

**MINISTRY OF
TRANSPORT &
MINING**

**MINES & GEOLOGY
DIVISION**

**DOCUMENTATION
AND APPROVAL
PROCEDURES**

MINES AND GEOLOGY DIVISION (MGD)

DOCUMENTATION AND APPROVAL PROCEDURES

Procedure for Granting of a Quarry Licence

1. Applicant collects application form from the Registry/Inspection Unit of the Mines and Geology Division (MGD), or from the Division's website www.mgd.gov.jm.
2. Applicant lodges application with the Commissioner of Mines, comprising:
 - a) A completed application form
 - b) A map of scale 1:12,500 with 5 copies showing the exact location of the proposed site
 - c) Proof of ownership in the form of a copy of registered title, or (i) copy of the Lease, Rent or Sales Agreement accompanied by a copy of the landowner's title (ii) Affidavit from an Attorney or Justice of the Peace, indicating ownership or possession of land.
 - d) A non-refundable fee of \$25,000.00.
 - e) A Quarry Plan
 - f) A Resource Evaluation Report
 - g) A Copy of the Articles of Memorandum of Association (if applicant is a Company)
3. The Registrar checks the application and if all documents are in order, the applicant is advised to take the application to the Cashier, pay the fee of \$25,000.00, collect a receipt and return the application to the Registrar.
4. The Registrar then registers the application and assigns to it a quarry licence (QL) number, and opens a file in the name of the applicant.
5. The Applicant is advised to post a Notice of intention to quarry at the proposed site, and other prominent places such as the Post Office, Police Station, or Court House, in the area or parish.
6. Site inspection requests are sent to Government Agencies namely:
 - ✓ National Environment and Planning Agency (NEPA)
 - ✓ Parish Councils
 - ✓ National Works Agency

- ✓ Ministry of Health
- ✓ Agricultural Land Management Division

In special cases, site inspection requests are sent to the Water Resources Authority (WRA). Inspectors from the MGD also conduct an independent inspection of the proposed site. (There are times when joint site inspections are conducted by the MGD and other relevant Government Agencies).

7. After responses are received from the above Agencies, an Inspection Report is prepared and the application is taken to the Quarries Advisory Committee (QAC) for review. (The QAC is appointed by the Minister to advise him on all matters related to quarrying. A member of each environmental and land use agency sits on the Committee, which meets once each month). The Committee makes a collective decision to recommend the application for the Minister's approval or refusal, or (in some instances) for its deferral pending further investigations and or provision of additional information by the applicant.
8. Once the QAC recommends the granting of a licence, the Commissioner informs the applicant and advises that a Restoration Bond (a stipulated amount based on the size of the area to be quarried at the equivalent of US\$25,000.00 per hectare) should be posted. The Bond can be in the form of a Bank Guarantee, or a Manager's Cheque issued in the name of the Commissioner of Mines. The Bond must be submitted with a TRN, and a current Tax Compliance Certificate.
9. Upon receipt of the above, the documentation for the licence is prepared and sent to the Permanent Secretary for sign off, and submission to the Minister for his approval.
10. Following the Minister's approval, the licence is returned to the Registrar (MGD) for the Commissioner's signature and stamp. The licensee is then required to attend the MGD where he/she is briefed on the special conditions of the licence, obligations after which he/she signs as having received the original document.

GENERAL INFORMATION

Quarry licences are granted for periods recommended by the QAC, normally from 1 to 10 years, but can be for a longer or shorter period, depending on the nature of the operation.

Production Returns and Quarry Tax must be submitted to the Commissioner of Mines on a quarterly basis by all licensees.

The Quarry tax is calculated at 3.5% of sales.

A Quarry Licence is now transferable.

A holder of a licence can surrender his licence with the consent of the Minister.

A Quarry Licence is generally issued within ninety days of the receipt of an application.

Where the QAC takes the decision to recommend that a licence be refused, the Commissioner informs the Minister through the Permanent Secretary of the QAC's decision, clearly outlining the ground(s) for refusal.

If QAC's recommendation for refusal is accepted by the Minister, the applicant is informed in writing of the decision. The applicant is also afforded the opportunity to appeal the Minister's decision and at a scheduled hearing allowed to demonstrate why his application for a quarry licence should not be refused.

NOTICE

All applicants for a quarry licence must display at the proposed quarry site and another prominent place such as a Post Office, Court House or Police Station, notice of intention to quarry. This notice should be in the format as follows:

IT IS MY INTENTION TO OPERATE A QUARRY AT THIS SITE (site must be described as accurately as possible eg. Parcel of land bounded by main road to the south, lands owned by John Brown to west etc. The site should also have clear markers on the ground). ANY OBJECTIONS TO THE GRANTING OF A QUARRY LICENCE OVER THE AREA SHOULD BE FORWARDED TO THE COMMISSIONER OF MINES, P.O. BOX 141, HOPE GARDENS, KINGSTON 6, WITHIN TWENTY-ONE DAYS.

.....
Name of Applicant

.....
Date

PROCEDURE FOR GRANTING AN EXCLUSIVE PROSPECTING LICENCE (EPL)

1. a. The applicant must hold a valid Prospecting Right
 - b. Applicant collects application form (Form 5) from the Registrar at the Mines and Geology Division, or downloads form from the MGD's website.
2. Completed application (triplicate) is presented to the Registrar with:
 - a. Fee of \$10,000.00
 - b. Statement of financial position
 - c. Memorandum of Association (company)
 - d. Location Map – 4 copies of topographic map on scale 1:50,000 showing approximate area in kilometre square.

The area should not be more than 18 metric squares and should be rectangular in shape.

2a. Before an application is made for a licence, a temporary beacon (known as the location beacon) shall be erected at the north west corner of the area. Application shall be made within 14 days of the erection of location beacon.

3. The application is checked for accuracy and to ascertain if the area being applied for is available (i.e. not covered by an EPL which is in force).
4. The applicant then takes the application with the prescribed fee to the Cashier, who issues a receipt and advises him/her to lodge the application with the Registrar.
5. On receipt of the application, the Registrar enters the application in the Prospecting Licence Register, assigns a number and then opens a file.
6. The file is then sent to the Commissioner for his review/recommendation.
7. On the Commissioner's instruction, Notices outlining the particulars of the application are prepared for publication once in a daily newspaper and the Gazette.

8. The Exclusive Prospecting Licence is prepared and submitted to the Commissioner for review
9. After a mandatory period of three weeks of the appearance in the daily newspaper and Gazette of the Notice of Application, and no one has indicated any specific interest in the area, the licence (triplicate) is sent by the Commissioner to the Permanent Secretary, for review and then submission to the Minister for approval.
10. Within one week of the grant of the licence, the holder must lodge with the Commissioner, the sum of \$20,000 or such other sum as the Commissioner may specify, or give security with one surety. (This for compensation for any damage to property, live or dead stock or the correction of any dangerous conditions occasioned by prospecting).
11. Within 14 days of the granting of a licence, the licensee shall immediately paint clearly on an iron plate securely bolted to every beacon on the side facing the area under licence the name of the licensee and the official number of the licence.
12. An EPL is renewable each year and can be renewed for a maximum period of 6 years. However, if the Minister is satisfied that prospecting operations were seriously hindered by special circumstances beyond the control of the licensee an additional year may be granted. Application for renewal of the licence shall be filed 2 months before the expiration date of the licence using Form No. 7. The fee for the renewal of an EPL is \$5,000.00.

GRANTING OF A SPECIAL EXCLUSIVE PROSPECTING LICENCE (SEPL)

An application for a SEPL is made for an area greater than 18 metric squares and can be any shape (Form No. 5)

The application fee for such a licence is \$600.00 per metric square or part thereof.

The general procedure/requirements of an application for a SEPL is similar to that which obtains in the case of an application for an Exclusive Prospecting Licence (EPL),

A. A SEPL is normally granted for a longer period than an EPL. This is based on the Minister's discretion taking into account a number of pertinent factors such as the size of the area and the extent of work to be conducted. An application for renewal should be filed two months before the expiration date of the licence.

The fee for the renewal of a SEPL is \$400.00 per metric square of part thereof.

The holder of an EPL or SEPL can also make an application for the following:

- Endorsement of the licence to permit prospecting for additional minerals; fee of \$2,000.00 for a single mineral and \$1,000.00 for each additional mineral.
- Surrender, transfer of the licence or interest or any part or share thereof, or creation of interest; fee of \$1000.00.

2a. Before an application is made for a licence, a temporary beacon (known as the location beacon) shall be erected at the north west corner of the area. Application shall be made within 14 days of the erection of location beacon.

1. The application is checked for accuracy and to ascertain if the area being applied for is available (i.e. not covered by an EPL which is in force).
2. The applicant then takes the application with the prescribed fee to the Cashier, who issues a receipt and advises him/her to lodge the application with the Registrar.
3. On receipt of the application, the Registrar enters the application in the Prospecting Licence Register, assigns a number and then opens a file.
4. The file is then sent to the Commissioner for his review/recommendation.

5. On the Commissioner's instruction, Notices outlining the particulars of the application are prepared for publication once in a daily newspaper and the Gazette.
6. The Special Exclusive Prospecting Licence is prepared and submitted to the Commissioner for review
7. After a mandatory period of three weeks of the appearance in the daily newspaper and Gazette of the Notice of Application, and no one has indicated any specific interest in the area, the licence (triplicate) is sent by the Commissioner to the Permanent Secretary, for review and then submission to the Minister for approval.
8. Within one week of the grant of the licence, the holder must lodge with the Commissioner, the sum of \$20,000 or such other sum as the Commissioner may specify, or give security with one surety. (This for compensation for any damage to property, live or dead stock or the correction of any dangerous conditions occasioned by prospecting).
9. Within 14 days of the granting of a licence, the licensee shall immediately paint clearly on an iron plate securely bolted to every beacon on the side facing the area under licence the name of the licensee and the official number of the licence.
10. An SEPL is renewable each year and can be renewed for a maximum period of 6 years. However, if the Minister is satisfied that prospecting operations were seriously hindered by special circumstances beyond the control of the licensee an additional year may be granted. Application for renewal of the licence shall be filed 2 months before the expiration date of the licence using Form No. 7.

PROCEDURE FOR GRANTING A MINING LEASE

1.
 - a. Applicant must hold a valid Prospecting Right and/or licence.
 - b. Applicant collects application form from the Registrar at the Mines and Geology Division or download from the MGD's website.
2. The completed form (triplicate) is presented to the Registrar with:
 - a) A fee of \$1200.00 (per metric square or part thereof).
 - b) Statement of financial position to prove to the Commissioner that he is able to finance the venture.
 - c) The Memorandum of Association (company).
 - d) Location map – 4 copies of topographic map on scale 1:50,000 showing the approximate area in kilometre square.
 - e) An **Environmental Permit** obtained from the National Environment and Planning Agency (NEPA).
- 2a. Location beacon must be erected at the north west corner of the area, showing:

Name of applicant;
Licence No.: and
Type of mineral
3. Registrar checks application for accuracy, and to ascertain if the area being applied for falls within the same boundaries of the applicant's Prospecting Licence.
4. Applicant takes application along with the fee to the Cashier, who issues a receipt and advises applicant to return the application to the Registrar.
5. The Application is returned to the Registrar who enters it in the Mining Lease Registrar, assigns a number, and opens a file in the applicant's name.
6. The file is then sent to the Commissioner for his review/recommendation.

7. On the instructions of the Commissioner, Notices on particulars of the application are prepared for publication in a daily newspaper and the Gazette.
8. Documentation for the Mining Lease is prepared and sent to the Commissioner or Deputy for their perusal.
9. If no specific interest is indicated in the area after a period of 3 weeks from the date of the publication of the Notice in the newspaper and the Gazette, the lease (triplicate) is sent by the Commissioner to the Permanent Secretary for his review and thereafter, submission to the Minister for his approval.
10. Within one week of the grant of the lease, the holder must submit to the Commissioner a security in the form of Letter of Guarantee or sum of \$50,000.00 using the prescribed form.

A Mining Lease is valid for a term not exceeding 25 years. The renewal fee is \$600.00 per metric square or part thereof.

The holder of the Mining Lease can surrender or transfer the lease or any share or interest therein with the consent of the Minister. The fee payable for any of these changes/modifications is \$3,000.00.

An applicant for Mining Lease, may at the discretion of the Minister, be granted a Temporary Permission to Mine (TPM) for a period of one year. The fee payable for a TPM is \$10,000.00, and is renewable on an annual basis for the same sum. A TPM is to facilitate mining, while the lease application is being processed ie. for some reason the applicant is unable to meet a requirement in the short term.

PROCEDURE FOR GRANTING A PROSPECTING RIGHT

1. Applicant collects relevant form from the Registrar at the Mines and Geology Division or on the MGD's website.
2. Applicant takes the completed form with a fee of \$5,000.00 to the Accounting Clerk (MGD), who issues a receipt and advises the applicant to lodge the application with the Registrar.
3. The Registrar checks the application for accuracy, then records in the Registrar, and opens a file.
4. The Registrar prepares the Prospecting Right (Form 1 Reg. 3), which is sent to the Commissioner for review and approval.
5. A cover letter outlining obligations of the licensee is forwarded with the original document to the holder of the prospecting right.

A Prospecting Right is valid for one (1) year and the renewal fee is \$5,000.00.

PROCEDURE FOR GRANTING A MINERAL DEALER'S LICENCE

1. Applicant collects relevant form from the Registrar at the Mines and Geology Division or from the MGD's website .
2. Applicant takes the completed form with a fee of \$5,000.00 to the Cashier, (MGD), who issues a receipt and advises the applicant to lodge the application with the Registrar.
3. The Registrar checks the application for accuracy, then records in the Registrar, and opens a file.
4. The Registrar prepares the Mineral Dealer's Licence (Form 26 Reg. 49), which is then sent to the Commissioner for review and approval.
5. A cover letter outlining certain obligations of the licensee is forwarded with the original document to the holder of the licence.

The document should be renewed after the expiry date, which is the 31st December of each year.

PROCEDURE FOR GRANTING AN EXPORT PERMIT

1. Application forms can be collected at the MGD or downloaded from the website (Different forms are used for sample, and bulk shipments - Form No. 22A).
2. Applicant submits completed form with the prescribed fee (\$1,000.00) to the Cashier, who issues a receipt, and advises the applicant to lodge the application with the Registrar.
3. The Registrar upon receipt of application checks the information for accuracy, and then prepares the permit (Form 22 Regulation 39).
4. The permit is then sent to the Commissioner or any authorized officer for signing and stamp.
5. The Registrar enters the application in the Export Permit Register.
6. A copy of the permit is also sent to the Police Narcotics Division.
7. The application is normally processed within 15 - 20 minutes of receipt of the application.