

LEGAL NOTICE NO. 111

REPUBLIC OF TRINIDAD AND TOBAGO

THE MINERALS ACT, CHAP. 61:03

REGULATIONS

MADE BY THE MINISTER UNDER SECTION 48 OF THE MINERALS ACT  
AND SUBJECT TO NEGATIVE RESOLUTION OF PARLIAMENT

THE MINERALS (GENERAL) REGULATIONS, 2015

PART I

PRELIMINARY

1. These Regulations may be cited as the Minerals (General) Regulations, 2015. Citation

2. In these Regulations—

Interpretation

“applicant” means and person who applies for a licence in accordance with the Act and these Regulations;

“Commissioner” means the Commissioner of State Lands appointed under section 5 of the State Lands Act;

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“Committee” means the Minerals Advisory Committee established under section 15(1) of the Act;

“integrated processing plant” means a processing plant situated within the same geographical boundaries as a mining operation;

“licence” means an Exploration Licence, Mining Licence or Processing Licence referred to in regulation 3;

“licensed area” means an area of land for which a licence has been granted under the Act;

“licensee” means any person who has been granted a licence in accordance with the Act and these Regulations;

“mine design plan” means a plan that sets out the entire layout of a licensed area including all pits, benches, stockpiles, buildings, and related roadways and describes the manner in which mining operations are conducted on the licensed area;

“operational guidelines” mean the guidelines published by the Minister in accordance with section 48(2)(b) of the Act;

“processing plan” means a plan that describes in detail the processing operations, including the layout of the integrated processing plant or stand alone processing plant;

“rehabilitation plan” means the plan that describes in detail the manner in which a licensed area is to be restored after mining or processing operations for any suitable use thereafter;

“stand alone processing plant” means a processing plant situated on lands which are used only for processing operations.

## PART II

### LICENCES

Licences and duration 3. The Minister may, in accordance with section 19 of the Act issue the following licences with respect to State or private lands:

- (a) an Exploration Licence, which shall be valid for two years from the date of issue;
- (b) a Mining Licence, which shall be valid for five years from the date of issue; and
- (c) a Processing Licence, which shall be valid for five years from the date of issue.

Competitive bidding for licence to mine on State lands 4. (1) For the purposes of section 17(1) of the Act, a competitive bidding process shall commence upon the publication of an invitation to bid in the *Gazette* and in at least two newspapers in daily circulation in Trinidad and Tobago.

- (2) An invitation to bid shall specify—
  - (a) the geographical location of the area of State land;
  - (b) the period during which bids are to be submitted;
  - (c) the form in which bids are to be submitted; and
  - (d) any other conditions and details which the Minister considers relevant.

(3) The Committee shall review the bids submitted and make recommendations to the Minister.

(4) The Minister may make a charge for any relevant information supplied to the applicant.

(5) The Minister shall consider the recommendations of the Committee and may select a bid having regard to all relevant factors, save that the Minister may, where he thinks fit, reject all proposals.

5. (1) An application for a licence shall be made in the appropriate form set out in Schedule 1, 2, or 3 and submitted to the Committee. Application for licences

- (2) An application for a licence shall be accompanied by— Schedules 1, 2, 3 and 4
- (a) evidence of the applicant's financial capacity and technical qualifications to undertake the operations for which the licence is sought; and
  - (b) the application fee specified in Schedule 4.

6. (1) The Committee shall, on receipt of an application for a licence— Processing of licence applications

- (a) publish a notice of the application in the *Gazette* and at least two newspapers in daily circulation in Trinidad and Tobago; and
- (b) where applicable, conduct—
  - (i) title searches for ownership of surface and mineral rights;
  - (ii) company searches;
  - (iii) bankruptcy searches; and
  - (iv) searches for convictions for offences committed under the Act or Regulations.

(2) Within thirty days from the date of publication of a notice referred to in subregulation (1), a person may lodge an objection with the Committee on the grounds that it is inconsistent with, or would interfere with, his rights.

(3) The Committee shall review the application and consider any objections prior to advising the Minister of its recommendation.

(4) If the applicant fails to meet the requirements for the grant of the licence within ninety days of the submission of the application, the application shall be deemed to be invalid.

7. If, before the licence is granted or refused, a change occurs in respect of any particulars contained in the application, the applicant shall immediately inform the Committee in writing of such change. Change of particulars of a licence application

8. The Minister shall establish and maintain a minerals register comprising— Minerals register

- (a) applications for licences;
- (b) grants, assignments, renewals, surrenders, terminations, revocations and suspensions of licences;

- (c) court decisions, arbitration awards, deeds or instruments of any kind relating to public and private mining rights; and
- (d) any other relevant information.

Notification of licences

9. (1) Where there is a grant, assignment, renewal, surrender, termination, revocation or suspension of a licence, the Minister shall, as soon as practicable, publish a notice of that fact in the *Gazette* and at least two newspapers in daily circulation in Trinidad and Tobago.

- (2) The notice referred to in subregulation (1) shall state—
  - (a) the name of the holder of the licence or the assignee;
  - (b) the general nature of the licence; and
  - (c) the location of the licensed area.

Terms of licence granted

10. The Minister may in consideration of the advice of the Committee, determine the terms and conditions he considers necessary for the grant of a licence.

Time limit for issue of licence

11. If a licence is not executed within ninety days of the approval of the application, the right of the applicant to such licence shall be deemed to have lapsed, unless the delay is not due to the fault of the applicant.

Exploration Licence

- 12. (1) An Exploration Licence shall authorise a licensee to conduct—
  - (a) mapping, sampling, and testing of the licensed area; and
  - (b) such other work related to exploration, as specified in the licence.

(2) An Exploration Licence granted to a licensee for State lands shall be subject to a permit, licence or lease issued by the Commissioner.

(3) Where the land referred to in subregulation (2) is already leased by the State, the proposed licensee, if he is not the legal tenant, shall enter into a written agreement, authorised by the Commissioner, with the legal tenant in order to be granted permission for the proposed exploration activity.

(4) A holder of an Exploration Licence shall submit to the Minister a detailed report of the economic geology of the licensed area on or before the expiration date of his licence.

Commercial quantity of minerals

13. (1) Where the holder of an Exploration Licence discovers a commercial quantity of minerals on private lands, he may apply for a Mining Licence.

(2) Where the holder of an Exploration Licence discovers a commercial quantity of minerals on State lands, he may apply for a Mining Licence no later than three months after the expiration of his Exploration Licence.

14. (1) A Mining Licence shall authorise a licensee to conduct— Mining  
Licence
- (a) mining, as specified in the approved mine design plan; and
  - (b) any other work related to mining, as specified in the licence.

(2) Where the reserves of minerals are exhausted within the term of the licence, all rehabilitation works required under the licence shall be completed within the term or such other period as the Director may authorise in writing.

(3) A Mining Licence granted for State lands shall be subject to a permit, licence or lease issued by the Commissioner.

(4) Where the land referred to in subregulation (3) is already leased by the State, the proposed licensee, if he is not the legal tenant, shall enter into a written agreement, authorised by the Commissioner, with the legal tenant in order to be granted permission for the proposed mining activity.

(5) Where the holder of a Mining Licence discovers minerals within the licensed area not authorised to be mined, he shall immediately inform the Minister in writing.

15. (1) A Processing Licence shall authorise the licensee to— Processing  
Licence
- (a) establish a processing plant at an approved location;
  - (b) process minerals as specified in the approved processing plan; and
  - (c) conduct any other work as specified in the licence.

(2) A Processing Licence granted for State lands shall be subject to a permit, licence or lease issued by the Commissioner.

(3) Where the land referred to in subregulation (2) is already leased by the State, the proposed licensee, if he is not the legal tenant, shall enter into a written agreement, authorised by the Commissioner, with the legal tenant in order to be granted permission for the proposed processing activity.

Renewal of  
licence

16. An application for renewal of a licence shall be in the appropriate form set out in Schedule 1, 2 or 3 and shall contain, where applicable—
- (a) an updated mine design plan;
  - (b) an updated rehabilitation plan;
  - (c) a Certificate of Environmental Clearance;
  - (d) eight originals of a Survey Plan—
    - (i) approved by the Director of Surveys for State lands; and
    - (ii) registered by the Director of Surveys for private lands;
  - (e) a Performance Bond and Rehabilitation Bond;
  - (f) evidence that the licensee has paid all outstanding royalties due to the State;
  - (g) a copy of the receipt for payment of the licence renewal fee; and
  - (h) any other information that the Minister may request after review of the application.

Assignment or  
transfer of a  
licence

17. (1) A licensee shall not assign or transfer his licence to another person without the prior written approval of the Minister.

(2) Any assignment or transfer of a licence made without the approval of the Minister shall be null and void from the date of assignment or transfer and may result in revocation of the licence.

(3) An application by the licensee for approval to assign or transfer his licence shall be made in writing to the Minister and shall include—

- (a) information with respect to the proposed assignee's or transferee's financial capacity and technical qualifications; and
- (b) any other information which the Minister deems necessary.

(4) Where the Minister refuses an application he shall notify the applicant in writing and give reasons for the refusal.

Technical  
duties of a  
licensee

18. A licensee shall—

- (a) ensure, so far as is reasonably practicable, the safety, health and welfare at work of his employees;
- (b) ensure that the mining operations are conducted in the licensed area through the mine design plan;
- (c) give a detailed assessment of processing operations in a processing plan;

- (d) ensure that no open pits to collect water are left on exhausted areas on the licensed area, unless it forms part of the rehabilitation plan;
- (e) in keeping with the rehabilitation plan, rehabilitate all exhausted areas to the satisfaction of the Director;
- (f) in the event of the discovery of any ancient relics or archaeological specimens in or upon the licensed area, immediately report that discovery to the Minister and preserve the integrity of the area by stopping exploration, mining or processing or any related activity in the vicinity of the discovery; and
- (g) ensure that all waste material, solid and liquid, are disposed of in an environmentally sound manner in accordance with the Act, the licence and any other written law.

19. A licensee shall—

- (a) conduct operations on the licensed area in a consistent and acceptable manner in accordance with the licence, the approved mine design plan, the processing plan, and any directive issued by the Minister;
- (b) ensure that the boundaries to the licensed area are properly demarcated at all times, and maintain a buffer zone of—
  - (i) at least three meters from the boundary of the licensed area on all sides; and
  - (ii) at least twenty-five meters from any watercourse passing through such area and any existing roadway;
- (c) keep the Minister indemnified at all times against any action, claim, demand or liability of whatever nature which may be brought against the Minister by any third party in relation to any matter arising out of the exercise of the rights granted by the licence;
- (d) conduct mining operations in accordance with the Act, the licence, operational guidelines published by the Minister and any other written law, including but not limited to those relating to health and safety in the workplace;
- (e) ensure that all water from any part of the licensed area is discharged in accordance with the Act and any other written law;
- (f) keep all plant, equipment, structures and roadways, and the licensed area in good condition;
- (g) not excavate any pit within the licensed area to a depth greater than ten meters without the prior written consent of the Minister;

General  
duties of a  
licensee

- (h) establish and preserve a set-back distance of no less than three meters on all sides from any witness markers and monuments on the licensed area;
- (i) submit to the Director within one month of each anniversary date of the grant of the licence, a written review of the exploration, mining or processing operations, including managerial, technical and commercial areas;
- (j) submit to the Minister such reports as may be required to be submitted under the Act, these Regulations or the licence;
- (k) operate without unreasonable delay and ensure such operations continue without interruption;
- (l) ensure that a copy of these Regulations are kept posted at the licensed area in a conspicuous place, where it can be conveniently read by persons employed thereupon;
- (m) ensure that access to and from working places are secure; and
- (n) comply with all the terms and conditions contained in the licence.

Training

20. A licensee shall—

- (a) maintain an effective programme of training and development for his employees throughout the term of the licence; and
- (b) encourage his employees to participate in all aspects of mineral development.

Construction of temporary buildings on State lands

21. A licensee shall not construct any buildings or structures on State lands without the prior written consent of the Commissioner.

Removal of top soil or overburden

22. A licensee shall not remove topsoil or overburden outside of the licensed area without the prior written consent of the Director.

Signage

23. A licensee shall ensure that signage, as specified in the licence, is prominently displayed at the entrance of every licensed area and affixed to every excavator, vehicle, machine and equipment used in the course of conducting exploration, mining or processing operations upon the licensed area.

Notification of commencement or cessation of mining

24. One month prior to the commencement or cessation of exploration, mining or processing operations, the licensee shall notify the Director, in writing of the date on which such operations will commence or cease.

Voluntary termination of the licence

25. (1) A licensee shall be at liberty to terminate his licence in whole or in part.



(2) A licensee shall submit to the Minister advance written notice of not less than six days of his decision to terminate.

(3) A termination under this regulation shall not affect any obligations or liabilities imposed on, or incurred by the licensee under his licence.

### PART III

#### SPECIFIED AREAS, MINING ZONES AND BLOCKS

26. (1) For the purposes of section 8(1)(c), (f) and (g) of the Act, Specified notice of a specified area, mining zone, or mining block shall be published <sup>areas, mining zones and blocks</sup> to the effect in the *Gazette* and in at least two newspapers in daily circulation in Trinidad and Tobago.

(2) The Minister, acting on the advice of the Committee, may declare that an area is no longer a specified area, mining zone, or mining block and shall publish a notice in the *Gazette* and at least two newspapers in daily circulation in Trinidad and Tobago.

(3) In the exercise of his functions under section 8(1)(c), (f) and (g) of the Act and subregulation (2), the Minister shall have regard to—

- (a) holders of licences in the specified area, mining zone or mining block, as the case may be;
- (b) residents in the specified area, mining zone or mining block, as the case may be;
- (c) the immediate environment; and
- (d) any other matter that is in the public interest.

### PART IV

#### MANAGEMENT OF MINES AND APPOINTMENT OF MANAGERS

27. (1) The holder of a Mining Licence shall employ a quarry <sup>Quarry</sup> manager, who shall be responsible for the control, management and <sup>manager</sup> direction of the mine.

(2) A quarry manager shall—

- (a) hold at a minimum, a recognised diploma in a science or engineering field related to the extractive industries and have at least three years of quarry management experience; or
- (b) in the opinion of the Director, have a combination of training and experience equivalent to those referred to in paragraph (a).

(3) A licensee shall register his quarry manager with the Ministry and the Ministry shall assign to the quarry manager a registration number.

(4) The quarry manager shall be responsible for—

- (a) establishing of a management structure, which enables the mine to be operated in accordance with the mine design plan and any operational guidelines issued by the Minister;
- (b) ensuring that a copy of the management structure of the mine is posted in an area accessible to every employee;
- (c) defining the extent of the authority and the duties of the persons in the said management structure;
- (d) maintaining a record of all employees working within the licensed area;
- (e) maintaining a record of all persons visiting the licensed area;
- (f) maintaining a daily record or logbook, to be left at the licensed area, of all motor vehicles and equipment operating in, entering and exiting the licensed area; and
- (g) overseeing and implementing the rehabilitation plan.

(5) The quarry manager shall, on a daily basis—

- (a) inspect the licensed area and shall be responsible for the safety of the equipment used by all employees;
- (b) record in a logbook all potential hazards reported or observed at the licensed area; and
- (c) certify in the logbook whether it is safe to start up mining operations for the respective day.

Registered  
quarry  
manager to  
operate a  
quarry

28. A licensee shall not operate a quarry without a registered quarry manager.

Duty of  
quarry  
manager to  
report  
accidents

29. (1) The quarry manager shall, within forty-eight hours of receiving a report on, or observing any actual or potential hazard within the licensed area, take reasonable steps to implement procedures to prevent, eliminate or minimize the hazard.

(2) The quarry manager shall submit to the Director, within twenty-four hours of the occurrence of any accident or loss-time incident in the licensed area, a written report of the occurrence.

(3) The quarry manager shall keep within the licensed area a copy of all reports made to the Director.

30. (1) A holder of a Processing Licence shall employ a processing <sup>Processing</sup> manager who—  
manager

- (a) holds the minimum qualification of a recognised diploma in a science or engineering field and has at least two years of process plant experience; or
- (b) in the opinion of the Director, has a combination of training and experience equivalent to those referred to in paragraph (a).

(2) A licensee shall register his processing manager with the Ministry and the Ministry shall assign to the processing manager a registration number.

(3) The processing manager shall be responsible for—

- (a) establishing a management structure for the processing operations, which enables the processing plant to be operated in accordance with the processing plan and any operational guidelines issued by the Minister, from time to time;
- (b) ensuring that a copy of the management structure of the processing plant is posted in an area accessible to every employee;
- (c) defining the extent of the authority and the duties of the persons in the said management structure;
- (d) maintaining a record of all employees on the licensed area, for a stand alone processing plant;
- (e) maintaining a record of all persons visiting the licensed area, for a stand alone processing plant;
- (f) maintaining a daily record or logbook, to be left at the licensed area for a stand alone processing plant, of all motor vehicles and equipment operating in, entering and exiting the licensed area; and
- (g) overseeing and implementing the rehabilitation plan, for a stand alone processing plant.

(4) The processing manager for a stand alone processing plant, shall on a daily basis—

- (a) inspect the licensed area and equipment used by all employees;
- (b) record in a logbook, to be left at the licensed area, all potential hazards brought to his attention or observed; and
- (c) certify in the logbook that it is safe to start up processing operations for the respective day.

Failure to  
appoint and  
register a  
processing  
manager

31. A licensee shall not operate a processing plant without a registered processing manager.

Duty of  
processing  
manager to  
report  
accidents

32. (1) The processing manager for a stand alone processing plant shall, within forty-eight hours of receiving a report on, or observing any actual or potential hazard within the licensed area, take reasonable steps to implement procedures to prevent, eliminate or minimize the hazard.

(2) The processing manager for a stand alone processing plant shall submit to the Director within twenty-four hours of the occurrence of any accident or loss-time incident in the licensed area, a written report of the occurrence.

(3) The processing manager shall keep within the licensed area a copy of all reports made to the Director.

Quarry  
manager  
overall  
responsibility  
for all  
operations

33. Where there is an integrated processing plant in a licensed area the quarry manger shall have overall responsibility for all operations.

## PART V

### FINANCIAL OBLIGATIONS

Rehabilitation  
Bond

34. (1) The value of a Rehabilitation Bond referred to in section 25(1) shall be calculated at the rate specified in Schedule 4.

(2) The Rehabilitation Bond shall be deposited with the Director and shall be of at least the same duration as the relevant licence.

(3) Where the licensee rehabilitates to the satisfaction of the Director the land for which the licence was issued and adheres to the terms and conditions of the licence, the Director shall return the Rehabilitation Bond to him.

Performance  
Bond

35. (1) The value of a Performance Bond referred to in section 26(1) shall be calculated at the rate specified in Schedule 4.

(2) The Performance Bond shall be deposited with the Director and shall be of at least the same duration as the relevant licence.

(3) Where the licensee performs the terms and conditions of the licence to the satisfaction of the Minister, the Director shall return the Performance Bond to him.

PART VI

RECORD KEEPING

36. (1) A licensee shall maintain and keep at his place of business <sup>Reports and</sup> accurate and up-to-date records that specify in detail all activities at the <sup>accounting</sup> licensed area which includes the quantity of minerals mined, processed, imported, exported, transported or sold.

(2) A licensee shall deliver to the Minister copies of the records referred to in subregulation (1) within thirty days of the end of each calendar quarter.

(3) Notwithstanding subregulation (2), the Minister may request records referred to in subregulation (1) from a licensee.

(4) All records referred to in subregulation (1) shall be kept by the licensee for the following periods:

- (a) four years, with respect to a licence that is granted for two years; and
- (b) ten years, with respect to a licence that is granted for five years.

37. (1) A licensee shall, at his registered place of business, maintain <sup>Duty to</sup> accurate and up-to-date records of all vehicles and equipment used in the <sup>maintain</sup> course of conducting mining or processing operations on the licensed area. <sup>records</sup>

(2) Where any record referred to in subregulation (1) is modified, amended or updated, the licensee shall notify the Director within two months of such modification, amendment or update.

(3) A licensee shall not falsify any records that are required to be kept under the Act, these Regulations, the licence or any other written law.

38. (1) All reports, maps, samples and any other data derived from <sup>Confidentiality</sup> any exploration operations on State lands, or on private lands where the State owns the mineral rights, shall be the property of the State.

(2) The Minister may request from a licensee any data referred to in subregulation (1).

(3) Where any data referred to in subregulation (1) is requested under subregulation (2), the licensee shall submit the data within thirty days of the request.

(4) Unless otherwise directed by the Minister, all data referred to in subregulation (1) shall be kept confidential during the term of the licence and for a further period of not less than five years after the expiration of the licence.

## PART VII

### ROYALTY

Payment of  
royalties

39. (1) A licensee mining on State lands or private lands shall pay royalties to the Permanent Secretary of the Ministry responsible for mines in respect of minerals mined in the licensed area within the time period specified under his Mining Licence.

(2) Subject to subregulation (1), where a licensee can prove to the satisfaction of the Minister that he owns the mineral rights mined in the licensed area he will not be liable to the payment of royalties.

(3) The Minister may grant an extension of time or enter into a financial arrangement with a licensee for the payment of outstanding royalties.

Schedule 5

(4) The royalty payable under these Regulations shall be calculated using the current average market value for unprocessed minerals mined and charged on a per cubic metre basis as set out in Schedule 5.

(5) Where a licensee fails to pay his royalties by the specified date or reneges on the financial arrangement agreed to in accordance with subregulation (3), the Minister may by notice to the licensee, prohibit the disposal of any minerals from the licensed area.

(6) A licensee shall comply with a notice issued to him under subregulation (5).

Royalty due

40. (1) The Minister may, by notice in writing of not less than sixty days, elect to take any minerals in kind in lieu of the whole or part of the royalty due.

(2) All payment of royalties shall be made to the Permanent Secretary of the Ministry on a quarterly basis as specified by the Minister.

## PART VIII

### MINIMUM PAYMENTS AND RENTAL

Surface rent  
State Lands  
Act  
Chap. 57:01

41. With respect to State lands a licensee shall pay to the Commissioner, where applicable, an annual surface rent and any other payments as required under the State Lands Act or any other written law.

## SCHEDULE 1

[Regulation 5(1)]

**Application Form for Exploration Licence**

|  |   |   |
|--|---|---|
| Application Type: New Licence <input type="checkbox"/>                               |   |   |
| Renewal <input type="checkbox"/>   |   |   |
| <b>APPLICANT DETAILS</b>   |   |   |
| Applicant's Name (Name in which licence is to be granted)                            |   |   |
| Applicant's Address  |   |   |
| Tel Number   | Fax Number  | Email   |
| Company / Business Registration No.  |   |   |
| Name of Person Authorised to Sign on Behalf of Applicant (for a Company or Business) |   | ID / DP / Passport # (copies of two types required) |
| Board of Inland Revenue Number   | Vat Registration Number                             |   |
| <b>EXPLORATION DETAILS</b>   |   |   |
| Location of site to be explored  |   |   |
| Acreage (hectares)   | Land Status (State or Private)                      | Name of Land Owner                                  |
| Ward Sheet No.   | Topographic Sheet No.                               | Mineral(s) of Interest                              |
| <b>EXPLORATION MANAGER DETAILS</b>   |   |   |
| Exploration Manager Name   | Address   | Tel Number / Fax / Email                            |
| Qualifications   | Experience (include on separate sheet if necessary) |   |

**DECLARATION/UNDERTAKING**

In accordance with section 45 (3) (b) of the Minerals Act, Chap 61:03, I \_\_\_\_\_ hereby declare that the particulars and the statements made in this application are true and correct to the best of my knowledge and belief and nothing has been concealed or held therefrom. I understand that it is an offence, punishable by a fine and imprisonment, to make a false declaration.

Signature of the Applicant \_\_\_\_\_ Date   /  /    
(dd/mm/yyyy)

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**FOR OFFICIAL USE ONLY**

Name of Officer Processing Application \_\_\_\_\_ Date Received: \_\_\_\_\_

Signature of Officer Processing Application \_\_\_\_\_   /  /    
(dd/mm/yyyy)

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**GUIDELINES FOR APPLICANTS**

1. Please complete all sections legibly.
2. Supplemental pages are to be inserted where required.
3. This form must be submitted in duplicate.
4. Please retain a copy of your application.
5. The prescribed fee must accompany application.
6. All financial data submitted are to be quoted in Trinidad and Tobago (TT) dollars only.
7. Copies of the following are required, where applicable:
  - a. Title Documents, and Lease/permit (where Applicant is not the owner of land)
  - b. Copies of previous Exploration Licences granted to the Applicant
  - c. Four (4) Originals of a Survey Plan
    - i. Approved by the Director of Surveys, for State land
    - ii. Registered by the Director of Surveys, for Private land
  - d. Topographic Map
  - e. Town and Country Planning Approval
  - f. Certificate of Environmental Clearance (CEC)
  - g. A letter from a recognised financial institution (indicating that the Applicant possesses the financial capacity to conduct the operations for which a licence is being sought)
  - h. Certificates and other qualifications of the Exploration Manager (indicating that the Applicant possesses the technical qualifications necessary to conduct the operations for which a licence is being sought)
  - i. Exploration Programme (detailing the mapping, sampling and testing etc. to be done)
  - j. Performance Bond (to be posted if licence is approved)
  - k. Rehabilitation Bond (to be posted if licence is approved)
  - l. Receipt for payment of licence application / renewal fee
  - m. Any other documents as required from time to time



**SCHEDULE 2**

**Application Form for Mining Licence**

[Regulation 5(1)]

|  |   |   |
|--|---|---|
| Application Type:    New Licence <input type="checkbox"/>                            |   |   |
| Renewal <input type="checkbox"/>   |   |   |
| <b>APPLICANT DETAILS</b>   |   |   |
| Applicant's Name (Name in which licence is to be granted)                            |   |   |
| Applicant's Address  |   |   |
| Tel Number   | Fax Number  | Email   |
| Company / Business Registration No.  |   |   |
| Name of Person Authorised to Sign on Behalf of Applicant (for a Company or Business) |   | ID / DP / Passport # (copies of two types required) |
| Board of Inland Revenue Number   |   | Vat Registration Number                             |
| <b>MINE DETAILS</b>  |   |   |
| Mine Location  |   |   |
| Acreage (hectares / acres)   | Land Status (State or Private)                      | Name of Land Owner                                  |
| Ward Sheet No.   | Topographic Sheet No.                               | Mineral(s) of Interest                              |
| <b>MANAGER DETAILS</b>   |   |   |
| Quarry Manager Name  | Address   | Tel Number / Fax / Email                            |
| Qualifications   | Experience (include on separate sheet if necessary) |   |
| Blaster's Name (If explosives are to be used)  | Address   | Tel Number / Fax / Email                            |
| Qualifications   | Experience (include on separate sheet if necessary) |   |
| <b>EQUIPMENT DETAILS (please specify types and numbers)</b>                          |   |   |

|   |  |   |
|---|--|---|
| (please tick)   | (✓)  | (✓)   |
| Dragline<br>Loader<br>Excavator<br>Tractor<br>Diesel Fuel Truck<br>Other (please state) | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> | Dump Trucks<br>Pick Up<br>Back Hoe<br>Water Truck |
| <b>OPERATIONAL DETAILS</b>  |  |   |
| Electricity Source _____  |  | Daily Consumption _____                           |
| Water Source _____  |  | Daily Consumption _____                           |
| Fuel Storage _____  |  | Daily Consumption _____                           |
| Lubricant Storage _____   |  | Daily Consumption _____                           |
| Explosives Storage _____  |  | Consumption / Frequency _____                     |
| Additional Remarks/ Details   |  |   |

**DECLARATION/UNDERTAKING**

In accordance with section 45 (3) (b) of the Minerals Act, Chap 61:03, I \_\_\_\_\_ hereby declare that the particulars and the statements made in this application are true and correct to the best of my knowledge and belief and nothing has been concealed or held therefrom. I understand that it is an offence, punishable by a fine and imprisonment, to make a false declaration.

Signature of the Applicant \_\_\_\_\_ Date   /  /    
(dd/mm/yyyy)

**FOR OFFICIAL USE ONLY**

Name of Officer Processing Application \_\_\_\_\_ Date Received: \_\_\_\_\_

Signature of Officer Processing Application \_\_\_\_\_   /  /    
(dd/mm/yyyy)

**GUIDELINES FOR APPLICANTS**

1. Please complete all sections legibly.
2. Supplemental pages are to be inserted where required.
3. This form must be submitted in duplicate.
4. Please retain a copy of your application.
5. The prescribed fee must accompany application.

6. All financial data submitted are to be quoted in Trinidad and Tobago (TT) dollars only.
7. Copies of the following are required, where applicable:
  - a. Title Documents, and Lease/permit (where applicant is not the owner of land)
  - b. Copies of previous Mining Licences granted to the Applicant
  - c. Proof of Ownership of Mineral Rights
  - d. Evidence of Satisfaction of all outstanding royalty payments
  - e. Eight (8) Originals of a Survey Plan
    - i. Approved by the Director of Surveys, for State land
    - ii. Registered by the Director of Surveys, for Private land
  - f. Certificate of Incorporation / Certificate of Business Registration
  - g. Organizational Structure for Mining operations
  - h. A letter from a recognised financial institution (indicating that the Applicant possesses the financial capacity to conduct the operations for which a licence is being sought)
  - i. Mine Design Plan (to be completed using template)
  - j. Rehabilitation Plan (to be approved by the Environmental Management Authority)
  - k. Certificate of Environmental Clearance (CEC)
  - l. Town and Country Planning Approval
  - m. Water Abstraction Permit (from the Water and Sewerage Authority)
  - n. Certificates and other qualifications of the Quarry Manager (indicating that the Applicant possesses the technical qualifications necessary to conduct the operations for which a licence is being sought)
  - o. Certificates and other qualifications of the Blaster (where explosives are to be used)
  - p. Performance Bond (to be posted if licence is approved)
  - q. Rehabilitation Bond (to be posted if licence is approved)
  - r. Receipt for payment of licence application / renewal fee
  - s. Land and building taxes receipt (most recent)
  - t. Any other documents as required from time to time

## SCHEDULE 3

[Regulation 5(1)]

**Application Form for Processing Licence**

|   |                                |   |
|---|--------------------------------|---|
| Application Type: New Licence <input type="checkbox"/>  |                                |   |
| Renewal <input type="checkbox"/>  |                                |   |
| <b>APPLICANT DETAILS</b>  |                                |   |
| Applicant's Name (Name in which licence is to be granted)   |                                |   |
| Applicant's Address   |                                |   |
| Tel Number  | Fax Number                     | Email   |
| Company / Business Registration No.   |                                |   |
| Name of Person Authorised to Sign on Behalf of Applicant (for a Company or Business)  |                                | ID / DP / Passport # (copies of two types required)   |
| Board of Inland Revenue Number  |                                | Vat Registration Number   |
| <b>PROCESSING LOCATION DETAILS</b>  |                                |   |
| Processing Plant Location (for existing plants, or address of land on which plant is to be located; please check box and specify below) |                                |   |
| Existing Processing Plant <input type="checkbox"/>  |                                |   |
| New Plant to be installed <input type="checkbox"/>  |                                |   |
| Integrated Processing Plant <input type="checkbox"/>  |                                | If the Processing Plant is <b>integrated</b> with a mining operation (i.e. located within / will be located within the same licensed acreage / acreage to be licensed, as a mining operation) provide name and number on the Mining licence or name of applicant on Mining licence application form, for the said acreage (if available): |
| Stand Alone Processing Plant <input type="checkbox"/><br>(please check appropriate box)   |                                |   |
| Land Area (hectares / acres)  | Land Status (State or Private) | Name of Land Owner  |
| Ward Sheet No.  | Topographic Sheet No.          |   |
| <b>MANAGER DETAILS</b>  |                                |   |
| Processing Manager Name   | Address                        | Tel Number / Fax / Email  |
| Qualifications  |                                | Experience (include on separate sheet if necessary)   |

|   |   |
|---|---|
| <b>PROCESSING OPERATIONS DETAILS</b>                              |   |
| (please tick) <input type="checkbox"/>                            | (✓) Mineral(s) to be Processed and Source of Mineral(s) |
| Washing <input type="checkbox"/>                                  | <input type="checkbox"/>                                |
| Screening <input type="checkbox"/>                                | <input type="checkbox"/>                                |
| Crushing <input type="checkbox"/>                                 | <input type="checkbox"/>                                |
| Blending <input type="checkbox"/>                                 | <input type="checkbox"/>                                |
| Other (please state) _____  |   |
| <b>PROCESSING PLANT DETAILS</b>                                   |   |
| Plant Type (Fixed or Mobile) _____                                | Product Sizes:  |
| Make and Model of Plant _____                                     | 1. _____  |
| New or Used Plant (and year of manufacture) _____                 | 2. _____  |
| Plant Capacity (include units) _____                              | 3. _____  |
| (please tick) <input type="checkbox"/>                            | 4. _____  |
| Primary Crusher <input type="checkbox"/>                          | 5. _____  |
| Secondary Crusher <input type="checkbox"/>                        | 6. _____  |
| Tertiary Crusher <input type="checkbox"/>                         |   |
| Kiln <input type="checkbox"/>                                     |   |
| Furnace <input type="checkbox"/>                                  |   |
| Other (please specify): _____                                     |   |
| Electricity Source _____  | Daily Consumption _____                                 |
| Water Source _____  | Daily Consumption _____                                 |
| Fuel Storage _____  | Daily Consumption _____                                 |
| Lubricant Storage _____   | Daily Consumption _____                                 |
| <b>OTHER EQUIPMENT DETAILS (please specify types and numbers)</b> |   |
| (please tick) <input type="checkbox"/>                            | (✓) <input type="checkbox"/>                            |
| Fork Lifts / Crane <input type="checkbox"/>                       | Dump Trucks <input type="checkbox"/>                    |
| Loader <input type="checkbox"/>                                   | Pick Up <input type="checkbox"/>                        |
| Excavator <input type="checkbox"/>                                | Back Hoe <input type="checkbox"/>                       |
| Tractor <input type="checkbox"/>                                  | Water Truck <input type="checkbox"/>                    |
| Diesel Fuel Truck <input type="checkbox"/>                        |   |
| Other (please state) _____  |   |
| Additional Remarks/ Details _____                                 |   |

**DECLARATION/UNDERTAKING**

In accordance with section 45 (3) (b) of the Minerals Act, Chap 61:03, I \_\_\_\_\_ hereby declare that the particulars and the statements made in this application are true and correct to the best of my knowledge and belief and nothing has been concealed or held therefrom. I understand that it is an offence, punishable by a fine and imprisonment, to make a false declaration.

Signature of the Applicant \_\_\_\_\_ Date   /  /    
dd/mm/yyyy

**FOR OFFICIAL USE ONLY**

Name of Officer Processing Application \_\_\_\_\_ Date Received:

Signature of Officer Processing Application \_\_\_\_\_   /  /    
(dd/mm/yyyy)**GUIDELINES FOR APPLICANTS**

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    - ii. Registered by the Director of Surveys, for Private land
  - e. Certificate of Incorporation / Certificate of Business Registration
  - f. Organizational Structure for Processing operations
  - g. A letter from a recognised financial institution (indicating that the Applicant possesses the financial capacity to conduct the operations for which a licence is being sought)
  - h. Processing Plan (to be completed using template)
  - i. Rehabilitation Plan (to be approved by the Environmental Management Authority)
  - j. Certificate of Environmental Clearance (CEC)
  - k. Town and Country Planning Approval
  - l. Water Abstraction Permit (from the Water and Sewerage Authority)
  - m. Certificates and other qualifications of the Processing Manager (indicating that the Applicant possesses the technical qualifications necessary to conduct the operations for which a licence is being sought)
  - n. Performance Bond (to be posted if licence is approved)
  - o. Rehabilitation Bond (to be posted if licence is approved)
  - p. Receipt for payment of licence application / renewal fee
  - q. Land and building taxes receipt (most recent)
  - r. Any other documents as required from time to time

**SCHEDULE 4**

[Regulations 5(2)(b),  
34(1) and 35(1). ]

**FEES AND BONDS FOR LICENCES**

**FEES PAYABLE:**

- |  |   |
|--|---|
| 1) Application for a New Licence           | TTS 1,000.00                            |
| 2) Application for Renewal of Licence      | TTS 1,000.00                            |
| 3) Annual Exploration Licence Fee          | TTS 250.00 per hectare of Licensed Area |
| 4) Annual Mining Licence Fee               | TTS 250.00 per hectare of Licensed Area |
| 5) Annual Processing Licence Fee           | TTS 250.00 per hectare of Licensed Area |
| 6) Application Fee for Assignment/Transfer | TTS 1,000.00                            |

**BONDS TO BE POSTED (in accordance with sections 25 and 26 of Act):**

FOR EXPLORATION, MINING OR PROCESSING LICENCES:

- |                        |  |
|------------------------|--|
| 1) Performance Bond    | TTS 7,500.00 per hectare of Licensed Area  |
| 2) Rehabilitation Bond | TTS 60,000.00 per hectare of Licensed Area |

**SCHEDULE 5**

[Regulation 39(4)]

**ROYALTY PAYABLE**

The rate of royalty has been calculated using the current average market value for unprocessed Minerals mined in Trinidad and Tobago, and shall be charged on a **per cubic metre basis (except where indicated otherwise)**, as follows:

|                             |                     |
|-----------------------------|---------------------|
| 1) Sand and Gravel (pitrun) | TTS 6.00            |
| 2) Sand                     | TTS 4.00            |
| 3) Clay                     | TTS 3.00            |
| 4) Limestone (blue)         | TTS 8.00            |
| 5) Limestone (yellow)       | TTS 6.00            |
| 6) Andesite                 | TTS 8.00            |
| 7) Porcellanite             | TTS 4.00            |
| 8) Tar Sands (Oil Sands)    | TTS 8.00            |
| 9) Any other Common Mineral | TTS 5.00            |
| 10) Asphalt                 | TTS 10.00 per tonne |

Dated this 5th day of June, 2015.

**K. C. RAMNARINE**  
*Minister of Energy and Energy Affairs*