to export or deal in minerals shall procure goods and services with Ghanaian content to the maximum extent possible and consistent with safety, efficiency and economy.

(2) A mine Support Service provider, a holder of a mineral right or a licence to export or deal in minerals shall submit to the Commission for approval, a procurement plan in accordance with subregulation (1).

(3) The procurement plan shall be submitted within one year of the commencement of these Regulations or the commencement of that person's operations, whichever is later.

(4) The procurement plan shall be for an initial period of five years, and subsequently for a further five year period.

(5) The procurement plan shall include

(a) targets for local procurement covering at least the items specified in the local procurement list as provided for in subregulation 10;
(b) prospects for local procurement; and
(c) specific support to providers or suppliers as well as other measures to develop the supply of local goods and services, including broadening access to opportunities and technical and financial assistance.

(6) A person who fails to comply with subregulation (2) is liable to pay the Commission a penalty of ten thousand United States dollars for each month of the first six months of default and subsequently ten thousand United States dollars for each day that the default continues.

(7) The procurement plan shall be revised annually to take account of the requirements in the local procurement list.

(8) The holder of a mineral right, a licence to export or deal in minerals or a licenced mine support services provider shall submit semi-annually, reports on the implementation of the procurement plan.

(9) A person who fails to comply with subregulation (8) is liable to pay to the Commission a penalty of ten thousand United States dollars for each month of the first two months of default and subsequently ten thousand United States dollars for each day that the default continues.

(10) The Commission shall have a local procurement list and specify in the list the goods and services with Ghanaian content which shall be procured in Ghana by the holder of a mineral right, a licence to export or deal in minerals or a person registered to provide mine support services.

(11) A holder of a mineral right, a licence to export or deal in minerals or a person registered to provide mine support services who fails to comply with subregulation (10) is liable to pay to the Commission the full customs import duty in respect of the goods imported and a penalty as provided in the local procurement list.

(12) The Commission shall review the local procurement list annually.

(13) In assessing tenders for goods and services on the local procurement list, where bids are within two percent of each other by price, the bid containing the highest level of Ghanaian participation in terms of ownership and management by Ghanaians and employment of Ghanaians shall be selected.

(14) A person whose localisation programme has been approved by the Commission under these Regulations shall submit an annual report to the Commission on or before the thirty-first day of January each year, showing the level of compliance with the approved programme.

Exportation, sale and disposal of minerals

Regulation 3—Application by holder of mining lease

(1) Subject to section 6(1) of the Act, an application by a holder of a mining lease for a licence to export, sell or dispose of gold or other precious minerals produced by the holder shall be submitted to the Minister as set out in accordance with the Form Two in the First Schedule.

(2) The application shall be accompanied with

(a) a refining contract; and
(b) a sales and marketing agreement.

(3) The holder of a licence to export, sell or dispose of gold or other precious minerals shall, before a shipment of minerals is made, provide to the Commission particulars of the quantity and grade of the mineral to be shipped and access for samples to be taken by a government designated laboratory for assaying purposes.

(4) The holder of a licence to export, sell or dispose of gold or other minerals shall,

(a) not later than thirty days after a shipment of minerals, submit to the Commission certified copies of the refinery returns;
(b) comply with the conditions specified in the licence and any other reasonable conditions that the Minister may determine; and
(c) submit monthly and annual returns as set out in Form Three of the First Schedule.

Regulation 4—Application by person other than holder of mining lease

(1) An application by a person other than a holder of a mining lease or holder of a licence to purchase and export, sell or dispose of minerals under section 6(1) of the Act shall be submitted to the Minister as set out in Form Four of the First Schedule and shall be accompanied with

(a) particulars of financial and technical resources available to the applicant;
(b) an estimate of the amount of money proposed to be spent;
(c) a business plan or particulars of the programme of the proposed operations; and
(d) a localisation programme in accordance with these Regulations.

(2) For the purposes of section 6(1) of the Act, the Minister may grant a licence to an applicant where the Minister is satisfied that:

(a) the business plan or particulars of the programme of the proposed operations includes

(i) the refining or polishing of the minerals in Ghana before export;
(ii) the purchase of only refined or polished minerals for export; or
(iii) the supply of a percentage of the minerals determined by the Minister to local refineries to ensure regular supply to local users; and

(b) the applicant has access to adequate financial resources, technical competence and experience to carry out the operations effectively.

(3) The holder of a licence shall submit monthly and annual returns as set out in Form Five of the First Schedule.

(4) The holder of a licence to export, sell or dispose of gold or other minerals shall comply with the conditions specified in the licence and any other conditions that the Minister may determine.

(5) This regulation applies to precious minerals only.

Regulation 5—Shipment of diamonds

The shipment of diamonds shall be in accordance with the Kimberley Process Certificate Act, 2003 (Act 652).

Regulation 6—Application for licence to export industrial minerals

(1) Subject to section 6(1) of the Act, a holder of a restricted mining lease shall obtain a licence from the Minister to enable the holder export, sell or dispose of any industrial minerals produced from the mining operations of the holder.

(2) The application for the licence shall be submitted by the holder to the Minister and shall be as set out in Form Six of the First Schedule and shall be accompanied with a marketing contract.

(3) A person shall not ship any industrial minerals under this regulation unless that person has submitted to the Minister

(a) particulars of the quantity and grade or bulk of industrial mineral to be shipped;
(b) the sale price at the time of shipment; and
(c) the country of destination.

(4) A person who ships industrial minerals shall submit to the Commission within sixty days after the shipment, certified copies of sales returns in relation to the shipment.

(5) A holder of a licence to export, sell or dispose of industrial minerals shall comply with the conditions specified in the licence and any other conditions that the Commission may determine.

(6) The holder of a licence to export, sell or dispose of industrial minerals shall submit monthly and annual returns as set out in Form Seven of the First Schedule.

<u>General provisions concerning mineral rights</u>

Regulation 7—Conditions of mineral rights

(1) The holder of a mineral right and the operator of a mine or a mining related facility, shall:

(a) conduct mineral operations

(i) with due diligence, efficiency, safety and economy,
(ii) in accordance with good mining industry practice, and
(iii) in a proper and workmanlike manner, and

(b) observe sound technical and engineering principles and use appropriate modern and effective equipment, machinery, methods and materials.

(2) The holder of a mineral right shall comply with the conditions specified in the agreement in respect of the mineral right and any other conditions that the Minister may determine.

(3) A condition of a licence or lease which relates to obligations which apply after the expiration of the licence or lease shall continue to have effect and be enforceable after

(a) the expiration of the term of the mineral right;
(b) the surrender of the whole or a part of the area specified in the mineral right; or,
(c) the cancellation of the right in respect of the whole or part of the area specified in the right.

Regulation 8—Record-keeping and reporting obligations

(1) The holder of a mineral right shall keep at the holder's registered address and, where applicable, the holder's mine offices, complete and accurate records of operations relating to the mineral right including

(a) complete and accurate technical records of its mineral operations, in the title area and where applicable, minerals won and production from the title area;
(b) reports, including interpretations, dealing with minerals identified in the title area in the course of mineral operations;
(c) copies of tests and analyses, geological and geophysical maps, diagrams or charts relevant to the mineral operations;
(d) where applicable, correct and intelligible plans and sections of mines that show the operations and workings which have been carried on as well as dykes, veins, faults and disturbances which have been encountered in the workings or operations;
(e) complete records of pits and trenches created by the holder in the title area; and
(f) proper books of accounts and financial records of the holder's mineral operations prepared according to generally accepted accounting principles, showing the expenditure and, where applicable, the revenues received by the holder from all sources including its mineral operations in the title area.

(2) The Minister may publish, in the Gazette and on the website of the Commission, Reporting Guidelines for the purpose of specifying the form of and details required in reports and records required to be submitted under these Regulations.

(3) The holder of a mineral right shall provide to the Commission other reports and information concerning its mineral operations that are prescribed in these Regulations and in accordance with any Reporting Guidelines made under subregulation (2).

(4) The holder of a mineral right who fails to submit a report as required under this regulation is liable to pay to the Commission a penalty of five hundred United States dollars for each day that the report is not submitted.

(5) The holder of a mineral right shall provide the Commission with samples from the title area that the Commission may reasonably request and the holder shall keep the samples in the manner directed by the Commission and published on the website of the Commission.

Regulation 9—Notification of mineral operations

(1) The holder of a mineral right shall, at least thirty days, before commencing operations in a District, give written notice as prescribed in regulation 27 to the relevant District Office of the Commission, the District Assembly and the communities concerned on entry into the District to conduct mineral operations.

(2) The holder of a mineral right shall, at least thirty days, before ceasing operations in a District where that holder has been operating, give written notice as prescribed in regulation 27 to the relevant District Office of the Commission, the District Assembly and the communities concerned before the intended departure.

(3) A holder of a mineral right who contravenes subregulation (1) or (2) is liable to pay to the Commission a penalty of not more than five thousand United States dollars in the first instance and a further penalty of five hundred United States dollars for each day the contravention continues.

Reconnaissance operations

Regulation 10—Obligations under reconnaissance licence

The holder of a reconnaissance licence shall:

(a) commence reconnaissance operations within one month after the date of issue of the licence or some other further period specified in the licence;
(b) carry on reconnaissance operations in accordance with the approved programme of reconnaissance operations;
(c) submit quarterly to the Commission, geological and financial reports and other information relating to the reconnaissance operations as may be required;
(d) comply with the terms and conditions of any Environmental Permit that relates to the operations to be carried out under the licence;
(e) report any mineral discovery to the Commission within thirty days after discovery;
(f) on or within thirty days after the end of the term of the licence, remove any camps or temporary buildings or installations that the holder erected to carry out reconnaissance operations; and
(g) within ninety days repair or make good any damage caused to the surface of the land to the satisfaction of the Environmental Protection Agency and the Commission.

Regulation 11—Minerals obtained during reconnaissance

Minerals obtained in the course of reconnaissance operations shall remain the property of the Republic and, except for a reasonable quantity that may be kept for the purpose of sampling, assay, analysis or other examination, shall not be disposed of by the holder of the licence or by any other person without the written consent of the Commission.

Regulation 12—Limitation of rights under reconnaissance licence

The holder of a reconnaissance licence shall not conduct any prospecting or mining operations in the area which is the subject of the licence or in any other area.

Regulation 13—Record-keeping and reporting obligations

(1) The holder of a reconnaissance licence shall keep complete and accurate records of

(a) details of the minerals discovered in the reconnaissance area;
(b) results of geological analysis obtained and compiled by the licence holder;
(c) results of studies, surveys, tests and other work undertaken in the area covered by the licence, including any interpretation and assessment of the tests and surveys;
(d) financial statements and other books of account that the Commission may require; and
(e) reports and any other information that the Commission may determine.

(2) The records and reports to be maintained under subregulation (1), shall be submitted to the Commission in the manner and form specified in the Reporting Guidelines or as directed by the Commission by written notice to the holder.

(3) The Commission shall prepare and publish in the Gazette Reporting Guidelines which shall specify the manner and form in which records and reports are to be submitted to the Commission.#

Prospecting operations

Regulation 14—Obligations of holder of prospecting licence

The holder of a prospecting licence shall:

(a) commence prospecting operations within three months or within any other further period specified in the licence, after the date of issue of the licence and shall supply, at least once in every three months, copies of the records required in these Regulations to the Commission;.
(b) carry on prospecting operations in accordance with the programme of prospecting operations;
(c) give notice to the Commission in writing of the discovery of the mineral to which that holder's prospecting licence relates within a period of thirty days after the discovery;
(d) give notice to the Commission of the discovery of any other mineral deposit of possible economic value or otherwise within a period of thirty days after the discovery;
(e) backfill or otherwise make safe any excavation made during the course of the prospecting operations, to the reasonable satisfaction of the Commission;
(f) permanently preserve or otherwise make safe any borehole in the manner directed by the Commission and surrender to Government without compensation the boreholes and any water rights in respect of the bore holes after the termination;
(g) unless the Commission otherwise directs, remove, within sixty days after the expiry or termination of the licence, any camp, temporary building or machinery erected or installed by the holder, and repair or otherwise make good any damage to the surface of the ground occasioned by the removal, to the reasonable satisfaction of the Environmental Protection Agency and the Commission; and
(h) subject to the conditions of the licence and the provisions of section 37 of the Act, expend on prospecting, in accordance with the programme of prospecting operations, not less than the amount specified in the prospecting licence.

Regulation 15—Amendments to programme of prospecting operations

(1) The holder of a prospecting licence may, give notice to the Minister of amendments to the programme of prospecting operations and the amendments shall, unless the Minister rejects them within two months after being notified, have effect after that period.

(2) The Minister may allow an amendment to the approved programme of prospecting operations where the Minister is satisfied that

(a) the proposed revised programme of prospecting operations will ensure the most efficient prospecting of the mineral resources in the area;
(b) the proposed prospecting area extends to cover only that area reasonably required for the proposed revised programme of prospecting operations; and

(c) the holder of the prospecting licence demonstrates secured access to adequate financial resources, technical competence and experience to carry on effective prospecting operations in accordance with the proposed revised programme of prospecting operations.

(3) The Minister may cause investigations to be conducted or negotiations or consultations to be carried out as the Minister considers necessary to ensure that a proper assessment is made to ascertain whether the criteria in subregulation (2) have been satisfied.

(4) The Commission may, on an application by the holder of a prospecting licence, limit or suspend the obligation to carry on prospecting operations or to expend moneys as required by section 37 of the Act, where the holder of the licence can make a suitable case for the obligations to be temporarily suspended.

Regulation 16—Record-keeping and reporting requirements

(1) The holder of a prospecting licence shall keep full and accurate records of prospecting operations, including

(a) boreholes drilled;
(b) strata penetrated, with detailed logs of the strata;
(c) minerals discovered;
(d) the results of any geochemical or geophysical analysis; ,
(e) the result of any analysis or identification of minerals removed under section 37 of the Act;
(f) the geological interpretation of the records maintained under paragraphs (a) to (e);
(g) the number of persons employed; and
(h) any other prospecting work not listed above.

(2) The records and reports to be maintained under subregulation (1), shall be submitted to the Commission in the manner and form specified in the Reporting Guidelines, or otherwise as directed by the Commission or the Ghana Geological Survey Department by written notice to the holder.

(3) The holder of a prospecting licence shall submit to the Commission, at least quarterly and not later than fifteen days after the end of each quarter, a report containing the information required under subregulation (1).

(4) The holder of a prospecting licence shall submit to the Commission half-yearly and not later than thirty days after the half-year to which the report relates, a report summarising the results of prospecting operations undertaken in the title area during the half-year and containing the information required under subregulation (1).

(5) The holder of a prospecting licence shall submit to the Commission at the end of the financial year and not later than thirty days after the end of the financial year to which the report relates, a report summarising the results of prospecting operations undertaken in the title area during the financial year and, if applicable, a description of the proposed operations for the following year.

(6) A person who

(a) fails to

(i) keep a record or information required to be kept under sub-regulations (1) and (2); or
(ii) supply any record to the Commission in accordance with this regulation; or

(b) supplies any false or misleading record or information to the Commission,
commits an offence for the purposes of section 106 of the Act.

Regulation 17—Mineral samples

(1) The holder of a prospecting licence shall not, without the written permission of the Commission, which permission shall not be unreasonably withheld, and subject to reasonable conditions that the Minister may determine, remove any mineral from a prospecting area except for the purpose of having the mineral analysed, valued or tested.

(2) The holder of a prospecting licence shall

(a) provide to the Commission samples from the title area as the Commission may reasonably request, and
(b) keep samples in the manner directed by the Commission.

(3) On the surrender or termination of a prospecting licence, the holder shall submit all drill cores and samples to the Commission or to any office designated by the Commission.
Mining operations

Regulation 18—Marking of mining lease area

The holder of a mining lease shall, within thirty days after the receipt of the lease, paint and keep painted on each notice board of the relevant beacon during the period of the lease, the number assigned to the lease by the Commission.

Regulation 19—Amendments to programme of mining operations

(1) The holder of a mining lease shall give notice to the Commission of amendments that the holder wishes to make to the approved programme of mining operations and the amendments shall, unless they are rejected by the Minister within two months after the Minister has been notified, have effect after that period.

(2) The Minister may allow an amendment to the approved programme of mining operations where the Minister is satisfied that:

(a) the proposed revised programme of mining operations will ensure the most efficient use of the mineral resources in the area;
(b) the title area extends to cover only that area reasonably required for the proposed revised programme of mining operations; and

(c) the holder of the mining lease demonstrates secured access to adequate financial resources, technical competence and experience to carry on effective mining operations in accordance with the proposed revised programme.

(3) The Minister may cause investigations to be conducted or negotiations or consultations to be carried out as the Minister considers necessary to ensure that a proper assessment is made to ascertain whether the criteria in subregulation (2) have been satisfied.

(4) Subject to section 51 of the Act, the Commission may, on an application by the holder of a mining lease, limit or suspend the obligation to carry out mining operations, to expend moneys, or commence or continue production as required under the lease where, the holder of the mining lease can make a suitable case for the obligations to be temporarily suspended.

Regulation 20—Obligations of holder of mining lease

The holder of a mining lease shall:

(a) commence mining operations within twenty-four months of the grant of the lease, or within the period of time specified in the lease or in any Development Agreement entered into pursuant to section 49 of the Act;
(b) conduct mining operations in compliance with the approved programme;
(c) demarcate and keep demarcated the mining area in the manner prescribed under these Regulations;
(d) comply with the terms and conditions of the mining lease and any applicable Development Agreement; and
(e) comply with requests and directives issued by the Commission, including directions made by inspectors in the Inspectorate Division given in accordance with the Act and these Regulations.

Regulation 21—Commencement and suspension of mineral operations

(1) The holder of a mining lease operator shall give notice to the Commission of

(a) the commencement of mining operations in the mine;
(b) the suspension of mining operations in the mine;
(c) the recommencement of mining operations, in the mine, after suspension;
(d) the closure of mining operations in the mine;
(e) any substantial change to the mining operations in the mine;
(f) the commencement of installation of any major item of machinery or equipment in the mine; and
(g) the commencement of any major construction activity in the mine.

(2) The notice required in subregulation (1) shall be provided before, as applicable, the commencement, suspension, substantial change, installation or major construction, closure or recommencement.

(3) A notice required to be provided in subregulation (1) shall be provided within ninety days.

(4) A person who contravenes subregulation (1) is liable to pay to the Commission a penalty of ten thousand United States dollars and a further penalty of two thousand United States dollars for each day the contravention continues.

Regulation 22—Suspension of production

(1) Subject to section 51 of the Act, where the holder of a mining lease proposes to suspend or discontinue mining operations, the holder shall cause to be prepared to the satisfaction of the Commission an accurate plan of the mining operations as at the time of discontinuance or suspension and shall submit that plan to the Commission in accordance with these Regulations before the mining operations are discontinued or suspended.

(2) For the purposes of subregulation (1), where operations in a mine are to be suspended or discontinued, the holder shall submit plans to the Commission and the plans shall be subject to the approval of the Minister in accordance with section 51 of the Act.

(3) Where the suspension, curtailment or discontinuance of mining operations is approved, the Commission may grant, on behalf of the Minister, a certificate for the period and subject to the conditions determined by the Minister.

(4) Where work is not resumed at the expiration of the period of cessation or suspension specified in the certificate referred to in subregulation (3), or where the conditions specified in the certificate are not complied with, the Minister may revoke the mining lease.

(5) A certificate of cessation or suspension obtained through fraud or misrepresentation is void and the lease shall be revoked without prejudice to any penalty specified in these Regulations.

(6) A holder who contravenes this regulation commits an offence and is liable on summary conviction in the case of a body corporate, to a fine of not more than the penalty units equivalent of ten thousand United States dollars or in the case of an individual, to a fine of not more than the penalty units equivalent of five thousand United States dollars.

(7) The suspension or closure of the mine does not affect the validity period of the corresponding mining lease or small scale mining licence and the responsibilities for the payment of annual and rental fees.

Regulation 23—Record-keeping and reporting requirements

(1) The holder of a mining lease shall keep at the holder's registered address complete and accurate records of mining operations including

(a) copies of maps, geological reports, sample analyses, aerial photographs, boreholes drilled, cores, logs and tests and other data obtained and compiled by the lease holder;
(b) details of minerals discovered;
(c) results of geochemical or geophysical analysis obtained and compiled by the lease holder;
(d) results of studies, surveys, tests and other work undertaken in the area covered by the mining lease, including any interpretation and assessment of those tests and surveys;
(e) the geological interpretation of the records maintained, under paragraphs (a) to (d);
(f) details of minerals won, quantities sold, revenue received and royalties payable, royalties paid, taxes paid, dividends paid, communities social responsibility programmes;

(g) financial statements and other books of account that the Commission may require;
(h) the number of persons employed; and
(i) any other information that the Commission may specify.

(2) The records and reports to be maintained under subregulation (1), shall be maintained in the manner and form specified in the Reporting Guidelines, or as otherwise directed by the Commission by written notice to the holder.

(3) The holder of a mining lease shall submit to the Commission monthly, and not later than fifteen days after the end of each month, a report containing the information required under subregulation (1).

(4) The holder of a mining lease shall submit to the Commission half-yearly and not later than thirty days after the half-year to which the report relates, a report summarising the results of mining operations undertaken in the title area during the half-year and containing the information required under subregulation (1).

(5) The holder of a mining lease shall submit to the Commission at the end of the financial year and not later than thirty days after the end of the financial year to which the report relates, a report summarizing the results of mining operations undertaken in the title area during the financial year and a description of the proposed operations for the following year together with an estimate of production and revenue to be obtained from the operations.

(6) The holder of a mining lease shall submit to the Commission not later than one hundred and eighty days after the end of each financial year, a copy of each of its annual financial reports including a balance sheet, profit and loss account, and all notes pertaining to the records, duly certified by a qualified accountant who is a member of the Ghana Institute of Chartered Accountants.

(7) A person who

(a) fails to

(i) keep a record or information required to be kept under subregulations (1) and (2); or
(ii) supply any record to the Commission in accordance with subregulation (3) to (5); or

(b) supplies any false or misleading record or information to the Commission,
commits an offence for the purposes of section 106 of the Act.

Small scale mining operations

Regulation 24—Obligations under small-scale mining licence

The holder of a small-scale mining licence shall

(a) commence mining operations under the licence within six months after the grant of the licence or any other period specified in the licence;
(b) conduct mining operations in compliance with the mining plan approved by the Commission;
(c) demarcate and keep demarcated the concession boundaries in the manner prescribed in these Regulations;
(d) comply with the terms and conditions of the licence; and

(e) comply with directives issued by the Commission or an authorized officer in accordance with the Act and these Regulations.

Regulation 25—Record-keeping and reporting requirements

(1) The holder of a small-scale mining licence shall keep at the holder's registered address, complete and accurate records of mining operations including

(a) copies of maps, geological reports, sample analyses and other data obtained and compiled by the licence holder;
(b) details of minerals discovered;
(c) results of analysis obtained and compiled by the holder of the small-scale mining licence;
(d) results of studies, surveys, tests and other work undertake in the title area, including any interpretation and assessment of those tests and surveys;
(e) the geological interpretation of the records maintained under paragraphs (a) to (d);
(f) details of minerals won, quantities sold, revenue received, taxes paid, royalties paid and payable;
(g) financial statements and other books of account that the Commission may require;
(h) the number of persons employed; and
(i) any other information specified by the Commission.

(2) The records and reports to be maintained under subregulation (1), shall be maintained in the manner and form specified in the Reporting Guidelines or otherwise as directed by the Commission by written notice to the holder.

(3) The holder shall submit to the Commission half-yearly and not later than thirty days after the half-year to which the report relates, a report summarising the results of mineral operations undertaken in the title area during the half-year and containing the information required under subregulation (1).

(4) The holder shall submit to the Commission at the end of the financial year and not later than thirty days after the end of the financial year to which the report relates, a report summarising the results of mining operations undertaken in the title area during the financial year and a description of the proposed operations for the following year together with an estimate of production and revenue to be obtained from the operation.

(5) The holder shall submit to the Commission not later than ninety days after the end of each financial year, a copy of each of its annual financial reports, duly certified by a qualified practising accountant who is a member of the Ghana Institute of Chartered Accountants.

(6) A person who

(a) fails to

(i) keep a record or information required to be kept under subregulations (1) and (2);
(ii) supply a record to the Commission in accordance with subregulation (3) to (5); or

(b) supplies false or misleading record or information to the Commission,
commits an offence for the purposes of section 106 of the Act.

Miscellaneous provisions

Regulation 26—Power of attorney

A person may appoint another person as an attorney to act for that person in dealing with a mineral right or application for a mineral right by lodging with the Commission a notice of appointment of attorney or a power of attorney as set out in Form Eight in the First Schedule.

Regulation 27—Delivery of notices and orders

Unless otherwise stated in the Act or these Regulations, any notice, order, process or other document, required or authorized to be made under the Act or any Regulations made under the Act, to be given to or served on a person, may be served by:

(a) delivering the notice to that person;
(b) delivering the notice to an agent of that person;
(c) forwarding the notice by post in a certified or prepaid registered letter addressed to that person at that person's registered address in the case of the holder of a mineral right, or that person's last known place of abode or business in other cases;
(d) facsimile, where the person has provided in writing to the person wishing to serve the notice, a facsimile number for the purpose of the serving of notices and confirmed by registered mail;
(e) email where the person has provided in writing to the person wishing to serve the notice, an email address for the purpose of the service of notices; or
(f) registered mail.

Regulation 28—Interpretation

In these Regulations, unless the context otherwise requires,

- “Act” means the Minerals and Mining Act, 2006 (Act 703);
- “Agency” means the Environmental Protection Agency;
- “agent” means any person acting on behalf of another person or of the Commission;
- “Commission” means the Minerals Commission established under section 1 of the Minerals Commission Act, 1993 (Act 450);
- “employee” means a person who undertakes work in an area covered by a mineral right under a contract of employment or apprenticeship;
- “Environmental Assessment Regulations” means the Environmental Assessment Regulations, 1999 (L.I. 1652);
- “environmental impact assessment” means the process for the orderly and systematic evaluation of a proposal including its alternatives and objectives and its effect on the environment including the mitigation and management of those effects; the process extends from the initial concept of the proposal through implementation to completion, and where appropriate, decommissioning;
- “environmental impact statement” means a document prepared by an applicant to present the case for the assessment of the proposal of the applicant as part of the environmental impact assessment process;

- “environmental management plan” means a document representing efforts that will be made to manage any significant environmental impacts which will result from an existing undertaking;
- “environmental permit” means an environmental authorization to commence a proposed undertaking or continue with the undertaking, issued after registration of the undertaking, or upon submission of a preliminary environmental report or environmental impact assessment;
- “inspector” means an inspector of the Inspectorate Division appointed under the Act;
- “localisation programme” includes a procurement plan and means proposals or particulars with respect to the employment or recruitment of expatriates, employment and training of Ghanaians towards the eventual replacement of expatriate personnel by Ghanaian personnel and preference for local products, as the context permits;
- “manager” means a manager appointed by the operator in accordance with section 16 of the Act and, means in relation to a mine or other facility:
    - a manager for that mine or facility, appointed by the holder of a mining lease or a restricted mining lease;
    - a person who is appointed by the registered manager to have the immediate charge and direction of the mine or facility; and
    - a deputy manager appointed by a registered manager or who is appointed by a person referred to in sub-regulation (b);
- “precious minerals” include
    - emerald, garnet, ruby, sapphire, turquoise, and any other precious stones that are prescribed by the Commission; and
    - precious metals, namely gold, silver, or other metals of the platinoid group in an un-manufactured state and, any other rare earth metals that are prescribed by the Commission;
- “prospecting operations” means operations carried out under a prospecting licence;
- “reconnaissance operations” means operations carried out under a reconnaissance licence;
- “Reporting Guidelines” means the guidelines published pursuant to regulation 8(2), 13(2), 16 (2), 23(3) or 25(3);
- “senior staff” means an employee of a holder of a mineral right or a mine support provider above the level of supervisor;
- “small-scale mine” means a mine operated under a small-scale mining licence; and
- “title area” means an area which is the subject of a mineral right.

SCHEDULES

FIRST SCHEDULE

Form One: Expatriate Recruitment Application Form

(Regulation 1(3)(a))

EXPATRIATE RECRUITMENT APPLICATION FORM APPLICATION No.:

SECTION 1: LICENCEE'S IDENTIFICATION DATA

Full Name of Licencee

Postal Address

City/Town/Village

Region

Email Address

Facsimile #

Website

Fixed Phone Line #

Mobile Phone Line #

Licence #

Licence Type #

SECTION 2: EXPATRIATE'S DATA

Full Name of Expatriate Picture of Expatriate

Date of Birth

Nationality

Place of Birth

Passport Number

Position

Date of Employment

Duration of employment

Fixed Phone Line #

Email Address:

Facsimile #

Mobile Phone #

Permanent Address

Remuneration Per Month (US$)

Remuneration Per Month (GHS)

SECTION 3: GHANAIAN COUNTERPART'S DATA

Full Name of Ghanaian Counterpart Picture of Ghanaian Counterpart

Present Position

Qualification

Expected Takeover Date

Fixed Phone Line

Facsimile

Mobile Phone

Email Address

Permanent Address

SECTION 4: SUMMARY OF PLANNED PROGRAMS FOR GHANAIAN COUNTERPART

Planned Training Program Timelines Training Cost

I declare that the information provided above is true and correct. I agree to abide and be bound by the terms, conditions and contractual provisions governing the expatriate recruitment into Ghana's mining sector.

…….. ……../……../……

Signature Right Thumb Print

SECTION 5: DOCUMENTS SUBMITTED BY APPLICATION (OFFICIAL USE ONLY)

- Photocopy of Expatriate's Passport
- Receipt of Payment for application Form
- Resume of Expatriate with supporting certificates
- Evidence of Payment of Prescribed Application
- 2 Passport Size Pictures of both the Expatriate and Ghanaian Counterpart
- Processing Fee (Bankers Draft #.....)

Checked and Received by

Submission Date ……../……../…….

Submitted by Signature of Receiving Officer

Signature of Applicant/Rep.

Form Two: Application Form for licence to export, sell or dispose of gold or other precious minerals by a holder of a mining lease

(Regulation 3(1))

APPLICATION FOR LICENCE TO EXPORT, SELL OR DISPOSE OF GOLD BY A HOLDER OR A MINING LEASE

APPLICATION NO.:

SECTION 1: APPLICANT'S IDENTIFICATION DATA

NEW APPLICANT / RENEWAL OF EXISTING LICENCE

Are you applying for the first time? Yes No

Have you previously held a similar Licence? Yes No

If Yes, please provide the following information:

Date of Grant of Previous Licence:……

Duration:…….....

Name under which Previous Licence was acquired:…….

Full Name of Applicant

Full Name of Mine

Registered Office of Applicant (Location Address)

Postal Address

City/Town/Village

Region

P.O. Box

Email Address

Facsimile #

Website

Fixed Phone Line #

Mobile Phone Line #

Applicant's Tax Identification Number (TIN)

Applicant's VAT Identification Number

SECTION 2: APPLICANT'S FINANCIAL DETAILS

Full Name of Bankers and/or Financiers

Postal Address

City/Town/Village

Region

P.O. Box

Facsimile #

Email Address

Website

Fixed Phone Line #

I declare that the information provided above is true and correct. I agree to abide and be bound by the terms, conditions and contractual provisions governing the operation of the license sought which I have received, read and understood.

…….. Dated…….....……..Day of…….. 20……..

Signature(s) or Seal as Appropriate

SECTION 3: DOCUMENTS SUBMITTED BY APPLICANT (OFFICIAL USE ONLY)

Refining Contract(s) Number of Contract(s)…….. Receipt of Payment for Application Form

Sales & Marketing Agreement Evidence of Payment of Prescribed

Application Processing Fee (Receipt #: ……)

Submission Date ……/……../……..

Checked and Received by

Submitted by

Signature of Application/Rep.

Signature of Receiving Officer

Form Three: Form of returns of a holder of a licence to export, sell or dispose of gold or other minerals

(Regulation 3 (4)(c))

(a) Monthly Returns

(b) Annual Returns

MINERALS COMMISSION - MONTHLY RETURNS ON GOLD MINING COMPANIES - FORM 3 (a)

Lease Registration Code Number:……..

Month:……..

Year:…….

Minerals Commission—Monitoring and Evaluation Department

Form MR: MLG—Monthly Report: Mining Lease (for Gold)

OFFICIAL USE

Received at:…….

On:……

Authorizing Officer: …….

Report is confirmed complete:……..

On:……..

Reviewing officer: ……

Note to the preparer: on this form report only matters pertinent to the registration code number reported above. Use a separate reporting form for each registered lease (combined reports are not permissible)

A. COMPANY DETAILS

1. Name of Company……. Mineral(s)……..

2. Registered Address ……..

3. Postal Address ……..

4. Name of Mine ……District.....Location.....

5. Camp Site ……..

6. Fax ……Website…….....

7. E-mail ……Telephone.....Cell Phone.....

8. Name of Parent Company and Address (if any) ……....

……....

MINERALS COMMISSION - MONTHLY RETURNS ON GOLD MINING COMPANIES - FORM 3 (a)

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1. COMPANY DIRECTORS

Name of Director	Nationality
(a)…….	…….
(b) ……	…….
(c) ……	……..
(d) ……	……..
(e) ……	……..

2. COMPANY SHAREHOLDING

Name of Shareholder	Nationality	%Shareholding
(a) …….	……	……
(b) ……	…….	…….
(c) …….	…….	…….
(d) …….	…….	……..
(e) …….	…….	……..

3. DIRECTORS OF PARENT COMPANY

Name of Director	Nationality
(a) ……	……
(b) …….	……

(c) ……. ……

(d) …… ……

(e) ……. ……

MINERALS COMMISSION - MONTHLY RETURNS ON GOLD MINING COMPANIES - FORM 3 (a)

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4. KEY SHAREHOLDERS OF PARENT COMPANY

Name of Shareholder	Nationality	%Shareholding
(a) ……	……	…….....
(b) ……	……..	…….....
(c) ……	…….	…….....
(d) ……	……..	…….....
(e) …….	……	…….....

MINERALS COMMISSION - MONTHLY RETURNS ON GOLD MINING COMPANIES - FORM 3 (a)

B. GEOLOGICAL SUMMARY

Tonnage (metric tonnes)

Grade (oz, carat, ../tonne of each saleable mineral)

Contained saleable minerals (oz, carat, tonnes … of each saleable mineral)

Proven Ore Reserve*

Probable Ore Reserve*

Total Reserve:

Measured Mineral Resource*

Indicated Mineral Resource*

Inferred Mineral Resource*

Total Resource:

* According to JORC (Australasian Joint Ore Reserves Code for Exploration Results, Mineral Resources and Ore Reserves).

C. MINING SUMMARY

i. Mining Method (Underground/Surface/Alluvial) ……..

ii. Contract/Owner Mining (circle appropriate) – Name of Contractor (if applicable) ……..

iii. Type of Ore Mined

	Tonnage (t. m3)	Grade (g/t. g/m3)	Cumulative (month to date)
Oxides	……..	……....	……
Sulphides	……..	……....	……
Conglomerate	……..	……....	……
Alluvial	……..	……....	……..
Others	……..	……....	……..

iv. Average …….

v. Waste Mined …….

vi. Pit Dewatering (m3) …….

vii. Dilution Factor …….

viii. Stripping Ratio …….

ix. Equipment (List All)

Type	Number	Capacity	Owner (Company or Contractor)

x. Processing and Metallurgical Returns

Method	Gold Won (troy oz)	Silver Won (troy oz.)
……..	……	……
……..	……	…….
……..	……	…….
……..	…….	……
	Total …….	…….

	Month	Cumulative (month to date)
Ore to Treatment Plant (t/m3)	…….	…….
Quantity of Ore Treated (t. m3)	…….	……..
Head Grade (g/t. g/m3)	…….	……..
(R + r) Grade (g/t. g/m3)	…….	……..
Tailings grade (g/t. g/m3)	……..	……..
Total Gold won (troy ozs)	……..	…….
By-Products recovered (specify)	……..	……..

xi. Refinery Returns

Attach Copy of Refinery Returns indicating Gold Recovered (troy ozs), Silver Platinum, etc. Sales Proceeds (US$), Unit Price (US$/fine oz).

xii. Local Sales

Quantity	Proceeds	Buyers
a. ……	……. .	……
b. ……	……..	……
c. ……	……	……

Attach copies of receipts from local buyers

xiii. Mine Development

a. Surfacing Mining

- Cut backs

- Ramp Extension

- Road Construction

- Drilling

- Other Infrastructure

b. Underground Mining

- Drives

-Stopes

- Raises

- Cross-cuts

-Winzes

- Shafts

- Drilling

- Others

D. PRODUCTION EXPENDITURE

i. Average Monthly Foreign Exchange Rate Applied (Cedis/US$)…….

	FC (US$)	LC(GH¢)**
ii. Total Cash Cost	…….	……..
iii. Total Cost	…….	……..
iv. Total Cost Details:		
(a) Salaries and Wages (Gross)		
i. Local	…….	…….
ii. Foreign	…….	…….
(b) Bank Interest	…….	…….
(c) Interest to Affiliate	…….	……
(d) Royalty Payable (¢)	…….	…….
(e) Royalty Paid (¢)***	…….	…….
(f) Comporate Tax	…….	…….
(g) Depreciation (for tax)	……..	…….
(h) SSF by Employer	……..	…….
(i) Consumables	……..	…….
(j) Utilities	……..	…….
(k) Fuel	……..	……..
(l) Maintenance Cost	……	……..
TOTAL		

*FC = Cost incurred in foreign currency for specific activities/cost item

**LC = Cost incurred in local currency for specific activities/cost item

***Royalty Paid: attach a copy of IRS receipts.

MINERALS COMMISSION - MONTHLY RETURNS ON GOLD MINING COMPANIES - FORM 3 (a)

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v. Consumable Details

Country of Origin	Quantity Consumed	Unit of Measure	Price/Unit	Value (FCUS$/LCGH¢)
• Explosives (List types)				
• Petrol				
• Diesel				
• Lubricants				
• Lime				
• Flocculants				
• Caustic Soda				
• Antiscalant				
• Activated Carbon				
• Steel Balls				
• Hydrochloric Acid				
• Sodium Cyanide				
• Soda Ash				
• Hydrogen Peroxide				
• Steel Balls				
• Cement				
• Flotation Reagents				
• Cupel				
• Copper Sulphate				
• Crucible				
• Silica				
• Sulphuric Acid				
• Sulphamic Acid				
• Copper Sulphate				
• Xanthate				
• Promoter TSS 815				
• Nitric Acid and others				
• Flux (Remix)				
• Frother				
• Others (Please List)				
Total Value				

vi. Utilities Details:

a. Electricity	Price/Unit	Consumption (kwh)	Power (kwh)	Cost	FC (US$)/LC (GH¢)
- Self generated					
- National Grid					
Total					

b. Water	Price/Unit	Consumption (Litres)	Cost	FC (US$)/LC (GH¢)
- Self produced				
- National Grid				
Total				

c. Telecommunication	Cost	FC (US$)/LC (GH¢)

MINERALS COMMISSION - MONTHLY RETURNS ON GOLD MINING COMPANIES - FORM 3 (a)

E. MONTHLY SUMMARY LABOUR RETURNS

	Contractors	Skilled Labour	Unskilled Labour	Local Casual Labour
Expatriate				
Ghanaian Senior				
Ghanaian Junior				
Total				

	Expatriate	Ghanaian Senior	Ghanaian Junior
Male			
Female			
Total			

* Indicate the total number of people employed from the community:

Male …….. Female…….. Total……..

MINERALS COMMISSION - MONTHLY RETURNS ON GOLD MINING COMPANIES - FORM 3 (a)

F. ENVIRONMENTAL AND SOCIAL BRIEF

Environmental Impact and Mitigation Measures

……..

……..

……..

……

Social Impact and Mitigation Measures

……..

……..

……..

……..

……..

Corporate Social Responsibility (CSR) Projects and their Cost

……..

……..

……..

…….

Occupational Health and Safety Issues

…….

…….

…….

……..

MINERALS COMMISSION - MONTHLY RETURNS ON GOLD MINING COMPANIES - FORM 3 (a)

G. GENERAL COMMENTS

Brief report on Occupational Difficulty, New Technology or anything of interest

I HEREBY CERTIFY THAT THE INFORMATION AS PROVIDED ABOVE IS TRUE

Name: ……. Signature: ……

Designation: …… Date: ……..

FORM 3 (b): Form of annual returns of a holder of a licence to export, sell or dispose of gold or other minerals

(Regulation 3 (4)(c))

Reporting Year …….

A. COMPANY DETAILS

1. Name of Company …… Mineral Produced ……..

2. Address ……..

3. Location/Concession ……. Mining Area …….....

4. Fax …….. Website ……. E-mail …….....

5. Company Directors

(a) ……. (d)…….

(b) ……. (e) ……

(c) …….

6. Company Shareholding:

Name of Shareholder	%Shareholding
(a) ……..	……
(b) ……..	……
(c) ……..	……
(d) …….	……
(e) …….	……

B. FINANCIAL

1 Foreign Exchange Rate Applied: Cedis/US $ …….

2. (a) Total Mineral produced (MT/carat/oz) …….

(b) Total Minerals sold (MT/carat/oz) …….

3. Gross Mineral Sales (US$) …….

	FC (US$)	LC(Cedis)*	Total (US$)
4. Capital Expenditure	…….	……	……

5. Capital Expenditure Details:

(a) Buildings	……	……	……
(b) Office Furniture & Equipment	…….....	……	……
(c) Roads	……..	……	……
(d) Utilities Infrastructure (Plant, Equipment, Civil Works, etc):			
(i) Power	…….	……	……
(ii) Water	…….	…….	……
(iii) Communication	…….	…….	…….
(e) Mining Equipment	…….	…….	…….
(f) Processing Plant & Equipment	……	…….	…….
(g) Others	…….	…….	…….

	FC (US$)	LC (Cedis)	Total (US$)
6. Cash operating expenditure (excluding Depreciation, loan interest & taxes)	……..	……..	…….
Operating Cost Details:			
(a) Salaries and Wages	……..	……	…….
(b) Contract Services	……..	…….	…….
(c) Consumables (Chemicals, Cement etc)	……..	…….	…….
(d) Medical	……..	…….	…….
(e) Fuel (Diesel, Petrol, ……..)	…….	…….	…….
(f) Utilities (Water, Electricity, Telecom)	…….	…….	…….
(g) Crop Compensation	……	…….	…….
(h) Others	……	…….	…….
(i) FC-Foreign Component			
(j) LC-Local Component			

	FC (US$)	LC(Cedis)	Total (US$)
7. Total Loan Interest Paid	……	……	…….
8. Dividends paid	……	……	…….
9. New Equity (excluding retained earnings)	……	……	…….

	Payable	Paid
10. Royalties (¢)	……	……

11. Corporate Tax (¢) …… ……

12. Import Duties/Levies (¢):

(a) Customs Duty …….

(b) Customs Processing Fee ……

(c) Concessionary Levy (5% on Imports) ……

(d) Export Dev. Levy ……

(e) ECOWAS levy ……...

(f) National Reconstruction Levy (2.5%) ……...

(g) Others (Specify) ……...

13. Contributions to Mining Communities (Specify US$ or ¢)

(a) Alternative (Economic) Livelihood Projects ……...

(b) Water Project …….. (c) School Project …….

(d) Electricity Project …….. (e) Any other……..

*Contributions to Mining Communities that go to enhance the economic development of the Communities even after mine closure. (Please provide brief(s) on various projects)

14. Loans Secured:

(a) Outstanding Old Loans (Please name lender):

	Lender 1 ( )	Lender 2 ( )	Lender 3 ( )
(i) Original Loan Amount (US$)	……..	…….	……..
(ii) Initial moratorium on principal (yr.)	…….....	…….	……
(iii) Interest rate (% per annumm)	……..	…….	……
(iv) Outstanding amount to be repaid as Year end (US$)	……..	…….	……
(v) Outstanding repayment period (yr.)	…….....	…….	…….
(vi) Principal repayment (US$)	……..	…….	……..
(vii) Interest payment (US$)	……..	…….	…….
(viii) Total amount drawn down in Reporting year (US$)	……..	…….	……..

(b) New Loans Contracted in year (Please name lender):

	Lender 1	Lender 2	Lender 3

(i) Loan amount (US$/¢)	…….	…….	……
(ii) Interest rate (% per annum)	…….	…….	……
(iii) Interest payment (US$)	…….	…….	……
(iv) Moratorium on principal	……..	…….	……
(v) Repayment period (years)	……..	……	……
(vi) Principal payment (US$)	……..	……..	……
(vii) Total Loans drawn down (US$)	……	……	……

15. Personnel Costs/Contributions:	Ghanaians	Expatriates
(a) Employee Gross Earnings	…….	…….
(b) Employers Social Security (12.5%)	…….	…….
(c) Employee Pay As You Earn (PAYE)	…….	…….
(d) Cost of Training	…….	……..
(e) Other (Specify)	…….	……...

16. Foreign Exchange Retention Level (%) ……

17. Actual foreign Exchange brought into the country (US$)

(a) Through Bank of Ghana .....

(b) Through rest of Banking System …….

18. Any Hedging: Yes/No (cancel as appropriate)

(If yes please attach a brief specifying type, Magnitude of output Hedged and Terms of Contract).

19. Please submit Annual Audited Accounts as soon as available.

C. TECHNICAL

1. RESERVE POSITION:

Tonnage (metric tones)

Grade (oz, carat, …/tonne of each saleable mineral)

Contained saleable minerals (oz, carat, tonnes…..... of each saleable mineral)

Proven Ore Reserve*

Probable Ore Reserve*

Total Reserve

Measured Mineral Resource*

Indicated Mineral Resource*

Inferred Mineral Resource*

Total Resource:

* According to JORC (Australasian Joint Ore Reserves Code for Exploration Results, Mineral Resources and Ore Reserves).

2. PROJECTED MINERAL(S) OUTPUT (FOR REPORTING YEAR + 1)……..

3. MINING SUMMARY

i. Type of Mining (Underground/Surface) …….....

ii. Contract/Owner Mining (circle appropriate) – Name of contractor (if applicable).....

iii. Type of Ore Mined.

	Tonnage (t.m3)	Grade (g/t.g/m3)
Oxides	……	…….....
Sulphides	……	…….....
Conglomerate	……..	…….....
Alluvial	……..	…….....
Others	…….	…….....

iv. Average Grade ……..

v. Waste Mined (t.m3) ……..

vi. Pit Dewatching (m3)

vi. Dilution Factor ……..

vii. Stripping Ratio ……..

ix Equipment (List All) ……..

Type	Number	Capacity	Ownership (Company or Contractor)

x. Processing and Metallurgical Returns

Method	Gold Won (troy oz)	Silver Won (troy oz)
…….	…….	……
…….	…….	……
……..	…….	…….
Total	…….	…….

	Month	Cummulative (month to date)
Ore to Treatment Plant (t.m3)	……	……..
Quantity of Ore Treated (t.m3)	……	……..
Head Grade (g/t, g/m3)	……	……..
(R + r) Grade (g/t, g/m3)	……	……..
Tailings grade (g/t, g/m3)	……	……..
Total Gold won (troy ozs)	……	……..
By-Products recovered (specify)	…….	……..

ix. Mine Development

a. Surface Mining

- Cut backs
- Ramp Construction/Extension
- Road Construction
- Drilling
- Other Infrastructure

b. Underground Mining

- Drives
- Stopes
- Raises
- Cross-cuts
- Winzes
- Shafts
- Drilling
- Others

(xii). Consumable Details

Country of Origin Quantity Consumed Unit of Measure Price/Unit Value (FCUS$/LCGH¢)

- Explosives (List types)
- Petrol
- Diesel
- Lubricants
- Lime
- Flocculants
- Caustic Soda
- Antiscalant
- Activated Carbon
- Steel Balls
- Hydrochloric Acid
- Sodium Cyanide
- Soda Ash
- Hydrogen Peroxide
- Steel Balls
- Cement
- Flotation Reagents
- Cupel
- Copper Sulphate
- Crucible
- Silica
- Sulphuric Acid
- Sulphamic Acid
- Copper Sulphate
- Xanthate
- Promoter TSS 815
- Nitirc Acid and Others
- Flux (Remix)
- Frother
- Others (Please List)

Total Value

(xiii). Utilities Details:

a. Electricity Price/Unit Consumption (kwh) Power (kwh) Cost FC (US$)LC (GH¢)

- Self generated

- National Grid

Total

b. Water Price/Unit Consumption (Litres) Cost FC (US$) LC (GH¢)

- Self produced

- National Grid

Total

c. Telecommunication Cost FC (US$) LC (GH¢)

(xiv) ENVIRONMENTAL AND SOCIAL BRIEF

Environmental Impact and Mitigation Measures

…….

…….

…….

…….

Social Impact and Mitigation Measures

…….

…….

……..

……..

Corporated Social Responsibility (CSR) Projects and their Value (US$)

……..

……..

……..

……

Occupational Health and Safety Issues

…….

…….

…….

…….

(xv) MAJOR BREAK THROUGH DURING REPORTING YEAR (including Technological innovation)*

* You may use separate sheet if necessary.

D. LABOUR STATISTICS

1. MANPOWER TRAINING (GHANAIAN)

Number of Workers on Training

Description of Training Programme

Geology and Survey

Mining

Processing

Supporting

Engineering

Administration and Others

In-service training at the mine

JNR	SNR	JNR	SNR	JNR	SNR	JNR	SNR	JNR	SNR			
M	F	M	F	M	F	M	F	M	F	M	F	M
	F	M	F	M	F	M	F					

Attachment training with other mine

Formal study leave

Other Schemes (specify type where applicable)

*JNR – Junior Staff SNR – Senior Staff M – Male F – Female

2. STAFF RECRUITMENT AND TURNOVER (GHANAIAN)

STAFF RECRUITMENT & TURNOVER

Description:

Geology and Survey

Mining

Processing

Supporting

Engineering

Administration and Others

JNR	SNR	JNR	SNR	JNR	SNR	JNR	SNR	JNR	SNR			
M	F	M	F	M	F	M	F	M	F	M	F	M
	F	M	F	M	F	M	F					

Recruitment

Retirement

Resignation

Redundancy

Dismissal

3. MANPOWER TRAINING (EXPATRIATE)

Number of Workers on Training*

Description of Training Programme

Geology and Survey

Mining

Processing

Supporting

Engineering

Administration and Others

In-service training at the mine	JNR	SNR	JNR	SNR	JNR	SNR	JNR	SNR	JNR	SNR
M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F

Attachment training with other mine

Formal study leave

Other Schemes (specify type where applicable)

4. STAFF RECURITMENT AND TURNOVER (EXPATRIATE)

STAFF RECRUITMENT & TURNOVER

Description

Geology and Survey

Mining Processing

Supporting

Engineering

Administration and Others

	JNR	SNR	JNR	SNR	JNR	SNR	JNR	SNR	JNR	SNR			
	M	F	M	F	M	F	M	F	M	F	M	F	M
		F	M	F	M	F	M	F					
Recruitment													
Retirement													
Resignation													
Redundancy													
Dismissal													

5. MAJOR CONSTRAINTS DURING REPORTING YEAR:

I HEREBY CERTIFY THAT THE INFORMATION AS PROVIDED ABOVE IS TRUE

_____

Name …… Signature: ……..

Title:…… Date: ……..

Form Four: Application Form to purchase and export, sell or dispose of minerals by a person other than holder of a mining lease

(Regulation 4 (1))

APPLICATION FOR LICENCE TO DEAL IN GOLD

(PURCHASING, REFINERY, PROCESSING FACILITY) APPLICATION NO.:

SECTION 1: APPLICANT'S IDENTIFICATION DATA

NEW APPLICANT: RENEWAL OF EXISTING LICENCE

Are you applying for the first time?

Yes No

Have you previously held a similar Licence to Deal in Gold? Yes No

If Yes please provide the following information:

Full Name of Applicant

Registered Office of Applicant

(Location Address)

Postal Address

City/Town/Village

Region

P. O. Box

Mobile Phone Line #

Facsimile #

E-mail Address

Website

Applicant's Tax Identification Number (TIN)

Applicant's VAT Identification Number

Date of Grant of Previous Licence: …….

Duration:……..

Name under which previous Licence was acquired: ……

SECTION 2: APPLICANT'S FINANCIAL DETAILS

Full Name of Bankers and/or Financiers

Postal Address

City/Town/Village

P. O. Box

Fixed Phone Line #

E-mail Address

Facsimile #

Website

Capital Invested or Proposed for Investment

Source(s) of Funding

SECTION 3: OTHER DETAILS

State specific proposed activity (ies)

Proposed Project Site (where applicable)

Does applicant holds any licence or registration in the mining sector? If so, state title.

Does applicant hold any licence, registration or permit from Ministries/Department/Agencies or Government of Ghana? If so list them

I declare that the information provided above is true and correct. I agree to abide and be bound by the terms, conditions and contractual provisions governing the operation of the license sought which I have received, read and understood.

……. Dated……..day of……20…….

Signature(s) or Seal as Appropriate

VAT Registration Certificate

Receipt of Payment for Application Form

Tax Clearance Certificate

Evidence of Payment of Prescribed Business Plan

Application Processing Fee (Receipt)

#.....)

For existing companies, a Social Security and National Insurance Trust (SSNIT) Clearance Certificate is required.

Summary of Annual Reports over the last three (3) years including audited accounts (if any).

Registered Company–Certified True Copies of Certificate of Incorporation, Certificate to Commence Business, and Company regulations.

Evidence of Financial Capability:

Bank Statement over the last six months/letter of support from the financier

Submission Date ……/……/……../ Checked and Received by

Submitted by

Signature of Applicant/Rep. Signature of Receiving Officer

SECTION 4: DOCUMENTS SUBMITTED BY APPLICANT (OFFICIAL USE ONLY)

Form Five: Form of monthly returns of a person other than a holder of a mining lease

(Regulation 4 (3))

MINERALS COMMISSION - MONTHLY RETURNS ON MINERAL PURCHASING AND EXPORT COMPANIES - FORM 5 (a)

_____

Licence Registration Code Number:……

Month:……

Year:……..

Minerals Commission—Monitoring and Evaluation Department

Form MR: PELG—Monthly Report: Mineral Purchasing and Export Licence

OFFICIAL USE

Received at: ……

On:……..

Authorising officer:…….

Report is confirmed complete:……

On: ……..

Reviewing officer:……..

Note to the preparer: On this form report only matters pertinent to the registration code number reported above. Use a separate reporting form for each registered mineral purchasing and export licence (combined reports are not permissible).

A. COMPANY DETAILS

1. Name of Company…….. Mineral(s)……..

2. Registered Address:……

3. Postal Address ……

4. Name of Mine ……..District…….Location……....

5. Camp Site ……

6. Fax ……. Website ……...

7. E-mail ……. Telephone ……. Cell Phone……....

8. Name of Parent Company and Address (if any)……...

……..

MINERALS COMMISSION - MONTHLY RETURNS ON MINERAL PURCHASING AND EXPORT COMPANIES - FORM 5 (a)

---

1. COMPANY DIRECTOR

	Name of Directors	Nationality
(a)	……	……
(b)	……	……
(c)	……	……
(d)	……	……
(e)	……	……

2. COMPANY SHAREHOLDING

	Name of Shareholder	Nationality	%Shareholding
(a)	……..	……	……
(b)	…….	……	……
(c)	…….	……	……
(d)	…….	…….	……
(e)	……..	…….	…….

3. DIRECTORS OF PARENT COMPANY

	Name of Directors	Nationality
(a)	……	……..
(b)	……	……..

(c) …… …….

(d) …… …….

(e) …… …….

MINERALS COMMISSION - MONTHLY RETURNS ON MINERALS PURCHASING AND EXPORT COMPANIES - FORM 5(a)

---

4. KEY SHAREHOLDERS OF PARENT COMPANY

	Name of Shareholder	Nationality	%Shareholding
(a)	……	……	……....
(b)	……	……	……..
(c)	…….	…….	…….
(d)	…….	……..	…….
(e)	…….	……..	…….

B. MINERAL (Specify) PURCHASES

Quantity (troy oz, carat) etc ……

Assay Value (carat, finesse, value) ……

Total Cost (GH¢) ……

C. REFINERY RETURNS

Mineral ……

Assay Value (carat, finesse, value) ……

Recovery (troy oz, carat, mt.) ……

Quantity Sold (troy oz, carat, mt) ……

By-products ……

Export Sales Proceeds (US$) ……

Unit price (US$) …….

MINERALS COMMISSION - MONTHLY RETURNS ON MINERAL PURCHASING AND EXPORT COMPANIES - FORM 5 (a)

D. PRODUCTION EXPENDITURE

Average Monthly Foreign Exchange Rate Applied (Cedis/US$) ……

	FC (US%)	LC GH¢
i. Total Cash Cost	……. .	……
ii. Total Cost	……. .	……
iii. Total Cost Details	……	……..
(a) Salaries and Wages (Gross)		
i. Local	……	……..
ii. Foreign	……	……..
(a) Bank Interest	……	……..
(c) Royalty Payable (¢)	……	……..
(d) Royalty paid (¢)***	……	……..
(e) Corporate Tax	……	……..
(f) Depreciation	……	……..
(g) SSF by Employer	……	……..
(h) Consumables	……	……..
(i) Utilities	…….	……..
(j) Fuel	…….	……..
(k) Maintenance Cost	…….	……..

TOTAL …….....

*FC = Cost incurred in foreign currency for specific activities/cost item

**LC = cost incurred in local currency for specific activities/cost item

***Royalty Paid: attach copy of IRS receipts.

MINERALS COMMISSION - MONTHLY RETURNS ON MINERAL PURCHASING AND EXPORT COMPANIES - FORM 5 (a)

E. MONTHLY SUMMARY LABOUR RETURNS

	Expatriate	Ghanaian Senior	Ghanaian Junior
Contractors			
Skilled Labour			
Unskilled Labour			
Local Casual Labour			
Total			

	Expatriate	Ghanaian Senior	Ghanaian Junior
Male			
Female			
Total			

* Indicate the total number of people employed from the community:

Male …… Female …….. Total …….

I HEREBY CERTIFY THAT THE INFORMATION AS PROVIDED ABOVE IS TRUE.

Name: ……. Signature: ……..

Designation: …… Date: …….

Form of annual returns of a person other than a holder of a mining lease

(Regulation 4 (3))

MINERALS COMMISSION - ANNUAL RETURNS ON MINERAL PURCHASING AND EXPORT COMPANIES - FORM 5 (b)

Licence Registration Code Number: ……

Year: ……

Minerals Commission —Monitoring and Evaluation Department

Form MR: PELG—Annual Report: Mineral Purchasing and Export Licence

OFFICIAL USE

Received at: ……..

On: ……..

Authorizing Officer ……

Report is confirmed complete:…….

On: ……

Reviewing Officer: …….

Note to the preparer: on this form report only matters pertinent to the registration code number reported above. Use a separate reporting form for each registered mineral purchasing and export licence (combined reports are not permissible).

A. COMPANY DETAILS

1. Name of Company ……. Mineral(s)…….

2. Registered Address …….

3. Postal Address …….

4. Name of Mine …… District……Location……...

5. Camp Site ……

6. Fax ……Website……..

7. E-mail …….Telephone …….. Cell Phone……..

8. Name of Parent Company and Address (if any) …….

……..

ANNUAL RETURNS ON MINERAL PURCHASING AND EXPORT COMPANIES - FORM 5 (b)

---

1. COMPANY DIRECTORS

	Name of Director	Nationality
(a)	……	……
(b)	……	……
(c)	……	……
(d)	……	……
(e)	……	……

2. COMPANY SHAREHOLDING

	Name of Shareholder	Nationality	%Shareholding
(a)	…….	……	…….
(b)	…….	……	…….
(c)	…….	……	…….
(d)	…….	…….	…….
(e)	…….	……	…….……..

3. DIRECTORS OF PARENT COMPANY

	Name of Director	Nationality
(a)	……	……
(b)	……	……

(c) …… ……

(d) …… ……

(e) …… ……

MINERALS COMMISSION - ANNUAL RETURNS ON MINERAL PURCHASING AND EXPORT COMPANIES - FORM 5 (b)

---

4. KEY SHAREHOLDERS OF PARENT COMPANY

	Name of Shareholder	Nationality	%Shareholding
(a)	……	……	……..
(b)	……	……	……
(c)	…….	…….	…….
(d)	…….	……..	…….
(e)	…….	……..	…….

MINERALS COMMISSION - ANNUAL RETURNS ON MINERAL PURCHASING AND EXPORT COMPANIES - FORM 5 (b)

B. MINERAL (Specify) Purchases

Quantity (troy oz. carat) etc. …….

Assay Value (Carat, finesse, value) …….

Total Cost (GH¢) …….

C. REFINERY RETURNS

Mineral …….

Assay Value (Carat, finesse, value) …….

Recovery (troy oz, carat, mt) ……..

By-products …….

Export Sales Proceeds (US$) …….

Unit Price (US$) …….

MINERALS COMMISSION - ANNUAL RETURNS ON MINERAL PURCHASING AND EXPORT COMPANIES - FORM 5 (b)

D. PRODUCTION EXPENDITURE

Average Foreign Exchange Rate Applied (Cedis/US$) …….

	(US$)	LCGH¢
i. Total Cash Cost	……	……..
ii. Total Cost	…….	……..
iii. Total Cost Details:		
(a) Salaries and Wages (Gross)		
i. Local	……	……..
ii. Foreign	……	……..
(b) Bank Interest	……	……..
(c) Royalty Payable (¢)	……	…….
(d) Royalty Paid (¢)***	……	…….
(e) Corporate Tax	…….	…….
(f) Depreciation	…….	…….
(g) SSF by Employer	…….	…….
(h) Consumables	…….	…….
(i) Utilities	…….	…….
(j) Fuel	…….	…….
(k) Maintenance Cost	……..	…….
TOTAL		

*FC = Cost incurred in foreign currency for specific activities/cost item

**LC = Cost incurred in local currency for specific activities/cost item

***Royalty Paid: Attach copy of IRS receipts

MINERALS COMMISSION - ANNUAL RETURNS ON MINERAL PURCHASING AND EXPORT COMPANIES - FORM 5 (b)

E. ANNUAL SUMMARY LABOUR RETURNS

	Expatriate	Ghanaian Senior	Ghanaian Junior
Skilled Labour			
Unskilled Labour			
Local Casual Labour			
Total			

	Expatriate	Ghanaian Senior	Ghanaian Junior
Male			
Female			
Total			

*Indicate the total number of people employed from the community:

Male …….. Female…… Total……..

I HEREBY CERTIFY THAT THE INFORMATION AS PROVIEDED ABOVE IS TRUE

Name: ……. Signature……..

Designation: …… Date: ……

Form Six: Application Form to purchase and export, sell or dispose of industrial minerals by a holder of a restricted mining lease

(Regulation 6(2))

APPLICATION FOR LICENCE TO EXPORT, SELL OR DISPOSE OF INDUSTRIAL MINERALS BY A HOLDER OF A RESTRICTED MINING LEASE

APPLICATION NO.:

SECTION 1: APPLICANT'S IDENTIFICATION DATA

NEW APPLICANT

Are you applying for the first time? Yes No

RENEWAL OF EXISTING LICENCE

Have you previously held a similar Licence?

Yes No

If Yes, please provide the following information:

Date of Grant of Previous Licence:……

Duration:……

Name under which Previous Licence was

Acquired: ……

Full Name of Applicant

Full Name of Mine

Registered Office of Applicant

(Location Address)

Postal Address

City/Town/Village

Region

P. O. Box

Website

Fixed Phone Line #

Mobile Phone Line #

Email Address

Facsimile #

Applicant's Tax Identification Number (TIN)

Applicant's VAT Identification Number

SECTION 2: APPLICANT'S FINANCIAL DETAILS

Full Name of Bankers and/or Financiers

Postal Address

City/Town/Village

Region

P. O. Box

Fixed Phone Line #

Facsimile #

Email Address

Website

I declare that the information provided above is true and correct. I agree to abide and be bound by the terms, conditions and contractual provisions governing the operation of the license sought which I have received, read and understood.

……. Date…… Day of…….20…….

Signature(s) or Seal as Appropriate

SECTION 3: DOCUMENTS SUBMITTED BY APPLICANT (OFFICIAL USE ONLY)

Sales & Marketing

Number of Contract(s)

Receipt of Payment for Contract (s) ……..

Application Form

Particulars of the quantity and grade of Prescribed Industrial minerals to be shipped

Evidence of Payment of Application Processing Fee

Receipt #:…….)

Submission Date ……./……/……

Checked and Received by

.

Submitted by

Signature of Applicant/Rep.

Signature of Receiving Officer

Form Seven: Form of monthly returns of the holder of a licence to export, sell or dispose industrial minerals

(Regulation 6(6))

MINERALS COMMISSION - MONTHLY RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FORM 7 (a)

Licence Registration Code Number:…….

Month: …….

Minerals Commission—Monitoring and Evaluation Department

Form MR: PELG—Monthly Report: Production and Export of Industrial Minerals

OFFICIAL USE

Received at: ……

On: …….

Authorizing Officer:……..

Report is confirmed complete:……..

On: ……..

Reviewing Officer:……

Note to the preparer: on this form report only matters pertinent to the registration code number reported above. Use a separate reporting form for each licenced mine (combined reports are not permissible).

A. COMPANY DETAILS

1. Name of Company…… Mineral(s)……

2. Registered Address…….

3. Postal Address ……..

4. Name of Mine ……District……Location……..

5. Camp Site……

6. Fax ……. Website……..

7. E-mail……Telephone ……Cell Phone……..

8. Name of Parent Company and Address (if any)……..

……

MINERALS COMMISSION - MONTHLY RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FORM 7(a)

---

1. COMPANY DIRECTORS

Name of Director	Nationality
(a) ……..	……..
(b) …….	……..
(c) …….	……..
(d) …….	……..
(e) …….	……..

2. COMPANY SHAREHOLDING

Name of Shareholder	Nationality	%Shareholding
(a)…….	……	……..
(b) ……	……	……..
(c) ……	……	…….
(d) ……	……	……..
(e) ……	……	……..

3. DIRECTORS OF PARENT COMPANY

Name of Director	Nationality
(a) ……	……..
(b) ……	……..
(c) ……	……..
(d) ……	……..
(e) ……	……..

MINERALS COMMISSION - MONTHLY RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FORM 7 (a)

---

4. KEY SHAREHOLDERS OF PARENT COMPANY

Name of Shareholder	Nationality	%Shareholding
(a) ……..	……..	…….
(b) …….	……..	…….
(c) …….	……..	……..
(d) …….	……..	……..
(e) …….	……..	……..

MINERALS COMMISSION - MONTHLY RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FORM 7 (a)

B. MINERAL (Specify) PRODUCED

Quantity (MT) …….

Grade …….

Total Value (GH¢) …….

C. MINERAL EXPORTED

Quantity (MT) ……

Grade ……

Sales price at the time of export (US$/MT)……

Total Sales Price (US$) ……

Country of Destination ……

(Attach copies of CEPS Declaration forms, Airway Bill and Bank of Ghana Exchange Control From 4A for each shipment)

D. SALES RETURNS

Quantity (MT) ……..

Grade ……..

Export Proceeds (US$) …….

(Attach Certified Copies of Sales Returns)

MINERALS COMMISSION - MONTHLY RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FORM 7(a)

E. PRODUCTION EXPENDITURE

Average Monthly Foreign Exchange Rate Applied (Cedis/US$) ……

	FC (US$)	LC GH¢
i. Total Cash Cost	…….	…….
ii. Total Cost	…….	…….
iii. Total Cost Details	…….	……..
(a) Salaries and Wages (Gross)		
i. Local	…….	……
ii. Foreign	…….	……
(b) Bank Interest	…….	……
(c) Royalty Payable (¢)	……. .	……
(d) Royalty Paid (¢)***	……	…….
(e) Corporate Tax	……	…….
(f) Depreciation	……	…….
(g) SSF by Employer	……	…….
(h) Consumables	……	…….
(i) Utilities	……	…….
(j) Fuel	……	…….
(k) Maintenance Cost	……	…….
TOTAL		

* FC = Cost incurred in foreign currency for specific activities/cost item

**LC = Cost incurred in local currency for specific activities/cost item

*** Royalty Paid: Attach copy of IRS receipts

MINERALS COMMISSION - MONTHLY RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FORM 7 (a)

F. ANNUAL SUMMARY LABOUR RETURNS

	Expatriate	Ghanaian Senior	Ghanaian Junior
Contractors			
Skilled Labour			
Unskilled Labour			
Local Casual Labour			
Total			

	Expatriate	Ghanaian Senior	Ghanaian Junior
Male			
Female			
Total			

*Indicate the total number of people employed from the community:

Male…….. Female……. Total……..

I HEREBY CERTIFY THAT THE INFORMATION AS PROVIDED ABOVE IS TRUE

Name: ……. Signature ……

Designation: …… Date: ……..

Form of annual returns of the holder of licence to export, sell or dispose of industrial minerals

(Regulation 6(6))

MINERALS COMMISSION - ANNUAL RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FORM 7(b)

Licence Registration Code Number: ……..

Year: …….

Minerals Commission —Monitoring and Evaluation Department

Form MR: PELG—Annual Report: Production and Export of Industrial Minerals

OFFICIAL USE

Received at:……

On: ……

Authorizing Officer: ……

Report is confirmed complete: ……

On: ……

Reviewing Officer:……...

Note to the preparer: on this form report only matters pertinent to the registration code number reported above. Use a separate reporting form for each licenced mined (combined reports are not permissible).

A. COMPANY DETAILS

1. Name of Company …….. Mineral(s)……..

2. Registered Address ……

3. Postal Address ……

4. Name of Mine ……. District……Location……..

5. Camp Site ……

6. Fax ……Website…….

7. E-mail…… Telephone……Cell Phone……...

8. Name of Parent Company and Address (if any)……..

……

MINERALS COMMISSION - ANNUAL RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FORM 7(b)

---

1. COMPANY DIRECTORS

Name of Director	Nationality
(a) ……..	……
(b) ……	……
(c) ……	……
(d) ……	……
(e) ……	……

2. COMPANY SHAREHOLDING

Name of Shareholder	Nationality	%Shareholding
(a) ……	……..	…….
(b) ……	……..	…….
(c) ……	……..	……..
(d) ……	……..	……..
(e) ……	……..	……..

3. DIRECTORS OF PARENT COMPANY

Name of Director	Nationality
(a) ……	……
(b) ……	……

(c) …… …….

(d) …… …….

(e) …… …….

MINERALS COMMISSION - ANNUAL RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FROM 7(b)

---

4. KEY SHAREHOLDERS OF PARENT COMPANY

Name of Shareholder	Nationality	%Shareholding
(a) ……	……	……
(b) ……	……	…….
(c) ……	……	…….
(d) ……	……	…….
(e) ……	……	…….

MINERALS COMMISSION - ANNUAL RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FORM 7(b)

B. MINERAL (Specify) PRODUCED

Quantity (MT) …….

Grade …….

Total Value (GH¢) …….

C. MINERAL EXPORTED

Quantity (MT) ……

Grade ……

Average Sales price at the time of export (US$/MT) ……

Total Sales Price (US$) ……

Country(s) of Destination ……

D. SALES RETURNS

Quantity (MT) ……..

Grade ……..

Export Proceeds (US$) …….

MINERALS COMMISSION - ANNUAL RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FORM 7(b)

D. PRODUCTION EXPENDITURE

Average Foreign Exchange Rate Applied (Cedis/US$) ……

	FC (US$)	LC GH¢
i. Total Cash Cost	…….	…….
ii. Total Cost	…….	…….
ii. Total Cost Details:		
(a) Salaries and Wages (Gross)		
i. Local	…….	……
ii. Foreign	…….	……
(b) Bank Interest	…….	……
(c) Royalty Payable (¢)	…….	……
(d) Royalty Paid (¢)***	……	…….
(e) Corporate Tax	……	…….
(f) Depreciation	……	…….
(g) SSF by Employer	……	…….
(h) Consumables	……	……..
(i) Utilities	……	……..
(j) Fuel	……	…….
(k) Maintenance Cost	……	…….
TOTAL		

* FC = Cost incurred in foreign currency for specific activities/cost item

**LC = Cost incurred in local currency for specific activities/cost item

*** Royalty Paid: Attach copy of IRS receipts

MINERALS COMMISSION - ANNUAL RETURNS ON PRODUCTION AND EXPORT OF INDUSTRIAL MINERALS - FORM 7(b)

F. ANNUAL SUMMARY LABOUR RETURNS

	Expatriate	Ghanaian Senior	Ghanaian Junior
Contractors			
Skilled Labour			
Unskilled Labour			
Local Casual Labour			
Total			

	Expatriate	Ghanaian Senior	Ghanaian Junior
Male			
Female			
Total			

*Indicate the total number of people employed from the community:

Male…….. Female……. Total……..

I HEREBY CERTIFY THAT THE INFORMATION AS PROVIDED ABOVE IS TRUE

Name: ……. Signature ……

Designation: …… Date: ……..

Form Eight: Power of Attorney

(Regulation 26)

THIS POWER OF ATTORNEY is made this……day of……..20……

Appointment

I,……. (Name)

……(Occupation) of

……. (Address)

……. (Tel. No.) ……. (E-mail)

(Hereinafter referred to as "THE PRINCIPAL") hereby APPOINT…….Name

…….. (Occupation) of……

(Address) …….. (Tel. No.) …… (E-mail)

as my ATTORNEY for and on my behalf to do all or any of the acts and things following:

WHEREAS:

A. The Principal(s) has submitted an application to Minerals Commission (MC) for the grant of a mineral right (hereinafter referred to as "the Right") for the purpose of (prospecting licence, reconnaissance licence, mining lease, etc.) (Depending on Type of Mineral Right) a property more particularly described in the Schedule hereto (hereinafter referred to as "the Property").

B. (MC) is considering the Principal's application.

C. The Principal(s) is resident outside Ghana and/or may not be present in Ghana at all times during this process.

D. The Principal(s) intends to appoint the Attorney to act on his/her behalf.

E. The Attorney has accepted to act on behalf of the Principal

NOW THEREFORE the Attorney shall act on behalf of the Principal(s) as follows:

Purpose

1. Perform all acts necessary for the grant of the application of the mineral right from MC and/or any of its authorized officers.

2. To represent my interest in all matters relating to the grant of the application of the mineral to the extent of it being used for (exploration, mining etc.) (DEPENDING ON TYPE OF MINERAL RIGHT) on the Property.

3. Generally to act as my Attorney in relation to all other matters concerning the grant of the application of the mineral to the extent of it being used for (exploration, mining etc.) (DEPENDING ON TYPE OF MINERAL RIGHT) on the Property and make all instruments and do all acts and things as fully and effectual in all respects as I could do if personally present

4. To sign and execute on my behalf any contracts and instruments which are necessary for the exercise of the powers conferred herein.

5. To, where necessary, bring or defend any action or other proceedings in respect of or affecting my interest in respect of this power.

Indemnity

6. I hereby agree to indemnify my Attorney in respect of all expenses or liabilities incurred or covered by him in the reasonable and proper exercise of the powers contained herein.

Ratification

7. All acts done by the Attorney to the extent of this power shall be deemed ratified by me.

Revocation

8. AND I HEREBY FURTHER DECLARE that this Power shall remain in force until expressly revoked by me, "THE PRINCIPAL".

IN WITNESS WHEREOF THE PRINCIPAL hereto has set its hand and name the date and years first above written.

SIGNED BY THE ATTORNEY,

……(NAME)

Address:……..

Signature: ……..

SIGNED BY THE PRINCIPAL,

……(NAME)

Address:……..

Signature: ……..

In the presence of (Witness):

Name: …….

Address: …….

Signature: ……

BEFORE ME NOTARY PUBLIC SCHEDULE

(DESCRIPTION OF PROPERTY)

SECOND SCHEDULE

Percentage of expatriate staff to the total number of senior staff to be maintained by a holder of a reconnaissance licence or a prospecting licence

(Regulation 1(7)(b))

A. EXPATRIATE PROPORTIONS: EXPLORATION

(RECONNAISSANCE AND PROSPECTING LICENCE HOLDERS)

Category	Commencement	After 2 Years	After 4 Years	After 6 Years
Unskilled Labour	0%	0%	0%	0%
Skilled Labour	10%	0%	0%	0%
Clerical	0%	0%	0%	0%
Technical & Supervisory	5%	5%	0%	0%
Management (number of expatriates)	Up to 2	Up to 2	Up to 2	Up to 2

MIKE ALLEN HAMMAH, M.P.

Minister responsible for Mines

Date of Gazette Notification: 20th March, 2012.

Entry into force: 15th June, 2012