

GUIDELINES FOR ENTERING THE MINING SECTOR

1. A person who wishes to be granted a mineral right shall convey his or her desire in writing to the Office of the Commissioner of Mines.
 2. On receipt of a request for a desire to be granted a mineral right, the Commissioner of Mines shall issue an appropriate Application Form to be filled in by the applicant.
 3. A completed Application Form shall be delivered to the Office of the Commissioner of Mines with **ALL** the required information and attachments.
 4. The Commissioner of Mines shall issue a Reference Number for each Application Form received.
 5. The Commissioner of Mines shall within a period of twenty (21) days acknowledge receipt of the completed Application Form.
 6. The Commissioner of Mines shall present the Application to the Minerals Management Board (Board) for consideration and appraisal.
 7. An application made in accordance with sub-section (1) shall be accompanied by the following –
 - (a) a proposed programme of mining or prospecting operations, that shall outline mine forecasts and operation plans including the options for minerals beneficiation;
 - (b) a costed Project Brief in the prescribed form;
 - (c) a statement regarding the mineral deposits in the area of land over which the licence is sought that includes details of all known minerals as well as possible mineral resources;
 - (d) a statement of the financial and technical resources available to the applicant to carry out the proposed mining operations and to comply with conditions of the licence and the requirements of this Act;
 - (e) a statement that specifies the proposal of the applicant with respect to employment and training of citizens of Swaziland;
 - (f) a statement that specifies the proposal of the applicant with respect to community development; and,
 - (g) a statement that specifies the proposal of the applicant with respect to the procurement of local goods and services.
 - (h) any other information that the Board may reasonably require for the consideration of the application by the Board.
55. The Board shall not recommend the grant or a mining or prospecting licence in respect of land that is the subject of a subsisting prospecting licence, a retention licence, or a mining licence unless –
- (a) the applicant is the holder of that licence; or,
 - (b) the applicant is applying for a licence to work a mine dump in or on the areas or areas covered by an existing mineral right but not to undertake any other mining operation on the land.

Consideration of applications

56. (1) The Board shall not recommend the grant of a mining licence unless it is satisfied that

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- (a) the area of land over which the mining licence is sought is reasonable having regard to the proposed programme of mining operations of the applicant;
- (b) the applicant has adequate financial resources, technical competence and mining industry experience to carry on the proposed programme of mining operations;
- (c) the applicant has submitted a project brief in the prescribed form;
- (d) the proposal of the applicant with respect to the procurement of local goods and services are acceptable;
- (e) the proposal of the applicant with respect to community development are acceptable;
- (f) the proposal of the applicant with respect to employment and training of citizens of Swaziland are acceptable; and
- (g) any other information that the Commissioner may reasonably require for the consideration of the application by the Board.

(2) The Board shall not recommend the granting of a mining licence that would confer a right to work a mine dump on land that is the subject of another mineral right unless –

- (a) the holder of that other mineral right has been given a reasonable opportunity to comment on the application; and,
- (b) the Board has satisfied itself that the holder of the other mineral right would not be substantially disadvantaged if the mining licence were to be granted.

(3) Where sub-section (2) applies, the Board may –

- (a) impose special conditions in a mining licence to work a mine dump; and
- (b) amend the existing mineral right to impose new terms and conditions, for the purpose of ensuring that the operations permitted under the mineral rights concerned can proceed with the minimal disturbance to the operations of the other.