

## MINISTRY OF MINING

### DEALINGS IN MINERALS REGULATIONS, 2016

#### MEMORANDUM

##### Introduction

This regulation is to give effect to section 223(1) of the Mining Act in so far as it relates to dealings in minerals. Essentially, it is to provide for the scope (application of these regulations), procedures to be followed by a person who requires a licence or permit to deal in a mineral, the qualifications, the various forms that are required to accompany an application, the terms and conditions, renewal, revocation and the reporting requirements by the holder of the licence or permit as the case may be.

The scope or application of these regulations is largely informed by the definitions of a mineral dealer and mineral dealings in the interpretation section of the Mining Act and also sections 158(1), 164, 171(1) and 172 of the Act.

The regulations shall not apply to the import and export of rough diamonds. This is because any dealing in diamonds which includes the shipment (import and export of rough diamonds into or from Kenya) has to be governed by the Kimberley Process Certification Scheme. In any case, section 171(4) covers this somewhat, albeit in relation to exports.

Currently, there is no diamond dealer's licence that has been issued under Cap 306 although there are number of applications pending at the Ministry of Mining. A separate regulation will be written to deal with dealings in diamonds under the Kimberley Process. In summary, these regulations are to apply to the following dealings in minerals:

- (a) the export by a holder of a mining licence, mining permit and artisanal mining permit ;
- (b) the removal of minerals by a holder of a mineral right for the purposes of sampling, assay or analysis;
- (c) the buying and selling of any mineral in Kenya or export by a person other than a holder of a mineral right;
- (d) the import of any mineral; and
- (e) any other person who is not a holder of a mineral right, dealers licences and permits but requires the removal of minerals for analysis or testing for purposes other than exploration or mining.

The regulations cover the following specific licences or permits as the case may be:

- (a) Mineral dealer's licence;
- (b) Mineral dealer's permit;
- (c) Export permit; and
- (d) Import permit

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**IN EXERCISE** of the powers conferred by Sections 223(1) and 223(2)(o) of the Mining Act, 2016, the Cabinet Secretary for Mining makes the following Regulations:

## **DEALINGS IN MINERALS REGULATIONS, 2016**

### **1. Citation**

These Regulations may be cited as the Dealings in Minerals Regulations, 2016.

### **2. Interpretation**

In these Regulations, unless the context otherwise requires:-

**“Cabinet Secretary”** means the Cabinet Secretary for the time being responsible for matters relating to mining;

**“complete”** shall include “completed” and:

(a) in reference to an application, means that all the information required by the online mining cadastre and not obviously erroneous, and all required documents submitted and not obviously spurious have been submitted; or

(b) in reference to a report, means that the contents of the report meet the criteria of the Mining Act or any regulations or guidelines made thereunder.

**“mineral”** has the meaning assigned to it in the Mining Act;

**“mineral dealer”** has the meaning assigned to it in the Mining Act;

**“mineral dealer’s licence”** means a licence granted in accordance with the Mining Act and the regulations made thereunder which authorises the holder to carry out mineral dealings;

**“mineral dealer’s permit”** means means a permit granted in accordance with the Mining Act and the regulations made thereunder which authorises the holder to carry out mineral dealings;

**“Mining Act”** means the Mining Act, 2016;

**“Ministry”** means the Ministry for the time being responsible for matters relating to mining in Kenya;

**“mining right”** means an artisanal mining permit, mining permit or mining licence;

**“online mining cadastre”** means the online interactive, digital system for administering the provisions of the Act and these Regulations in relation to the rights and obligations of Licence and Permit holders.

### **3. Application of Regulations**

(1) Except otherwise provided for in the Mining Act and under these regulations, a person shall not deal in minerals unless the person holds a licence or permit granted by the Cabinet Secretary for that purpose.

(2) Without limiting the generality of sub regulation (1), these regulations shall apply to:

- (a) export of a mineral by a holder of a mining licence, mining permit and artisanal mining permit;
- (b) the removal of minerals by a holder of a mineral right for the purposes of sampling, assay or analysis;
- (c) dealer's licence or permit;
- (d) the import of any mineral; and
- (e) any other person who is not a holder of a mineral right, dealer's licence or permit but requires the removal of minerals for analysis or testing for purposes other than exploration or mining.

(3) These regulations shall not apply to the export and import of rough diamonds.

### **4. Applications for Dealings in Minerals**

(1) An application for, or a renewal of, any licence or permit to deal in minerals shall be submitted through the online mining cadastre.

(2) An application shall be deemed complete only if all information required in the relevant application form, including any required attachments in digital format, is submitted. An application that has been accepted as complete may be subsequently deemed incomplete if deficiencies in content are found.

(3) It is the applicant's responsibility to ensure that all documentation is correct and complete according to the Mining Act and any regulations or guidelines that may be made thereunder.

(4) It is similarly the applicant's responsibility to maintain a valid e-mail address for official communications with the Mining Cadastre Office and to advise immediately if this is changed.

(5) The applicant completes an online application form, attaches and uploads all mandatory documents against a checklist provided.

(6) The payment of the non-refundable fee shall be an acknowledgement and undertaking by the applicant that the application has been completed truthfully to the best of his or her knowledge and that he or she wishes to register the application.

(7) The submission of any document or the making of any statement which the applicant knows to be false or spurious shall render the application null and void. Where it emerges at a later stage that a false statement was made during the application, the resultant licence or permit shall be immediately revoked and the date of revocation recorded in the relevant Register.

(8) An applicant, having submitted and had registered an application for grant or renewal of a licence or permit for a dealing in a mineral, may withdraw the application online. Regardless of the reason, the application fee is not refundable. No additional fee is payable for withdrawing an application.

(9) An application, once registered, shall be recorded in the register of Dealings in Minerals and published on the Ministry website.

## **5. Mineral Dealer's Licence**

A mineral dealer's licence grants a qualifying person the right to buy, sell a mineral and export a mineral.

## **6. Form of a Mineral Dealer's Licence**

(1) A mineral dealer's licence shall be issued digitally together with a paper copy using **Form L-10 [Mineral Dealer's Licence]**

(2) A mineral dealer's licence shall specify and have appended to it, by the Mining Cadastre Office:

- (a) the name, nationality and address of the licence holder;
- (b) the mineral or minerals in respect of which the licence is granted;
- (c) the type of mineral dealings to be carried out;
- (d) the person or persons the holder can buy from or sell to;
- (e) the term of the licence; and
- (f) other such documents as appropriate or other special conditions or obligations that may apply.

## **7. Term of Mineral Dealer's Licence**

A mineral dealer's licence shall be issued for a year and shall expire on the thirty-first (31<sup>st</sup>) day of December of the year in which it is issued.

## **8. Application for Mineral Dealer's Licence**

(1) Pursuant to section 160(1) of the Act, an application for the grant of a mineral dealer's licence shall be made to the Cabinet Secretary using Error! Reference source not found., and shall be submitted through the online mining cadastre.

(2) The application shall include or have appended the following:

- (a) the full name, nationality and contact and physical address of the applicant;
- (b) in the case of a company:
  - (i) memorandum of association; and
  - (ii) articles of association;
- (c) the name of the mineral or minerals for which the licence is sought;
- (d) a certified or signed statement or formal letter of intent from a bank or any financial institution of the funds available to the applicant;
- (e) a description of the knowledge or experience of the applicant in relation to any previous dealings in minerals; and
- (f) any other information that may be requested.

(3) The Cabinet Secretary shall, unless delay occurs because of a request for further information from an applicant or a delay is caused by the applicant, make a decision and notify the applicant of the decision on the application within thirty (30) days of receipt of a complete

application, and where the application is approved the licence shall be issued in the manner as specified in sub-regulation (2) of this regulation.

(4) A mineral dealer's licence shall be granted only for minerals in the same group or classification as specified in the First Schedule of the Mining Act.

### **9. Rights and Obligations of a holder a Mineral Dealer's Licence**

(1) Subject to the Mining Act and the Regulations made thereunder, a mineral dealer's licence confers on the holder the right to deal in the mineral or minerals to which the licence relates and to conduct other ancillary or incidental activity attached to the licence.

(2) For the purposes of exercising the right conferred under sub regulation (1), the holder may appoint agents to carry out any activity authorised by the licence on his or her behalf.

(3) Any agent appointed by the holder shall be communicated to the Ministry and the holder shall be held liable for all acts or activities done or carried out by the agent under the licence.

(4) All agents appointed by a holder shall be issued with an identity card which shall be carried by the agent in the performance of any activity to which the licence relates.

(5) The holder of a mineral dealer's licence shall:

(a) commence or engage in mineral dealings in accordance with the terms and conditions of the licence within thirty (30) days after the date of the issue of the licence or at any time specified by the Cabinet Secretary;

(b) not deal in any mineral other than the mineral or minerals specified in the licence;

(c) not deal in minerals except in accordance with the terms and conditions set out in the licence;

(d) not engage in mineral dealings permitted under the licence with a person who has not acquired the minerals lawfully or is otherwise not lawfully entitled to deal in minerals;

(e) pay all taxes, charges or levies that are required under the terms and conditions of the licence, the Mining Act or any other written law in Kenya;

(f) keep complete and accurate records of all activities conducted under the licence at the registered office and submit a true copy to the Cabinet Secretary in the manner as may be requested and permit an authorised officer of the Ministry to inspect the any documents or records;

(g) submit if any, a sales contract or agreement the holder may sign with a buyer, seller or holder of a mineral right; and

(h) Nothing in this regulation shall preclude a person from disposing of personal jewellery, gold coins and mineral artifacts or a dealer from buying from such a person.

### **10. Renewal of a Mineral Dealer's Licence**

(1) A holder of a mineral dealer's licence who wishes to renew the licence shall, not later than the thirtieth (30<sup>th</sup>) day of November of the licence year, apply for a renewal of the term of the licence using **Form A-29 [Application to Renew Mineral dealer's Licence]**.

(2) Where an application for a renewal of the term of the licence is made under sub-regulation (1) and the applicant has materially complied with the obligations imposed by the Mining Act and these regulations with respect to:

(a) the holding of the licence; and

(b) the activities required to be conducted under the preceding term of the licence,

the Cabinet Secretary shall renew the term of the licence.

(3) The term of any renewal shall be granted by the Cabinet Secretary for a year and shall expire on the thirty-first (31<sup>st</sup>) day December of the year in which it is issued.

(4) Where the Cabinet Secretary has rejected an application for a mineral dealer's licence or a renewal thereof, the affected applicant may apply to the High Court within thirty (30) days from the date of notice of the decision.

(5) Where the holder of a mineral dealer's licence has applied for the renewal of the licence in accordance with sub-regulation (1) but the application is not determined before the expiry of the term of the licence, the licence shall continue in force until the application is determined.

#### **11. Mineral Dealer's Permit**

(1) A mineral dealer's permit grants a qualifying person the right to buy and sell a mineral or minerals in Kenya.

(2) A holder of a mineral dealer's permit shall not export any mineral.

#### **12. Qualifications for grant of a Mineral Dealer's Permit**

(1) A person shall not be qualified to apply for or hold a mineral dealer's permit unless:

(a) the person is a citizen of Kenya; or

(b) in a case of a body corporate, sixty (60) per cent of the shareholding is held by citizens of Kenya.

#### **13. Form of a Mineral Dealer's Permit**

(1) A mineral dealer's permit shall be issued digitally together with a paper copy using **Form L-11 [Mineral Dealer's Permit]**

(2) A mineral dealer's permit shall specify and have appended to it, by the Mining Cadastre Office:

(a) the name, nationality and address of the permit holder;

(b) the mineral or minerals in respect of which the licence is valid;

(c) the type of mineral dealings to be carried out;

(d) the person or persons the holder can buy from or sell to;

(e) the term of the licence; and

(f) other such documents as appropriate or other special conditions or obligations that may apply.

#### **14. Term of Mineral Dealer's Permit**

A mineral dealer's permit shall be issued for a year and shall expire on the thirty first (31<sup>st</sup>) day of December of the year in which it is issued.

## **15. Application for Mineral Dealer's Permit**

(1) Pursuant to section 164(2) of the Mining Act, an application for the grant of a mineral dealer's permit shall be made to the Cabinet Secretary using Error! Reference source not found., and shall be submitted through the online mining cadastre.

(2) The application shall include or have appended the following:

- (a) the full name, nationality, contact and physical address of the applicant;
- (b) in the case of a company:
  - (i) memorandum of association;
  - (ii) articles of association; and
- (c) the name of the mineral or minerals for which the permit is sought; and
- (d) any other information that may be requested.

(3) The Cabinet Secretary shall, unless delay occurs because of a request for further information from an applicant, make a decision and notify the applicant of the decision on the application within thirty (30) days of the receipt of a complete application and where the application is approved, the permit shall be issued in the manner as specified in regulation 13(1) of these regulations.

(4) Pursuant to the First Schedule of the Mining Act, a mineral dealer's permit shall be granted only for minerals in the same group or classification.

## **16. Rights and Obligations of a Holder a Mineral Dealer's Permit**

(1) Subject to the Mining Act and the Regulations made under this Act, a mineral dealer's permit confers on the holder the right to deal in the mineral to which the permit relates and to conduct other ancillary or incidental activity attached to the permit.

(2) The holder of a mineral dealer's permit shall:

- (a) commence or engage in mineral dealings in accordance with the terms and conditions of the licence within thirty (30) days after the date of the issue of the permit or at any time specified by the Cabinet Secretary;
- (b) not deal in any mineral other than the mineral or minerals specified in the permit;
- (c) not deal in minerals except in accordance with the terms and conditions set out in the permit;
- (d) not engage in mineral dealings permitted under the permit with a person who has not acquired the minerals lawfully or is otherwise not lawfully entitled to deal in minerals;
- (e) pay all taxes, charges or levies that are required under the terms and conditions of the permit, the Mining Act or any other written law in Kenya;
- (f) keep complete and accurate records of all activities conducted under the permit at the registered office and submit a true copy to the Cabinet Secretary in the manner as may be requested and permit an authorised officer of the Ministry at any reasonable time to inspect the documents and records; and

(g) submit any marketing or sales contract or agreement the holder may sign with a buyer, seller or holder of a mineral right.

### **17. Renewal of a Mineral Dealer's Permit**

(1) A holder of a mineral dealer's permit who wishes to renew the permit shall, not later than the thirtieth (30<sup>th</sup>) day of November of the permit year, apply for a renewal of the permit using **Form A-30 [Application to Renew Mineral dealer's Permit]**.

(2) Where an application for a renewal of the term of the permit is made under sub-regulation (1) and the applicant has materially complied with the obligations imposed by the Mining Act and these regulations with respect to:

(a) the holding of the permit; and

(b) the activities required to be conducted under the preceding term of the permit;

the Cabinet Secretary shall renew the term of the permit.

(3) The term of any renewal shall be granted by the Cabinet Secretary for a year and shall expire on the thirty-first (31<sup>st</sup>) day December of the year in which it is issued.

(4) Where the holder of a mineral dealer's permit has applied for the renewal of the permit in accordance with sub-regulation (1) but the application is not determined before the expiry of the permit, the permit shall continue in force until the application is determined.

(5) Where the Cabinet Secretary has rejected an application for a mineral dealer's permit or a renewal thereof, the affected applicant may apply to the High Court within thirty (30) days from the date of notice of the decision.

### **18. Export of Minerals**

Except as otherwise provided in the Mining Act or under these regulations, a person shall not export or import a mineral unless the person holds a permit granted by the Cabinet Secretary for that purpose.

### **19. Qualifications for grant of an Export Permit**

A person or company shall not be qualified to apply for an export permit unless it is the National Mining Corporation or a holder of a mining licence, mining permit or a dealer's licence granted in accordance with the Mining Act.

### **20. Application for an Export Permit**

(1) Pursuant to section 171(2) of the Act, an application for the grant of an export permit shall be made to the Director of Mines using Error! Reference source not found., and shall be submitted through the online mining cadastre.

(2) Every export or shipment of a mineral shall require an export permit.

(3) The application shall include or have appended the following:

(a) the name, source, quantity, grade and value of the mineral to be shipped or exported;

(b) the name, address of the purchaser/consignee and destination where the mineral is to be shipped or exported;

(c) the sales or marketing agreement between the applicant and the buyer if any;

(d) a refining contract or offtake agreement where the applicant has signed such an agreement;

(e) a copy of the reconciliation statement for the mineral to be shipped or exported;

(f) any other information or document as the Director of Mines shall specify or request.

(4) An export permit shall be signed by any officer authorised by the Cabinet Secretary.

## **21. Form of an Export Permit**

(1) An export permit shall be issued digitally in locked pdf format together with a paper copy using **FormL-12 [Export Permit]**

(2) An export permit shall specify and have appended to it by the Mining Cadastre Office:

(a) the name and address of the permit holder;

(b) the mineral or minerals in respect of which the permit is valid;

(c) the quantity, grade, purity, value and other particulars of the mineral or minerals;

(d) the name, address of the purchaser/consignee and destination where the mineral is to be shipped or exported;

(e) the validity period;

(f) the amount of reconciliation due and paid; and

(g) such other documents as appropriate or other special conditions that may apply.

## **22. Records and Reporting Requirements**

(1) The National Mining Corporation or a holder of a mineral dealer's licence or permit shall:

(a) keep at its registered address complete and accurate records of all purchases or sales made under every permit or licence as the case may be;

(b) submit quarterly and annual reports of all purchases or sales made under every permit to the Ministry of Mining as set out in:

(i) **Form AR-29 [Export of Mineral Quarterly Report];**

(ii) **Form AR-30 [Export of Mineral Annual Report]**

(iii) **Form AR-31 [Dealer's Licence/Permit-Quarterly Report]**

(iv) **Form AR-32 [Dealer's Licence/Permit-Annual Report]**

## **23. Import of Minerals**

(1) Where a person imports a mineral, the person shall make a declaration at the point of entry using **Form L-13 [Declaration of Mineral Imported]**.

(2) A copy of the Form L-13 shall be submitted to the Ministry of Mining after the declaration.

## **24. Sale of Minerals in Kenya by holders of Artisanal Mining Permits**

(1) A holder of an artisanal mining permit shall sell any mineral produced to the National Mining Corporation, a holder of a mineral dealer's licence or permit or to such designated persons or bodies that the Cabinet Secretary may specify.

(2) A holder of an artisanal mining permit may export the mineral produced with the approval of the Cabinet Secretary and on such terms and conditions that the Cabinet Secretary may publish in the Kenya Gazette.

## **25. Records and Reporting Requirements**

(1) A holder of a mining licence, mining permit or artisanal mining permit shall:

(a) keep at the holder's registered address complete and accurate records of all minerals sold; and

(b) submit quarterly and annual reports to the Ministry of Mining of all minerals sold as set out in:

(i) **Form AR-34 [Sale of Mineral Quarterly Report]**; and

(ii) **Form AR-35 [Sale of Mineral Annual Report]**

## **26. Mineral Samples**

(1) Except as otherwise provided in the Mining Act and any regulations made thereunder, a holder of a mineral right shall not, without a permit from the Cabinet Secretary and on the recommendation of the Director of Geological Survey, remove any mineral from a reconnaissance, prospecting or mining area except for the purpose of having the mineral analysed, valued or tested.

(2) An application by a holder for a permit under sub-regulation (1) shall be made to the Director of Geological Survey and submitted through the online mining cadastre using **Form A-33 [Application for a Permit to Remove Samples]**

(3) The size of each sample must be consistent with what is ordinarily required for laboratory analysis or testing.

(4) The holder shall provide access to the Director of Geological Survey or any authorised officer to inspect and examine the samples before any permit is issued.

(5) The holder shall submit copies of the results of all tests and analyses of all samples to the Director of Geological Survey.

## **27. Savings and Transitional Provisions**

(1) Notwithstanding the repeal of the enactments pursuant to section 225 of the Mining Act, a dealer's licence or permit granted under an enactment and subsisting immediately before the coming into force of the Mining Act and these regulations, shall continue under the laws applicable immediately before the commencement of the Mining Act and these regulations until expiration.

(2) Subject to sub-regulation (1), any new or pending application made under any repealed enactments pursuant to section 225 of the Mining Act shall be determined in accordance with the provisions of the Mining Act and these regulations.



**FIRST SCHEDULE**  
**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**MINING (DEALINGS IN MINERALS) REGULATIONS**

**Form A-27[Application for a Mineral Dealer's Licence]**

*Section 160(1) of the Mining Act and Regulation 8(1) of the Mining (Dealings in Minerals) Regulations*

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O *Dated seal here*

F Application verified as complete:

F  
I  Date verified as complete and registered: Day \_\_\_\_ Month \_\_\_\_ Year \_\_\_\_

C  
I  Time verified as complete and registered: Hr. \_\_\_\_ Min \_\_\_\_

A  
L Officer verifying application is complete and has been registered as complete in the  
U Register:

S Name: \_\_\_\_\_ Signature: \_\_\_\_\_

E All required attachments have been appended to this application

Application registration number: \_\_\_\_\_

\*\*\*\*\*

- Application is approved
- Application is denied

Reason for denial: \_\_\_\_\_

**If approved,**

Date application was registered in the Register of Mineral Dealings: \_\_\_\_\_

Date applicant was notified of the approval decision: \_\_\_\_\_

**If denied,**

Date denial was registered in the Register: \_\_\_\_\_

Date applicant was notified of the denial decision: \_\_\_\_\_

Cabinet Secretary's signature: \_\_\_\_\_

Date of signature: \_\_\_\_\_

**1. Instructions:**

This form is used to apply for a Mineral Dealer’s Licence and shall be submitted online to the Mining Cadastre Office. The OMC cannot accept the application unless this form is completed in full and all required, supporting documentation is appended in electronic format. All documents shall be submitted in English. Where a title for the document appears in the list, the document shall be named with that title.

**2. Applicant’s identity and contact information**

**a. If the applicant is an individual complete all information in this section:**

**Full Name:** \_\_\_\_\_

**b. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**c. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**d. If the applicant is a company complete all information in this section:**

Registered company name: \_\_\_\_\_

City Company is incorporated: \_\_\_\_\_

**e. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**f. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**g. Name of authorised agent or representative:**

**Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**h. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_ Fax (if any) \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**3. Type of Mineral or Minerals as set out in the First Schedule of the Mining Act**

Name the class of minerals for which the licence is required:

- Construction and Industrial Minerals [gypsum, limestone, diatomite etc.];
- Precious Stones [diamonds, emeralds, rubies etc];
- Precious Metals [gold, platinum etc];
- Semi-Precious Stone Group [amazonite, amber, cheryl etc];
- Base and Rare Metals [Copper, manganese, tantalum etc];

**4. Attachments (tick the item attesting that the required document is attached to this application)**

- duplicate copy of First Schedule;
- a certified copy of the applicant company's certificate of incorporation and certified copy of its memorandum and articles of association;
- "Director Information", a sheet listing the full names and nationalities of all the applicant company's directors;
- "Shareholder Information", a sheet listing the name of every shareholder of the applicant company who is the beneficial owner of the of the issued share capital;
- "Knowledge and Experience", a description of the applicant's Knowledge or experience of mineral dealings in Kenya and elsewhere;
- "Technical and Financial Qualifications", a statement giving particulars of the financial resources available to the applicant;

**5. Declaration**

*(Note: where any declaration made in this form is found to be false the person whose signature appears below shall be guilty of an offence and subject to a penalty).*

I am the applicant or its authorised agent or representative and declare that the information contained in this application and attached to it is true and accurate:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form A-28 [Application for a Mineral Dealer's Permit]**

*Section 164(1) of the Mining Act and Regulation 15(1) of the Mining (Dealings in Minerals) Regulations*

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O *Dated seal here*

F Application verified as complete:

F  
I  Date verified as complete and registered: Day \_\_\_\_ Month \_\_\_\_ Year \_\_\_\_

C  
I  Time verified as complete and registered: Hr. \_\_\_\_ Min \_\_\_\_

A Officer verifying application is complete and has been registered as complete in the  
L Register:

U Name: \_\_\_\_\_ Signature: \_\_\_\_\_

E All required attachments have been appended to this application

Application registration number: \_\_\_\_\_

\*\*\*\*\*

- Application is approved
- Application is denied

Reason for denial: \_\_\_\_\_

**If approved,**

Date application was registered in the Register of Mineral Dealings: \_\_\_\_\_

Date applicant was notified of the approval decision: \_\_\_\_\_

**If denied,**

Date denial was registered in the Register: \_\_\_\_\_

Date applicant was notified of the denial decision: \_\_\_\_\_

Cabinet Secretary's signature: \_\_\_\_\_

Date of signature: \_\_\_\_\_

**1. Instructions:**

This form is used to apply for a Mineral Dealer's Permit and shall be submitted online to the Mining Cadastre Office. The OMC cannot accept the application unless this form is completed in full and all required, supporting documentation is appended in electronic format. When attaching required documents, they shall be arranged in the order appearing below. All documents shall be submitted in English. Where a title for the document appears in the list, the document shall be named with that title.

**2. Applicant's identity and contact information**

**a. If the applicant is an individual complete all information in this section:**

**Full Name:** \_\_\_\_\_

**b. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**c. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**d. If the applicant is a company complete all information in this section:**

Registered company name: \_\_\_\_\_

City Company is incorporated: \_\_\_\_\_

**e. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**f. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**g. Name of authorised agent or representative:**

**Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**h. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**3. Type of Mineral or Minerals**

Name the type of mineral or minerals for which the permit is required:

**4. Attachments (tick the item attesting that the required document is attached to this application)**

- duplicate copy of First Schedule **Error! Reference source not found.**;
- a certified copy of the applicant company's certificate of incorporation and certified copy of its memorandum and articles of association;
- "Director Information", a sheet listing the full names and nationalities of all the applicant company's directors;
- "Shareholder Information", a sheet listing the name of every shareholder of the applicant company who is the beneficial owner of the of the issued share capital;

## 5. Declaration

*(Note: where any declaration made in this form is found to be false the person whose signature appears below shall be guilty of an offence and subject to penalty)*

I am the applicant or its authorised representative or agent and declare that the information contained in this application and attached to it is true and accurate:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form L-10 [Mineral Dealer's Licence]**

*Section 159(1) of the Mining Act and Regulation 17(1) of the Mining (Dealings in Minerals) Regulations*

---

Mineral Dealer's Licence Registration No. MDL\_\_\_\_\_

This Licence is valid from 1 January 20.... to 31 December 20....

1. Subject to the conditions set out in the Mining Act, in these regulations and in this Mineral Dealer's Licence,

Name : \_\_\_\_\_

(Hereinafter referred to as the "holder") whose registered office in Kenya is at

Address (Physical Location): \_\_\_\_\_

City/Town : \_\_\_\_\_ County: \_\_\_\_\_ Nationality: \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Fax number (if any): \_\_\_\_\_

Email address: \_\_\_\_\_

is by this licence granted the right to buy and sell [insert type of minerals] in Kenya or export the same.

2. The holder, during the term of this licence, shall:

- (a) carry out mineral dealings in accordance with the conditions set out in the licence;
- (b) commence mineral dealings within thirty(30) calendar days from the date the licence is issued;
- (c) buy the minerals specified herein from only holders of-
  - (i) artisanal mining permits;
  - (ii) mining permits; and
  - (iii) mineral dealer's permit or licence;
- (d) sell the mineral to the National Mining Corporation or to any person in Kenya who is lawfully entitled to deal in minerals or sell the mineral that the Cabinet Secretary may direct.

3. The holder during the term of the licence shall:

- (a) Keep a register of the mineral dealings in the form as may be prescribed by the Director of Mines;
- (b) Record the following information in respect of each transaction-
  - (i) the name, grade and weight of the minerals purchase or sold;
  - (ii) the price paid or received for the minerals;
  - (iii) the date of the purchase or sale; and
  - (iv) The name and address of the vendor or the purchaser or consignee.

4. The holder shall submit to the Cabinet Secretary a true copy of the register in duplicate for the preceding three months, together with a statutory declaration of the correctness thereof, in the months of January, April, July and October of every year.

**DATED This** \_\_\_\_\_ **Day of** \_\_\_\_\_ **20** \_\_\_\_\_

\_\_\_\_\_  
Cabinet Secretary (*name*)


\_\_\_\_\_  
(*signature*)

**In the presence of:**

\_\_\_\_\_  
Director of Mines (*name*)

\_\_\_\_\_  
(*signature*)

(*dated seal here*)



**THE GOVERNMENT OF THE REPUBLIC OF KENYA**

**THE MINING ACT**

**MINING REGULATIONS**

**Form L-11 [Mineral Dealer's Permit]**

*(Section 159(1) of the Mining Act and Regulations 13(1) and 15(2)(d) of the Mining (Dealings in Minerals) Regulations*

---

Mineral Dealer's Permit Registration No. MPL\_\_\_\_\_

This Licence is valid from 1 January 20.... to 31 December 20....

1. Subject to the conditions set out in the Mining Act, in the regulations made under the Act and in this Mineral Dealer's Permit,

Name : \_\_\_\_\_

(Hereinafter referred to as the "holder") whose registered office in Kenya is at

Address: \_\_\_\_\_

City/Town : \_\_\_\_\_ County: \_\_\_\_\_ Nationality: \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

is by this licence granted the right to buy and sell [insert mineral(s) to be bought or sold] only in Kenya.

2. The holder, during the term of this permit, shall:

- (a) carry out mineral dealings in accordance with the conditions set out in the permit;
- (b) commence mineral dealings within thirty(30) calendar days from the date the permit issued;
- (c) issued;
- (d) buy the minerals specified herein from only holders of-
  - (i) artisanal mining permits
  - (ii) mining permits; and
  - (iii) mineral dealer's permit or licence.
- (e) sell the mineral to the National Mining Corporation or to any person who is lawfully entitled to deal in minerals in Kenya that the Cabinet Secretary may direct.

3. The holder during the term of this permit, shall:

- (a) Keep a register of the mineral dealings in the prescribed form;
- (b) Record the following information in respect of each transaction-
  - (i) the name and weight of the minerals purchase or sold;
  - (ii) the price paid or received for the minerals;
  - (iii) the date of the purchase or sale; and
  - (iv) The name and address of the vendor or the purchaser.

4. The holder shall submit to the Cabinet Secretary a true copy of the register in duplicate for the preceding three months, together with a statutory declaration of the correctness thereof, in the months of January, April, July and October of every year.

**DATED This \_\_\_\_\_ Day of \_\_\_\_\_ 2\_\_\_\_\_**

\_\_\_\_\_  
Cabinet Secretary (*name*)

\_\_\_\_\_  
(*signature*)

**In the presence of:**

\_\_\_\_\_  
Director of Mines (*name*)

\_\_\_\_\_  
(*signature*)

(*dated seal here*)

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form A-29 [Application to Renew Mineral Dealer's Licence]**

*Section 161(2) of the Mining Act and Regulation 10(1) of the Mining (Dealings in Minerals) Regulations*

---

Mineral Dealer's Licence Registration Number: \_\_\_\_\_

**1. The term of the licence applied for:**

**2. Declaration**

*(Note: where any declaration is made in this form is found to be false the person whose signature appears below shall be guilty of an offence and subject to a penalty)*

I am the Mineral Dealer's Licence holder or duly authorised agent/representative (or in the case of a company the holder's authorised representative) and by this application request that a renewal be granted for the licence identified herein. By my signature below, I declare that the following statements are true (as of the date of signature below): --

1. All reports required to be submitted by the terms and conditions applying to the licence have been submitted and submission receipts have been obtained.
2. All fees, taxes and other charges required to be paid for the licence or under any other written law in Kenya have been paid and receipts obtained.
3. All returns required to be submitted as at the time of the application for the renewal have been submitted and the applicant is not in default.
4. Dealings in minerals under the licence have been carried out in accordance with the approved terms and conditions.

Name: \_\_\_\_\_

Title or Position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form A-30 [Application to Renew Mineral Dealer's Permit]**

*Regulation 17(1) of the Mining (Dealings in Minerals) Regulations*

---

Mineral Dealer's Permit Registration Number: \_\_\_\_\_

O \_\_\_\_\_ *Dated seal here*

F Attached documents:

F

I  Duplicate copy of First Schedule **Error! Reference source not found.** is attached;

C Application verified as complete:

I

A  Date verified as complete and registered: Day \_\_\_\_ Month \_\_\_\_ Year \_\_\_\_

L

U  Time verified as complete and registered: Hr. \_\_\_\_ Min \_\_\_\_

S

E Officer verifying that the application is complete and has been registered as complete in the Register of Mineral Dealings:

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

The renewal of the permit is approved

The renewal of the permit is denied

Reason for denial: \_\_\_\_\_

**If approved,**

Date the renewal was registered in the Register of Mineral Dealings: \_\_\_\_\_

Date holder/applicant was notified of the approval decision: \_\_\_\_\_

Date the renewal was noted in the Register of Mineral Dealings: \_\_\_\_\_

**If denied,**

Date denial was registered in the Register of Mineral Dealings: \_\_\_\_\_

Date holder/applicant was notified of the denial decision: \_\_\_\_\_

Cabinet Secretary's signature: \_\_\_\_\_

Date of signature: \_\_\_\_\_

**1. Instructions:**

This form is used to apply for a renewal of a Mineral Dealer's Permit term and shall be submitted online to the Mining Cadastre Office. The OMC cannot accept the application unless this form is completed in full and all required, supporting documentation is appended in electronic format. All documents shall be submitted in English. Where a title for the document appears in the list, the document shall be named with that title.

**2. Applicant's identity and contact information**

**a. If the applicant is an individual complete all information in this section:**

Full Name: \_\_\_\_\_

**b. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**c. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_ Fax (if any) \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**d. If the applicant is a company complete all information in this section:**

Registered company name: \_\_\_\_\_

City Company is incorporated: \_\_\_\_\_

**e. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office# \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**f. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**g. Name of authorised agent or representative:**

**Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office# \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**h. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**3. The term of the permit applied for: \_\_\_\_\_**

#### 4. Declaration

*(Note: when any attestation provided in this form is found to be false the person whose signature appears below shall be guilty of an offence and subject to penalty.)*

I am the Mineral Dealer's Permit holder (or in the case of a company the holder's authorised representative) and by this application request that a renewal be granted for the permit identified herein. By my signature below, I declare that the following statements are true (as of the date of signature below): --

(a) All reports required to be submitted by the terms and conditions applying to the permit have been submitted and submission receipts have been obtained.

(b) All fees, taxes and other charges required to be paid for the permit or under any other written law in Kenya have been paid and receipts obtained. (c) All returns required to be submitted as at the time of the application for the renewal have submitted.

(d) Dealings in minerals under the permit have been carried out in accordance with the approved terms and conditions and the applicant is not in default.

Note: at the option of the applicant, evidentiary documents may be attached to this form

Name: \_\_\_\_\_

Title or Position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form A-31 [Application for an Export Permit]**

*Section 171(1) of the Mining Act and Regulation 20(1) of the Mining (Dealings in Minerals) Regulations*

---

O *Dated seal here*

F Application verified as complete:  
F

I ○ Date verified as complete and registered: Day \_\_\_\_ Month \_\_\_\_ Year \_\_\_\_

C  
I ○ Time verified as complete and registered: Hr. \_\_\_\_ Min \_\_\_\_

A  
L Officer verifying application is complete and has been registered as complete in the  
U Register:

S Name: \_\_\_\_\_ Signature: \_\_\_\_\_

E All required attachments have been appended to this application

Application registration number: \_\_\_\_\_

\*\*\*\*\*

- Application is approved
- Application is denied

Reason for denial: \_\_\_\_\_

**If approved,**

Date application was registered in the Register of Mineral Dealings: \_\_\_\_\_

Date applicant was notified of the approval decision: \_\_\_\_\_

**If denied,**

Date denial was registered in the Register: \_\_\_\_\_

Date applicant was notified of the denial decision: \_\_\_\_\_

Cabinet Secretary's signature: \_\_\_\_\_

Date of signature: \_\_\_\_\_

**1. Instructions:**

This form is used to apply for an Export Permit and shall be submitted online to the Mining Cadastre Office. The OMC cannot accept the application unless this form is completed in full and all required, supporting documentation is appended in electronic format. All documents shall be submitted in English. Where a title for the document appears in the list, the document shall be named with that title.

**2. Applicant's identity and contact information**

**a. If the applicant is an individual complete all information in this section:**

**Full Name:** \_\_\_\_\_

**b. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**c. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**d. If the applicant is a company complete all information in this section:**

Registered company name: \_\_\_\_\_

City Company is incorporated: \_\_\_\_\_

**e. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**f. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**g. Name of authorised agent or representative:**

**Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**h. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_ Fax (if any) \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**3. Type of Mineral or Minerals**

Name the type of mineral or minerals for which the permit is required:

**4. Attachments (tick the item attesting that the required document is attached to this application)**

- the name, quantity, and value of the mineral to be shipped or exported;
- the assay certificate from a recognised;
- the name, address of the purchaser/consignee and destination where the mineral is to be shipped or exported;
- the sales or marketing agreement between the applicant and the buyer;
- a refining contract or offtake agreement where the applicant has signed such an agreement; and;
- any other information or document as the Director of Mines shall specify or request.

**5. Declaration**

*(Note: where any declaration is made in this form is found to be false the person whose signature appears below shall be guilty of an offence and subject to a penalty)*

I am the applicant or its authorised representative or agent and attest that the information contained in this application and attached to it is true and accurate:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form L-12 [Export Permit]**

*Section 171(1) of the Mining Act and Regulation 21(1) of the Mining (Dealings in Minerals) Regulations*

---

This export permit is valid from ... 20.... to .....20....

1. Subject to the conditions set out in the Mining Act and in the regulations made under the Act,

Name : \_\_\_\_\_

(Hereinafter referred to as the "holder") whose registered office in Kenya is at

Address: \_\_\_\_\_

City/Town : \_\_\_\_\_ County: \_\_\_\_\_

Nationality: -----[where holder is an individual]

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

is by this permit granted the right to export **[Insert mineral or minerals in respect of which permit is granted and other particulars such as the quantity, grade, value, purity and other particulars of the mineral or minerals as set out in the table]**

Type of Mineral	Quantity	Grade	Value	Purity	Other Particulars

to.....[insert the name, address of the purchaser/consignee and destination where the mineral is to be shipped or exported] through.....[insert the port of exit/shipment].

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Cabinet Secretary (*name*) (signature)

**In the presence of:**  
\_\_\_\_\_  
Director of Mines (*name*) (signature)

(dated seal here)



**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form AR-31 [Mineral Dealer's Licence/Permit Quarterly Report]**

*Regulation 22(1)(b)(iii) of the Mining (Dealings in Minerals) Regulations*

---

Mineral Dealer's Licence/Permit Registration Code Number: \_\_\_\_\_

Year: \_\_\_\_\_, Month: \_\_\_\_\_

*Dated seal here*

Date report received: \_\_\_\_\_

Declaration has been signed (*tick option*):

- Yes
- No

(note: if declaration signature is absent, the report cannot be accepted)

Report is confirmed complete: \_\_\_\_\_

Receiving officer's name: \_\_\_\_\_

Receiving officer's signature: \_\_\_\_\_

### 1. Instructions:

This form shall be completed in full and signed by an authorised officer of the Mineral Dealer's Licence/Permit holder. This form shall be attached to the Mineral Dealer's Licence/Permit Quarterly Report as the case may be and be submitted through the OMC. Use a separate reporting form and a separate report for each registered Mineral Dealer's Licence/Permit as the case may be (combined reports are not permissible).

This form and its accompanying report shall be submitted quarterly, not later than fourteen (14) calendar days after the end each quarter. Failure to submit a complete quarterly report may result in the revocation of the Licence or Permit as the case may be. The Mineral Dealer's Licence/Permit Quarterly Report shall contain for the entire quarter the following particulars as set out in the table below.

Type of Mineral	Quantity purchased, date and price paid for each purchase	Name and address of the vendor/seller	Quantity sold, date and the price for each sale	Quantity sold and the price paid for each purchase	Name and address of the purchaser/buyer	Others (specify)

### 2. MINERAL DEALER'S LICENCE/PERMIT HOLDER DETAILS

Name of holder: \_\_\_\_\_

(Hereinafter referred to as the "holder") whose registered office in Kenya is at

Address (Physical Location): \_\_\_\_\_

Town/City : \_\_\_\_\_

County: \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

### 3. Declaration

*(Note: where any declaration made in this form is found to be false, the person whose signature appears below shall be guilty of an offence and subject to a penalty).*

I hereby declare that the Mineral Dealers Licence/Permit quarterly Report attached to this form was prepared under my supervision. The information as provided above and in the attached report is truthful and substantially accurate in all its details.

(a) Holder's (or Authorised Director's) name: \_\_\_\_\_

Holder's (or Authorised Director's) signature: \_\_\_\_\_

Address (Physical Location): \_\_\_\_\_ Town/City: \_\_\_\_\_

County: \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form AR-32 [Mining Dealer's Licence/Permit Annual Report]**

*Regulation 22(1)(b)(iv) of the Mining (Dealings in Minerals) Regulations*

---

Mining Dealer's Licence/Permit Registration Code Number: \_\_\_\_\_

Year: \_\_\_\_\_, Month: \_\_\_\_\_

*Dated seal here*

Date report received: \_\_\_\_\_

Attestation has been signed (*tick option*):

- Yes
- No

(note: if attestation signature is absent, the report cannot be accepted)

Report is confirmed complete: \_\_\_\_\_

Receiving officer's name: \_\_\_\_\_

Receiving officer's signature: \_\_\_\_\_

**1. Instructions:**

This form shall be completed in full and signed by an authorised officer of the Mineral Dealer's Licence/Permit holder. This form shall be attached to the Mineral Dealer's Licence/Permit Annual Report as the case may be and be submitted through the OMC. Use a separate reporting form and a separate report for each registered Mineral Dealer's Licence/Permit as the case may be (combined reports are not permissible).

This form and its accompanying report shall be submitted annually, not later than fourteen (14) calendar days after the end of the year. Failure to submit a complete annual report may result in the revocation of the Licence or Permit as the case may be.

The Mineral Dealer's Licence/Permit Annual Report shall contain the quantity of all the minerals purchased or sold, the price paid or received for each purchase or sale, the date of each purchase or sale, the name and address of the purchaser or person from whom the minerals were purchased for the year and any other information that may be required as set out in the table below.

Type of Mineral	Quantity purchased, date and price paid for each purchase	Name and address of the vendor/seller	Quantity sold, date and the price for each sale	Quantity sold and the price paid for each purchase	Name and address of the purchaser/buyer	Others (specify)

**1. MINERAL DEALER’S LICENCE/PERMIT HOLDER DETAILS**

Name of holder: \_\_\_\_\_

(Hereinafter referred to as the “holder”) whose registered office in Kenya is at

Address (Physical Location): \_\_\_\_\_

City : \_\_\_\_\_

County : \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

**2. Declaration**

*(Note: when any declaration provided in this form is found to be false, the person whose signature appears below shall be guilty of an offence and subject to a penalty.)*

I hereby attest that the Mineral Dealers Licence/Permit Annual Report attached to this form was prepared under my supervision. The information as provided above and in the attached report is truthful and substantially accurate in all its details.

(b) Holder’s (or Authorised Director’s) name: \_\_\_\_\_

Holder’s (or Authorised Director’s) signature: \_\_\_\_\_

Address: \_\_\_\_\_ Town/City: \_\_\_\_\_

County: \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form AR-29 [Export of Mineral Quarterly Report]**

*Regulation 22(1)(b)(i) of the Mining (Dealings in Minerals) Regulations*

Mineral Dealer's Licence/Mining Licence/Permit Registration Code Number: \_\_\_\_\_

Year: \_\_\_\_\_, Month: \_\_\_\_\_

*Dated seal here*

Date report received: \_\_\_\_\_

Attestation has been signed (*tick option*):

- Yes
- No

(note: if declaration signature is absent, the report cannot be accepted)

Report is confirmed complete: \_\_\_\_\_

Receiving officer's name: \_\_\_\_\_

Receiving officer's signature: \_\_\_\_\_

**1. Instructions:**

This form shall be completed in full and signed by an authorised officer of the Mineral Dealer's Licence or Mining Licence/Permit holder. This form shall be submitted through the OMC. Use a separate reporting form and a separate report for each registered Mineral Dealer's Licence or Mining Licence/Permit as the case may be (combined reports are not permissible).

This form and its accompanying document or report shall be submitted quarterly, not later than fourteen (14) calendar days after the month end. Failure to submit a complete quarterly report may result in the revocation of the Licence or Permit as the case may be.

The Mineral Dealer's Licence or Mining Licence/Permit Quarterly Report shall contain the name, quantity, grade and value of the mineral shipped or exported under each export permit, the export permit number and date of issue for each shipment, the date of each shipment/export, the name, address of the purchaser/consignee and destination where the mineral was shipped or exported and any other information that may be required as set out in the table below.

Type of Mineral	Quantity exported under each permit	Grade	Value of each shipment (US\$)	Permit number for each shipment and date of issue	Date of each shipment	Name and Address of the Purchaser/Consignee	Others (specify)

**2. MINERAL DEALER’S LICENCE/MINING LICENCE/PERMIT HOLDER DETAILS**

Name of holder: \_\_\_\_\_

(Hereinafter referred to as the “holder”) whose registered office in Kenya is at

Address: \_\_\_\_\_

City : \_\_\_\_\_

County : \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

**3. Declaration**

*(Note: where any declaration made in this form is found to be false, the person whose signature appears below shall be guilty of an offence and subject to a penalty).*

I hereby declare that the Mineral Dealers Licence or Mining Licence/Permit quarterly Report attached to this form was prepared under my supervision. The information as provided above and in the attached report is truthful and substantially accurate in all its details.

(c) Holder’s (or Authorised Manager/Director’s) name: \_\_\_\_\_

Holder’s (or Authorised Manager/Director’s) signature: \_\_\_\_\_

Address: \_\_\_\_\_ Town/City: \_\_\_\_\_

County: \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form AR-30 [Export of Mineral Annual Report]**

*Regulation 22(1)(b)(ii) of the Mining (Dealings in Minerals) Regulations*

Mining Dealer's Licence/Mining Licence/Permit Registration Code Number: \_\_\_\_\_

Year: \_\_\_\_\_, Month: \_\_\_\_\_

*Dated seal here*

Date report received: \_\_\_\_\_

Attestation has been signed (*tick option*):

- Yes
- No

(note: if attestation signature is absent, the report cannot be accepted)

Report is confirmed complete: \_\_\_\_\_

Receiving officer's name: \_\_\_\_\_

Receiving officer's signature: \_\_\_\_\_

**1. Instructions:**

This form shall be completed in full and signed by an authorised officer of the Mineral Dealer's Licence or Mining Licence/Permit holder. This form shall be attached to the Mineral Dealer's Licence or Mining Licence/Permit Annual Report as the case may be and be submitted through the OMC. Use a separate reporting form and a separate report for each registered Mineral Dealer's Licence/Permit or Mining Licence/Permit as the case may be (combined reports are not permissible). This form and its accompanying report shall be submitted quarterly, not later than fourteen (14) calendar days after the month end. Failure to submit a complete quarterly report may result in the revocation of the Licence or Permit as the case may be.

The Mineral Dealer's Licence or Mining Licence/Permit Annual Report shall contain the name, quantity, grade and value of the mineral shipped or exported under each export permit, the price received for each sale, the date of each export, the name, address of the purchaser/consignee and destination where the mineral is to be shipped or exported any other information that may be required as set out in the table below.

Type of Mineral	Quantity exported under each permit	Grade	Value of each shipment (US\$)	Permit number for each shipment and date of issue	Date of each shipment	Name and Address of the Purchaser/Consignee	Others (specify)

**4. MINERAL DEALER’S LICENCE/MINING LICENCE/PERMIT HOLDER DETAILS**

Name of holder: \_\_\_\_\_

(Hereinafter referred to as the “holder”) whose registered office in Kenya is at

Address: \_\_\_\_\_

Town/City : \_\_\_\_\_

County: \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

**5. Declaration**

*(Note: where any declaration is made in this form is found to be false, the person whose signature appears below shall be guilty of an offence and subject to a penalty.)*

I hereby attest that the Mineral Dealers Licence or Mining Licence/Permit Annual Report attached to this form was prepared under my supervision. The information as provided above and in the attached report is truthful and substantially accurate in all its details.

(d) Holder’s (or Authorised Manager/Director’s) name: \_\_\_\_\_

Holder’s (or Authorised Manager/Director’s) signature: \_\_\_\_\_

Address: \_\_\_\_\_ Town/City: \_\_\_\_\_

County: \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form A-32 [Application for an Import Permit]**

*Regulation 24(1) of the Mining (Dealings in Minerals) Regulations*

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O *Dated seal here*

F Application verified as complete:  
F

I  Date verified as complete and registered: Day \_\_\_ Month \_\_\_ Year \_\_\_  
C

I  Time verified as complete and registered: Hr. \_\_\_ Min \_\_\_

A Officer verifying application is complete and has been registered as complete in the  
L Register:  
U

S Name: \_\_\_\_\_ Signature: \_\_\_\_\_

E All required attachments have been appended to this application

Application registration number: \_\_\_\_\_

\*\*\*\*\*

- Application is approved
- Application is denied

Reason for denial: \_\_\_\_\_

**If approved,**

Date application was registered in the Register of Mineral Dealings: \_\_\_\_\_

Date applicant was notified of the approval decision: \_\_\_\_\_

**If denied,**

Date denial was registered in the Register: \_\_\_\_\_

Date applicant was notified of the denial decision: \_\_\_\_\_

Cabinet Secretary's signature: \_\_\_\_\_

Date of signature: \_\_\_\_\_

**1. Instructions:**

This form is used to apply for an Import Permit for a mineral and shall be submitted online to the Mining Cadastre Office. The OMC cannot accept the application unless this form is completed in full and all required, supporting documentation is appended in electronic format. All documents shall be submitted in English. Where a title for the document appears in the list, the document shall be named with that title.

**2. Applicant's identity and contact information**

**a. If the applicant is an individual complete all information in this section:**

**Full Name:** \_\_\_\_\_

**b. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**c. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**d. If the applicant is a company complete all information in this section:**

Registered company name: \_\_\_\_\_

City Company is incorporated: \_\_\_\_\_

**e. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**f. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**g. Name of authorised agent or representative:**

**Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_ Fax (if any) \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**3. Provide the following required information for which the import permit is sought:**

- duplicate copy of First Schedule **Error! Reference source not found.**;
- name the type of mineral or minerals for which the import permit is sought;
- the quantity, weight, grade, value of the mineral to be imported;
- the name, address of the consignor/company and the country of origin of the mineral;
- a description for the use of the mineral in Kenya; and;
- such other documents or information that may apply.

**3. Declaration**

*(Note: where any declaration is made in this form is found to be false the person whose signature appears below shall be guilty of an offence and subject to penalty.)*

I am the applicant or its authorised representative or agent and attest that the information contained in this application and attached to it is true and accurate:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**MINISTRY OF MINING**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form L-13 [Declaration of Mineral Imported]**

*Regulation 23(1) of the Mining (Dealings in Minerals) Regulations*

No: \_\_\_\_\_

Name of Importer: \_\_\_\_\_

Address (Physical Location): \_\_\_\_\_

City/Town: \_\_\_\_\_ County: \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

Type of Mineral	Quantity imported (tonnes)	Grade and weight	Value of import (US\$)	Name and Address of the Consignor and country of origin	Others (specify)

2. The holder shall:

- (a) Use the mineral solely for the purpose for which the permit is issued;
- (b) Keep a register of the mineral dealings in respect of imports and record the following information in respect of each import;
  - (i) the name, quantity, grade and weight of the mineral or minerals imported under each permit;
  - (ii) the value of the minerals for each import;
  - (iii) the name, address of the consignor and the country of origin of the minerals and
  - (iv) copies of all documents or declaration made at the point of entry for each import.
- (3) The holder shall submit to the Cabinet Secretary a true copy of the register in duplicate for the preceding year together with a statutory declaration of the correctness thereof not later than fourteen days at the end of each year.

**THE MINING ACT  
MINING REGULATIONS**

**Form A-33 [Application to Remove Samples]**

*(Section 158(1) of the Mining Act and Regulation 28(2) of the Mining (Dealings in Minerals) Regulations)*

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O *Dated seal here*

F Application verified as complete:

I  Date verified complete and registered: Day \_\_\_\_ Month \_\_\_\_ Year \_\_\_\_

C  Time verified complete and registered: Hr. \_\_\_\_ Min \_\_\_\_

A Officer verifying application is complete and has been registered as complete in the  
L Register:

S Name: \_\_\_\_\_ Signature: \_\_\_\_\_

E All required attachments have been appended to this application

Application registration number: \_\_\_\_\_

\*\*\*\*\*

Application is approved

Application is denied

Reason for denial: \_\_\_\_\_

**If approved,**

Date application was registered in the Register of Mineral Rights: \_\_\_\_\_

Date applicant was notified of the approval decision: \_\_\_\_\_

**If denied,**

Date denial was registered in the Register: \_\_\_\_\_

Date applicant was notified of the denial decision: \_\_\_\_\_

Cabinet Secretary's signature: \_\_\_\_\_

Date of signature: \_\_\_\_\_

**4. Instructions:**

This form is used to apply for a permit to remove or extract a mineral sample and shall be presented through the OMC to the Mining Cadastre Office. The OMC cannot accept the application unless this form is completed in full and all required, supporting documentation is appended in electronic format. All documents shall be submitted in English.

**5. Applicant's identity and contact information**

**If the applicant is an individual complete all information in this section:**

**a. If the applicant is an individual complete all information in this section:**

**Full Name:** \_\_\_\_\_

**b. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**c. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**d. If the applicant is a company complete all information in this section:**

Registered company name: \_\_\_\_\_

City Company is incorporated: \_\_\_\_\_

**e. Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**f. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**g. Name of authorised agent or representative:**

**Physical Location**

Street: \_\_\_\_\_ Building \_\_\_\_\_ Floor/Office # \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

**h. Address**

P.O. Box: \_\_\_\_\_ Code: \_\_\_\_\_

Town/City: \_\_\_\_\_ County: \_\_\_\_\_

Phone #: \_\_\_\_\_ Mobile: \_\_\_\_\_

Email address (mandatory): \_\_\_\_\_

**6. Provide the following required information for which the permit is sought:**

- type of mineral right, registration number of mineral right and location ;
- name of the Lead Exploration Geologist;
- the type of material extracted/sampled;
- total number of samples and weight to be extracted or removed from the extraction site ;
- date(s) sample taken;
- include a map showing sample extraction location(s) and GPS coordinates of the site;
- date sample to be delivered to the laboratory/processing facility;
- type of analysis
- full name and address of laboratory/processing facility; and;
- such other documents or information that may apply or the Director of Geological Survey may request.

**7. Declaration**

*(Note: where any declaration is made in this form is found to be false the person whose signature appears below shall be guilty of an offence and subject to penalty.)*

I am the applicant or its authorised representative or agent and attest that the information contained in this application and attached to it is true and accurate:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**THE GOVERNMENT OF THE REPUBLIC OF KENYA**  
**MINISTRY OF MINING**  
**THE MINING ACT**  
**MINING REGULATIONS**

**Form AR-33 [Bulk Sample Report]**

*Regulation 44(5) of the Mining Regulations*

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Mineral Right Registration Code Number: \_\_\_\_\_

Year: \_\_\_\_\_, Month: \_\_\_\_\_

*Dated seal here*

Date report received: \_\_\_\_\_

Attestation has been signed (*tick option*):

- Yes
- No

(note: if attestation signature is absent, the report cannot be accepted)

Report is confirmed complete: \_\_\_\_\_

Receiving officer's name: \_\_\_\_\_

Receiving officer's signature: \_\_\_\_\_

**3. Instructions:**

This form shall be completed in full and signed by an authorised officer of the holder of the Mineral Right. This form shall be used to provide a report on any bulk sample and be submitted through the OMC. Use a separate reporting form for each bulk sample as the case may be (combined reports are not permissible). This form and its accompanying report shall be submitted not later than thirty (30) calendar days after the receipt of the test result by the holder. Failure to submit a complete report may result in the revocation of the Licence or Permit as the case may be.

**4. MINERAL RIGHT HOLDER’S DETAILS**

Name of holder: \_\_\_\_\_

(Hereinafter referred to as the “holder”) whose registered office in Kenya is at

Address: \_\_\_\_\_

City : \_\_\_\_\_

County : \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

**7. Provide the following required information:**

- Bulk sample identification number;
- the type of material extracted/sampled;
- total sample size and weight;
- date(s) sample were taken from prospecting or mining area;
- include a map showing sample extraction location(s) and GPS coordinates of the site;
- proposed sample dispatch date;
- full name and address of laboratory/processing facility;
- type of analysis or processing and;
- where minerals, concentrates or other products have been sold or disposed of as the end product of processing or refining of a bulk sample, the holder shall provide with supporting documents evidence of the revenue obtained from the sale of such products.

**7. Declaration**

*(Note: Where any declaration made in this form is found to be false, the person whose signature appears below shall be guilty of an offence and subject to a penalty).*

I hereby attest that the report attached to this form was prepared under my supervision. The information as provided above and in the attached report is truthful and substantially accurate in all its details.

(e) Holder’s (or Authorised Director’s) name: \_\_\_\_\_

Holder’s (or Authorised Director’s) signature: \_\_\_\_\_

Address: \_\_\_\_\_ Town/City: \_\_\_\_\_

County : \_\_\_\_\_

Phone number: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email address: \_\_\_\_\_

