

ACT

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THE MINES AND MINERALS ACT, 2009

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SIGNED this 30th day of December, 2009

DR. ERNEST BAI KOROMA,
President.

No. 12



2009

Sierra Leone

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The Mines and Minerals Act, 2009.

Short title.

Being an Act to consolidate and amend the law on mines and minerals; to promote local and foreign investment in the mining sector by introducing new and improved provisions for exploration, mine development and marketing of minerals and mineral secondary processing for the benefit of the people of Sierra Leone; to ensure that management of the mineral sector is transparent and accountable in accordance with international best practice; to promote improved employment practices in the mining sector; to improve the welfare of communities adversely affected by mining; to introduce measures to reduce the harmful effects of mining activities on the environment and to provide for other related matters.

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/ Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

PART I—PRELIMINARY

Interpretation. 1. In this Act, unless the context otherwise requires –

“annual charge” means the annual charge payable by the holder of a mineral right under section 152;

“artisanal mining licence” means an artisanal mining licence granted under section 86;

“artisanal mining licence area” means an area that is subject to an artisanal mining licence;

“artisanal mining operations” means mining operations that does not exceed a depth of ten metres;

“associated minerals” means any mineral which occurs in mineralogical association with, and in the same ore deposit as the primary mineral being mined, where it is physically impossible to mine the primary mineral without also mining the mineral associated therewith;

“authorised officer” means a person designated as such under section 10;

“body corporate” means a company or corporation;

“capital” means all cash contributions, plant, machinery, equipment, buildings, spare parts, raw materials, working capital and other business assets other than good will;

“community development agreement” means a community development agreement approved under section 141;

“company” means a body corporate incorporated or registered under the Companies Act;

Act No. 3
of 2009

“continental shelf” means that part of the seabed and subsoil of the submarine area adjacent to the coast of Sierra Leone but outside territorial waters over which the Republic is entitled by law to exercise sovereign rights for the purpose of exploring and exploiting natural resources;

“court” means any duly constituted court other than a local court;

“declared area” means an area declared for licensing of artisanal and small-scale mineral operations under section 30;

“Director” means the Director of Mines referred to under section 4;

“discovery” means a discovery of a mineral deposit or a discovery of a mineral or group of minerals occurring in quantities or circumstances that indicate the presence of a mineral deposit;

“dredging permit” means a dredging permit granted by the Minister under section 126;

Act No. 2
of 2000

“environmental impact assessment” means an environmental impact assessment fulfilling all requirements of this Act and the Environment Protection Act, 2000;

Act No. 2
of 2000

“environmental management programme” means a plan meeting all requirements of this Act and the Environment Protection Act, 2000;

“exploration licence” means an exploration licence granted by the Minister under section 71;

“exploration licence area” means an area that is subject to an exploration licence;