VOLUME 1

SECTION 4

Mining and Quarrying

The Responsibility of Mines & Geology Division
of the Ministry of Land & Environment
Mines and Geology Division
Hope Gardens
P.O. Box 141
Kingston 6
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CHAPTER 1

THE MINES AND GEOLOGY DIVISION

1.0 RESPONSIBILITIES

The Mines and Geology Division (MID) is the amalgamation of the former Mines and Quarries Division and the Geological Survey Division. The division is headed by the Commissioner of Mines, who has responsibility for the regulation of all mining and quarrying activities.

1.1 THE MINING ACT

The mining of metallic minerals such as gold and bauxite are regulated by the Mining Act. Marble and high purity limestone are also controlled under this Act.

1.1.1 Prospecting

Under the Mining Act, a Prospecting Right (PR) is the first step in searching for minerals. It allows one to look anywhere in Jamaica for minerals, except over an area which is already under an Exclusive Prospecting license for a specific mineral. When the holder of a PR has identified a specific mineral in a specific area, he may apply for an Exclusive Prospecting licence (EPL), which gives exclusive rights to prospect over the area.

1.1.2 Mining Lease

When the holder of an EPL is satisfied that he has a viable mineral reserve, he may apply to the Minister through the Commissioner for a Mining Lease that permits the exploitation of the mineral applied for. A permit from the National Environment and Planning Agency (NEPA) is a prerequisite to the processing of the application.

1.2 THE QUARRIES CONTROL ACT

Exploitation of construction materials such as aggregate, sand and marl are regulated by the Quarries Control Act. The act states that no quarry material shall be extracted from any area without a license granted by the Minister with responsibility for mining. A quarry license can be granted for a period of a few months for a site clearance to over 10 years for a large aggregate plant.
CHAPTER 2

MINING

2.0 BACKGROUND

All minerals except common construction minerals and gypsum are vested in the Crown and are governed by the Mining Act. Any application for metallic minerals such as bauxite, gold, silver, copper or industrial minerals such as marble, clays or high purity limestone must be applied for under the Mining Act. Application for exploration or exploitation of oil and gas must be made to the Petroleum Corporation of Jamaica.

2.1 PROCEDURE FOR GRANTING A PROSPECTING RIGHT

This is given to an individual to do preliminary search for minerals island wide, except that where a license/lease exist for specific minerals he cannot prospect for these minerals. This right is granted to an individual only but can be given to an employee of a company.

The procedures to obtain Prospecting Rights are as follows:

i  The applicant can collect the relevant form from the Registrar at the Mines and Geology Division or download same from the MID website. (See Appendix I for application form)

ii  The completed application form with a fee of $5,000.00 is submitted to the Accounting Clerk at the MID, who issues a receipt and advises the applicant to lodge the application with the Registrar.

iii  The Registrar checks the application for accuracy, then records it in the Register, and opens a file for the applicant.

iv  The Registrar prepares the documentation for Prospecting Right. (Form 1 Reg. 3). It is then sent to the Commissioner or Deputy Commissioner for approval.

v  A cover letter outlining the obligations of the licensee is forwarded with the original document to the applicant.

vi  Tenure: A Prospecting Right is valid for one (1) year and the renewal fee is $5,000.00.
2.2 **PROCEDURE FOR GRANTING AN EXCLUSIVE PROSPECTING LICENSE (EPL)**

The Applicant for a Prospecting license must hold a valid Prospecting Right. Application forms are available from the Registrar at Mines and Geology Division or from the MGD’s website. (See Appendix 2 for application form)

The following defines the process for obtaining an EPL(Exclusive Prospecting license).

i The completed application form must be submitted to the Registrar with:
  - A fee of $10,000.00.
  - A statement of the financial position of the Applicant.
  - Memorandum and Articles of Association if a company is the applicant.
  - Four copies of topographic map on scale 1: 50,000 showing the area in square kilometers over which it is proposed to prospect.

The area should not be more than 18 metric squares and if larger a Special Exclusive Prospecting license must be applied for:

ii A location beacon must be erected at the north west corner of the area, showing:
  - Name of applicant;
  - license No.; and
  - Type of Mineral.

iii The application is checked for accuracy by the Registrar to ascertain if the area being applied for is available (i.e. not covered by an EPL which is in force). The applicant then takes the application with the prescribed fee to the Accounting Clerk, who issues a receipt and advises him/her to lodge the application with the Registrar.

iv On receipt of the application, the Registrar enters the application in the Prospecting license Register, assigns a number to it, and then opens a file for the applicant. The file is then sent to the Commissioner for his recommendation.

v On the Commissioner’s instruction, notices which outline particulars of the application, are prepared for publication in the
Gazette and a daily newspaper at the cost of the applicant.

vi After a period of three weeks from the date of the publication of the Notice in the Gazette, the license, in triplicate, is sent by the Commissioner to the Permanent Secretary, for his/her perusal and submission to the Minister for approval.

vii Security payment: within one week of the grant of the license the holder must submit to the Commissioner a security in the form of a letter of Guarantee or a refundable sum of $20,000.00 using the prescribed form. (See Appendix 3 for application form) This security is to cover part or all costs arising from the damage to property or the removal of dangerous conditions occasioned by prospecting.

2.3 Granting of a Special Exclusive Prospecting License (SEPL)

The Minister has the power to grant a Special Exclusive Prospecting license (SEPL), which covers an area greater than 18 metric squares. The area covered by the license may be of any shape.

The application fee for such a license is $600.00 for each metric square or part thereof.

The general procedure for the grant of an Exclusive Prospecting license is applied with respect to the grant of a Special Exclusive Prospecting license.

These licences are renewable, for periods of one year up to a total of six years for an EPL, and at the discretion of the Minister, for a longer duration for a SEPL. An application for renewal should be filed two months before the date of expiry of the license.

The fee for the renewal of an EPL is $5000.00, and the fee for the renewal of a SEPL is $400.00 for each metric square or part thereof.

The holder of an EPL or SEPL can also request that:

i The license be endorsed to permit prospecting for additional minerals. A fee of $2000.00 for a single mineral and $1000.00 for each additional mineral is payable.

ii The license or any interest, part or share of it be transferred. (See Appendix 8 for application form)
ii The license, any part, share or interest therein be surrendered. See Appendix 9 for application form) The fee to surrender or transfer an EPL or a SEPL, or any part, share or interest therein is $1000.00.

2.4 Procedure for Granting a Mining Lease

i The applicant must hold a valid Prospecting Right and/or license.

ii Application forms are available from the Registrar at the Mines and Geology Division or from their Website. (See Appendix 4 for application form)

iii The completed form is presented to the Registrar with:
- A fee of $1,200.00 (per metric square or part thereof).
- Statement of the financial position of the applicant.
- The Articles and Memorandum of Association if the applicant is a company.
- Four copies of a topographic map on a scale of 1: 50,000 showing the area in square kilometres over which the application is being made.

iv A location beacon must be erected at the north west corner of the area, showing:
- Name of applicant;
- license No.
- Type of mineral.

v The Registrar checks the application for accuracy, and to ascertain if the area being applied for falls within the boundaries of the applicant’s Prospecting license.

vi The Applicant then takes the application along with the fee to the Accounting Clerk, who issues a receipt and advises the applicant to return the application to the Registrar.

vii The Commissioner instructs that the particulars of the application are published in the Gazette and a daily newspaper at the applicant’s cost.

viii After a period of three weeks from the date of the publication of the Notice in the Gazette the Mining Lease, in triplicate, is sent to the Permanent Secretary for his/her perusal and submission to the Minister for his approval.
Within one week of the grant of the lease, the holder must submit to the Commissioner a sum specified by him in the form of a Letter of Guarantee or cash as security.

A Mining Lease is valid for a term not exceeding 25 years. The renewal fee is $1,200.00 per metric square or part thereof. (See Appendix 5 for sample form)

With the consent of the Minister and for a fee of $5000.00 a Mining Lease, any share or interest therein can be surrendered or transferred. (See Appendix 7 for Transfer form and Appendix 9 for Surrender form)

2.5 Temporary Permission

An applicant for a Mining Lease, may at the discretion of the Minister, be granted Temporary Permission to Mine (TPM) for a period of one year. A TPM is normally granted to facilitate mining, if for some reason the application is not complete or mining will not commence within the next six months. The fee payable for a TPM is $10,000.00 and is renewable on an annual basis for the same sum.

2.6 Procedure for Granting a Mineral Dealer’s License

i The Applicant obtains the relevant form from the Registrar at the Mines and Geology Division or the Division’s website. (See Appendix 10 for sample form)

ii The completed form with a fee of $5,000.00 is returned to the Accounting Clerk (MID), who issues a receipt and advises the applicant to lodge the application with the Registrar who checks it for accuracy, records it and opens a file for the applicant.

iii The Registrar prepares the documentation for Mineral Dealer’s license (Form 26 Regulation 49), and has it sent to the Commissioner or Deputy Commissioner for approval.

iv A cover letter outlining certain obligations of the licensee is forwarded with the original document to the holder of the license.

The license expires on the 31st day of December each year.

2.7 Procedure for Granting an Export Permit

i The applicant collects an application form from the MID. (Different
forms are used for sample, (Appendix 11 and bulk, Appendix 12)

ii The completed form with the prescribed fee ($1000.00) is presented to the Accounting Clerk who issues a receipt, and advises the applicant to lodge the application with the Registrar who checks it for accuracy and prepares the permit (Form 22, Regulation 39)

iii The document is then sent to the Commissioner or Deputy Commissioner for signature and stamp.

iv The Registrar enters the application in the Export Permit Register, which the applicant/bearer is required to sign when the permit is being collected.

v A copy of the permit is sent to the Narcotics Division of the Ministry of National Security.

The application is normally processed within 15 minutes of receipt.
CHAPTER 3

GENERAL INFORMATION ON MINING

3.0 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

An EIA must be presented and approval given by the National Environmental Planning Agency (NEPA) before the application is processed for a mining lease.

3.1 MINING PLAN AND CLOSURE PLAN

Before commencement of mining, a mining plan must be submitted to the Commissioner for approval, the plan should include a closure plan.

3.2 RESTORATION OF MINED OUT LANDS

All mined out lands must be restored within three years to as near as possible as it existed before commencement of mining or be utilized for other uses approved by the Commissioner. The penalty for not doing so is US$ 25,000.00 per hectare.
Appendix 1

Form No. 1

(Regulation 3)

THE FIRST SCHEDULE

THE MINING REGULATIONS, 1947

Application for a Prospecting Right or renewal thereof

To the Commissioner

1. Name of applicant .................................................................

2. Nationality of applicant .........................................................

3. Age of applicant ......................................................................

4. Address in Jamaica at which notices, etc. may be served
   ...................................................................................................
   Tel # Fax Email

5. Whether the applicant intends to prospect on his own account, or as an
   agent of any other person .............................................................
   If he is in the employ of any other person, the name and address of such
   person ............................................................................................

7. Whether he has previously made an application for a prospecting right or licence,
   and if so, whether any such application has been refused ...........

8. Whether the applicant or his employer (if any) has been convicted of an offence
   against the Mining Act, or previously held any prospecting right, licence or
   mining lease in Jamaica which has been revoked or forfeited .......

9. I am (not) in possession of a valid prospecting right or
   I hereby surrender Prospecting Right No. .......................................
   (Strike out which ever is inapplicable)

10. I attach hereto from my principal an undertaking in the prescribed form.
    (Strike out which ever is inapplicable)

11. I forward herewith the appropriate fee.

I hereby declare the above particulars to be true.

........................................................................................................
Signature of applicant
Appendix 2

Form No. 5 (Regulation 10)

THE MINING REGULATIONS, 1947

Application for an Exclusive Prospecting Licence

To the Minister through the Commissioner

Date and hour of receipt by the Commissioner ........................................
1. Name of applicant ............................................................................

2. Nationality of applicant ....................................................................

3. Name and nationality of directors of company, body of persons or partnership (if any) .................................................................

4. Address in Jamaica at which notices, etc., may be served ..............
   Tel. No. ............................Fax..........................Email......................

5. Number of applicant's prospecting right ........................................

6. If a prospecting right was held by an individual as agent for the applicant, name of that agent and number of his prospecting right ..............................

7. If no prospecting right is held by the applicant or his agent, the special circumstances in which he is asking for the grant of the .................. licence ....................................................................................... 

8. Parish and approximate area (in square kilometres or part of a square kilometre) of area applied for............................................

9. Mineral for which applicant desires to prospect .................................

10. A financial statement as to the position of the applicant is appended hereto.

11. Is a copy of the Memorandum and Articles of Association lodged with the Commissioner? If not, a copy must be enclosed herewith.
Appendix 2

12. A sketch plan as required by the Regulations is attached hereto.

13. The date upon which the location beacon was erected was

14. The appropriate licence fee is forwarded herewith.

15. The delineation of the area is as follows -
An area of approximately .................................. square kilometres.

The location beacon consists of .......................................................... and is
situates approximately at the intersection of false co-ordinates North .............. East
on sheet................................. of the topographical map of Jamaica.

The first corner is situated approximately at the intersection of the false
coordinates.......................... North and ......................... East approximately
................................. metres from the location beacon on an approximate grid
bearing of ................................. degrees.

The second corner is situated approximately at the intersection of the false co-
ordinates.......................... North and ......................... East approximately
................................. metres from the first corner on an approximate grid
bearing of ................................. degrees.

The third corner is situated approximately at the intersection of the false co-
ordinates.......................... North and ......................... East approximately
................................. metres from the second corner on an approximate grid
bearing of ................................. degrees and is ......................... metres to the location
beacon on an approximate grid bearing of ................................. degrees.

The fourth corner is situated approximately at the intersection of the false co-
ordinates North and ......................... East approximately
................................. metres from the third corner on an approximate grid
bearing of ................................. degrees.

The fifth corner is situated approximately at the intersection of the false co-
ordinates.......................... North and ......................... East approximately
................................. metres from the fourth corner on an approximate grid bearing of
................................. degrees and is ......................... metres to the location beacon on
an approximate grid bearing of ................................. degrees.

......................................................
Signature of applicant

N.B. - All descriptions should be clockwise
Appendix 3

Form No. 7

(Regulation 16)

THE MINING REGULATIONS, 1947
Application for renewal Licence (EPL/SEPL)

To the Minister through the Commissioner

1. Name of applicant .................................................................

2. Number of applicant’s licence for which application to renew is being made ........

4. State whether renewal is sought for the whole of the area or only a part

.................................................................

5. If renewal is sought for only a part delineation and approximate area must be
given (see under) and a sketch plan or the area applied for must be attached.

6. The appropriate renewal fee is forwarded herewith.

DELINEATION*

An area of approximately ............................................ square kilometres.
The location beacon consists of ....................................... and is situated
approximately at the intersection of false co-ordinates North ............ East on
sheet..........................................................of the topographical map of Jamaica.

The first corner is situated approximately at the intersection of the false co-ordinates
.............. North and .............. East approximately .............. metres from the
location beacon on an approximate grid bearing of ......................... degrees.

The second corner is situated approximately at the intersection of the false co-ordinates
.............. North and .............. East approximately .............. metres from the first
corner on an approximate grid bearing of ......................... degrees.

The third corner is situated approximately at the intersection of the false co-ordinates
Appendix 3

...................................... North and .................................. East approximately
........................................... metres from the second corner on an approximate
grid bearing of ........................ degrees and is ........................... metres
to the location beacon on an approximate grid bearing of ................. degrees.

................................................
Signature of applicant

N.B. - All descriptions should be clockwise
Appendix 4

FORM NO. 12

(Regulation 22)

THE MINING REGULATIONS, 1947
Application for Mining Lease

To the Minister through the Commissioner.

Date and hour of receipt by the Commissioner

1. Name of applicant

2. Nationality of applicant

3. Name and nationality of members or directors of the company, body of persons or partnership (if any)

4. Address in Jamaica at which notices, etc., may be served

Tel # Fax Email

5. Number of the applicant's Prospecting Right or licence

6. Parish and area (in square kilometres) of the area applied for

7. Mineral for which the applicant desires to mine

8. Length of term desired

9. A Financial Statement of the position of the applicant is appended hereto

10. In the case of an application by a company if a copy of the Memorandum and Articles of Association has not already been lodged with the Commissioner a copy must be enclosed herewith.

11. The date on which the location beacon was erected is

12. A sketch plan as required by the Regulations is attached hereto.

13. The appropriate mining lease fee is forwarded herewith.
14. The delineation of the area is as follows:

An area of approximately ............... square kilometres
The location beacon consists of ............... and is situated approximately at the
intersection of false co-ordinates ........... north and ........ east on sheet ............ of the
topographical map of Jamaica. The first corner is situated approximately at the
intersection of the false co-ordinates ........ north and ........ east, approximately ........
metres from the location beacon on an approximate grid bearing of ........ degrees. The
second corner is situated approximately at the intersection of the false co-ordinates ........
north and........ east, approximately ........ metres from the first corner on an
approximate grid bearing of ...........degrees. The third corner is situated approximately at
the intersection of the false co-ordinates ........ north and......... east, approximately
.......... metres from the second corner on an approximate grid bearing of ........degrees
and is ........ metres from the location beacon on an approximate grid bearing of ........
degrees.

............................................
Signature of Applicant

N.B. All descriptions should be clockwise.
Appendix 5

Form No.15

(Regulation 31)

THE MINING REGULATION, 1947

APPLICATION FOR RENEWAL OF MINING LEASE

To the Minister through the Commissioner.

1. Name of Applicant..............................................

2. Number of applicant's Mining Lease.........................

3. Mineral for which applicant desires to mine................

4. Length of term desired........................................

5. If the application is for any area less than the area covered by the lease a sketch plan as required by the regulations must be attached and the delineation with the beacon set out.

6. The appropriate fee if forwarded herewith.

Date:.........................................................

.........................................................
Signature of Applicant.
COMMISSIONER OF MINES
MINES AND GEOLOGY DIVISION
HOPE GARDENS
KINGSTON 6

THE MINING REGULATIONS

MONTHLY RETURNS UNDER REGULATIONS 37 (1) (I)

MONTH OF: YEAR TO DATE:

NAME OF MINING LEASEE :
MINERAL :
OPENING INVENTORY (MT) :
MINED DURING THE MONTH (MT) :
LOCAL SALES (MT) :
SHIPPED (MT) :
CLOSING INVENTORY (MT) :
OTHER MINERALS (MT) :

NB: To be returned to the Commissioner of Mines within fourteen (14) days of the month, in respect of the preceding month.
Appendix 7

Form No.9a

(Regulation 19, 29)

THE MINING REGULATIONS, 1947

Transfer

To the Minister through the Commissioner

I.............................................the holder of licence/mining lease hereby apply for consent to transfer such licence/mining lease to..............................................................

The reason for my application is..........................................................

.................................................................................................

.................................................................................................

.................................................................................................

The following are the particulars of the person to whom I am applying for permission to transfer:-

1. Name of applicant..............................................

2. Nationality..........................................................

3. Address in Jamaica at which notices, etc., may be served

.................................................................................................

Tel. Fax Email

.................................................................................................

4. Name and Nationality of directors of the company, body of persons or partnership (if any).

.................................................................................................

.................................................................................................

5. A financial Statement of the position of the applicant
is appended hereto.

6. If a copy of the Memorandum and Articles of Association has not already been lodged with the Commissioner a copy must be enclosed herewith.

7. The appropriate transfer fee is forwarded herewith.

................................................
SIGNATURE OF APPLICANT

I desire to acquire the interest above referred to and the above particulars are correct.

................................................
Signature of the person to whom application for Create an Interest is made

Consent is given to the above transfer.

................................................
MINISTER

DATE...............................
Appendix 8

Form No.9b  (Regulation 19, 29)

THE MINING REGULATIONS, 1947

Creation of Interest

To the Minister through the Commissioner

I.................................................................the holder of
licence/mining lease No..................................................hereby apply for
consent to create an interest in such licence/mining lease....................

..............................................................................................

The reason for my application is..........................................

..............................................................................................

..............................................................................................

The following are the particulars of the person to whom I am applying for permission to
transfer:-

1. Name of applicant.................................

2. Nationality..............................................

3. Address in Jamaica at which notices, etc., may be served

..............................................................................................

Tel #      Fax      Email

4. Name and Nationality of directors of the company, body of persons or
   partnership (if any).

..............................................................................................

..............................................................................................

5. A financial Statement of the position of the applicant
   is appended hereto.
Appendix 8

6. If a copy of the Memorandum and Articles of Association has not already been lodged with the Commissioner a copy must be enclosed herewith.

7. The appropriate transfer fee is forwarded herewith.

..........................................................
SIGNATURE OF APPLICANT

I desire to acquire the interest above referred to and the above particulars are correct.

..........................................................
Signature of the person to whom application for Create an Interest is made

Consent is given to the above transfer.

......................................................
MINISTER

DATE.................................
Appendix 9

Form No. 10

(The Regulation 20, 30)

THE MINING REGULATIONS, 1947

SURRENDER

To the Minister through the Commissioner,

I........................................ the holder of licence/mining lease

No................... hereby apply for your consent to surrender my licence/mining lease.

The reason for my application is..........................................................

..............................................................................................................

..............................................................................................................

..............................................................................................................

forward herewith is my licence/mining lease and the appropriate surrender fee.

..............................................................................................................

Signature of holder

Consent is given to the surrender.

..............................................

MINISTER

Date..............................
Appendix 10

THE MINING ACT

(SECTION 74)

APPLICATION FOR MINERAL DEALER’S LICENCE

1. Name of applicant...........................................................................................................

2. Address of applicant....................................................................................................... 

3 Tel # Fax Email

4. Minerals to be handled or traded. ....................................................................................

5. The appropriate application fee of $1,000.00 is forwarded herewith.

DATE...................................................................................................................

..............................................................

SIGNATURE OF APPLICANT
Appendix 11

THE MINING ACT - SECTION 7

APPLICATION FOR EXPORT PERMIT

I ...........................................................................................................

holder of P.R/E.P.L/S.E.P.L do hereby make ...........................................

...........................................................................................................

application as agent for ...........................................................................

of ...........................................................................................................

...........................................................................................................

to export .................................................................................................

...........................................................................................................

...........................................................................................................

box(es) containing ..................................................................................

Samples weighing approximately .................................................kilograms.

The samples were obtained from ..........................................................

...........................................................................................................

on ...........................................................................................................

...........................................................................................................

Signature of Applicant
Appendix 12

MINES & GEOLOGY DIVISION

APPLICATION FOR AN EXPORT PERMIT

(Industrial Minerals)

To the Commissioner

1. Name of Applicant

2. Address

3. Tel #  Fax  Email

3. Licence/Lease No.

4. Type of Industrial Minerals

5. Destination, amount and f.o.b. value as set out below:

<table>
<thead>
<tr>
<th>Destination</th>
<th>Amount of Mineral</th>
<th>Value per ton (f.o.b)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consignee</td>
<td>Country</td>
<td>Port</td>
</tr>
</tbody>
</table>

The appropriate fee of ..............................................................................is sent with this application.

.................................................................
Signature of Applicant

.................................................................
Date
### Appendix 13

**FEES**

**SECOND SCHEDULE**

<table>
<thead>
<tr>
<th>Fees</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Prospecting Right or renewal thereof</td>
<td>5,000.00</td>
</tr>
<tr>
<td>2. Exclusive Prospecting Licence</td>
<td>10,000.00</td>
</tr>
<tr>
<td>3. Renewal of Exclusive Prospecting Licence</td>
<td>5,000.00</td>
</tr>
<tr>
<td>4. Special Exclusive Prospecting Licence (per metric square or part thereof)</td>
<td>600.00</td>
</tr>
<tr>
<td>5. Renewal of Special Exclusive Prospecting Licence (per metric square or part thereof)</td>
<td>400.00</td>
</tr>
<tr>
<td>6. Surrender or transfer of Exclusive Prospecting Licence and Special Exclusive Prospecting Licence or any share or interest therein</td>
<td>1,000.00</td>
</tr>
<tr>
<td>7. Mining Lease (per metric square or part thereof)</td>
<td>1,200.00</td>
</tr>
<tr>
<td>8. Renewal of Mining Lease (per metric square or part thereof)</td>
<td>600.00</td>
</tr>
<tr>
<td>9. Surrender or transfer of Mining Lease or any share or interest therein</td>
<td>5,000.00</td>
</tr>
<tr>
<td>10. Temporary permission to mine or renewal thereof</td>
<td>10,000.00</td>
</tr>
<tr>
<td>11. Sanction to group Exclusive Prospecting Licences or Mining Leases</td>
<td>5,000.00</td>
</tr>
<tr>
<td>12. Export Permit</td>
<td>1,000.00</td>
</tr>
<tr>
<td>13. Mineral Dealers Licence</td>
<td>5,000.00</td>
</tr>
<tr>
<td>14. Search of Register</td>
<td>500.00</td>
</tr>
<tr>
<td>15. Special Mining Lease (per metric square or part thereof)</td>
<td>1,200.00</td>
</tr>
<tr>
<td>16. Special Mining Lease for bauxite or laterite (per metric square or part thereof)</td>
<td>1,200.00</td>
</tr>
<tr>
<td>17. Addition to Special Mining Lease (per metric square or part thereof)</td>
<td>1,200.00</td>
</tr>
<tr>
<td>18. Renewal of Special Mining Lease (per metric square or part thereof)</td>
<td>1,200.00</td>
</tr>
<tr>
<td>19. Surrender or transfer of Special Mining Lease</td>
<td>5,000.00</td>
</tr>
<tr>
<td>20. Addition of minerals to Prospecting Licences or Mining Leases</td>
<td>2,000.00</td>
</tr>
<tr>
<td>for a single mineral</td>
<td>1,000.00</td>
</tr>
<tr>
<td>for each additional mineral</td>
<td></td>
</tr>
<tr>
<td>21. Quarry application or renewal thereof</td>
<td>10,000.00</td>
</tr>
</tbody>
</table>
CHAPTER 4

QUARRYING

4.0 Definition

A “Quarry” is defined as any place (not being a mine as defined in the Mining Act) where quarry material or quarry mineral (gypsum) has been removed or is being removed, whether by excavation or otherwise, to supply material for construction purposes, other than dimension stones for the construction industry.

4.1 Procedure for Granting a Quarry License

All persons or companies wishing to quarry should obtain an application form from the Registry or Inspection Unit of the Mines & Geology Division (MID) or download same from the MID website www.minesandgeology.gov.jm. (See Appendix 1 for sample form.)

The completed application must be lodged with the Commissioner of Mines. The application must comprise the following:

i. A completed application form

ii. A map of scale of 1: 12,500 with 5 copies showing the exact location of the proposed site

iii. Proof of ownership:
   • Copy of registered title or
   • Copy of Lease or Rent Agreement accompanied by a copy of the landowner’s title and an Affidavit from an attorney or Justice of the Peace, indicating ownership or possession of the land.

iv. A non-refundable fee of $10,000.00

v. A Quarry Plan

vi. A Resource Evaluation Report. This is a report compiled by a mining professional giving details of the quantities, qualities, locations and other parameters and attributes of the mineral resource to be exploited.
vii A copy of the Articles and Memorandum of Association (if applicant is a company).

4.2 Application

On receipt of the application the Registrar checks to ensure that all documents are in order. (See Appendix 2 for items required by MID) If they are in order the applicant is advised to take the application to the Cashier, pay the fee of $10,000.00, collect a receipt and return the application to the Registrar.

4.3 Quarry License Number

The Registrar then registers the application and assigns to it a quarry license (QL) number, and opens a file in the name of the applicant.

4.4 Notice of Intention to Quarry

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, and court house, in the area or parish.

For new applicants - A sign must be placed at the quarry site stating: 'It is my intention to operate a quarry at this site. Any objections must be submitted to the Commissioner of Mines, Mines and Geology Division, Hope Gardens, Kingston 6.

For renewal applicants – A sign must be placed at the quarry site stating: 'It is my intention to continue operating a quarry at this site. Any objections must be submitted to the Commissioner of Mines, Mines and Geology Division, Hope Gardens, Kingston 6. (See Appendix 3 for application form)

4.5 Site Inspections

Site inspection requests are sent within five days of receipt of the completed application forms by the MID to environmental and other relevant Government Agencies, namely:

- National Environment and Planning Agency (NEPA)
- Parish Council
- National Works Agency (NWA)
- Ministry of Health – Environmental Control Division (ECD)
- Ministry of Agriculture – Rural Physical Planning Division (RPPD)

In special cases, site inspection requests are sent to Water Resources Authority
Inspectors from the MID also carry out an independent inspection of the proposed site. (There are times when joint site inspections are done by the MID and other relevant Government Agencies. All agencies send their inspection reports to the MID which are normally received within six weeks of the request being sent to the agencies.

4.6 QUARRIES ADVISORY COMMITTEE

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 with responsibility for mining to advise him on all matters related to quarrying. A member of each environmental and land use agency sits on the committee and other members normally include private sector representatives. The Committee meets once each month. The committee makes a collective ruling to recommend the application for the Minister’s approval or refusal, or (in some instances) for its deferral pending further investigations and or for additional information from the applicant.

4.7 RESTORATION BOND AND TAX COMPLIANCE

Once the QAC recommends the granting of a license, the Commissioner informs the applicant and advises that a Restoration Bond should be posted. (a stipulated amount based on the size of the area to be quarried, at $678,000 per hectare). The Bond should be in the form of cash, a Bank Guarantee or a Manager’s Cheque issued in the name of the Commissioner of Mines. The Bond should be submitted with a Tax Registration Number (TRN), and a current Tax Compliance Certificate.

4.8 MINISTER’S CONSIDERATION

As soon as payment of the bond is executed, on the receipt of the above, the documentation for the license is prepared and sent to the Commissioner who forwards same to the Permanent Secretary for perusal, and submission to the Minister for approval.

4.9 BRIEFING OF APPLICANT

Following the Minister’s approval, the license is returned to the Registrar (MID) for the Commissioner’s signature and stamp. The applicant is requested to attend the office of the Commissioner for briefing about the license and its conditions before
it is presented to him/her.

4.10 TIME FOR APPROVAL

A quarry license is generally issued within ninety days of the receipt of an application.

The ninety day limit is breached primarily because the MID at times encounters delays owing to slow responses from agencies with which it must consult before documents are processed or because of the absence of relevant information which the applicant should provide.

4.11 THE APPEAL PROCESS

4.11.1 Refusal to Grant LICENSE

Where the QAC takes the decision to recommend that a license be refused, the Commissioner informs the Minister, through the Permanent Secretary, of the QAC’s decision, stating the ground(s) for refusal.

The Minister, if he accepts the QAC’s recommendation, will give instructions for the applicant to be informed of his decision, with the advice that the applicant has the right to appeal such decision.

4.11.2 The Appeal

Under section 9 (2) of the Quarries Control Act an applicant who has been refused a license has the right to appeal to the Minister and to show cause why his license should not be refused
CHAPTER 5

GENERAL INFORMATION ON QUARRYING

5.0 Period of Licence

Quarry licences are granted for periods recommended by the QAC, normally from one year to ten years, but can be for longer or shorter periods relative to the size or purpose of the quarry.

5.1 Production Returns

Under section 15 (1) of the Quarries Control Act all quarry operators are required to submit quarterly production returns and sales information. The production returns are due by the end of the month following each quarter even when there is no production, failing which a late penalty of $15,000.00 becomes payable to the Commissioner. The production return must be done on the prescribed form. (See Appendix 4 for the form)

5.2 Quarry Tax

A quarry tax is payable by all quarry operators to the Commissioner of Mines. The tax is calculated at 3.5% of sales. Late payment attracts a penalty of 15% and interest of 15% per annum.

5.3 Transfer and Surrender of Licence

A quarry license is not transferable.

With the consent of the Minister, a quarry license can be surrendered.
CHAPTER 6

RESTORATION

6.0 RESTORATION OF QUARRIED LAND

Under section 12 of the Quarries Control Act, quarry operators are required to restore all quarried lands after quarrying is completed.

6.1 QUARRY AND CLOSURE PLAN

A quarry plan including a closure plan must be presented to the Commissioner of Mines before commencement of quarrying. This must illustrate how quarrying will proceed to meet the planned end use.

6.2 GREENING OF QUARRIED AREA

The area should not only be shaped but must be also vegetated especially in the limestone quarries which presents a scar.

6.3 RESTORATION BOND

Under section 12 (1) of the Quarries Control Act a restoration bond is payable to the Commissioner.
Appendix 1

THE QUARRY APPLICATION FORM

THE QUARRIES CONTROL ACT, 1983

APPLICATION FOR QUARRY LICENCE

To the Minister, through the Commissioner of Mines

QL. No. ________ RENEWAL APPLICATION [] NEW APPLICATION []

1. APPLICANT INFORMATION

NAME OF APPLICANT: ____________________________________________
ADDRESS OF APPLICANT: _______________________________________

__________________________ TEL#: ___________________ FAX #: __________ Email __________

2. QUARRY INFORMATION

LOCATION: * __________________________________________________________________________
DISTRICT: ______________________ PARISH: ________________
a) ACTUAL SIZE OF QUARRY: ___________________________________________________________
b) HAS THE QUARRY PLAN BEEN SUBMITTED? YES [ ] NO [ ]
d) ARE SIX (6) COPIES OF LOCATION MAP ENCLOSED? YES [ ] NO [ ]
e) NAME OF LANDOWNER: ____________________________________________________________
f) ADDRESS OF LANDOWNER: __________________________________________________________

g) BY WHAT MEANS DOES APPLICANT HAVE LEGAL ACCESS TO THE LAND? 
OWNERSHIP [ ] LEASE [ ] RENTAL [ ] AGREEMENT [ ] OTHER [ ]
h) IS PROOF OF OWNERSHIP ENCLOSED? ** YES [ ] NO [ ]
i) ADJACENT PROPERTY OWNER (S) __________________________________________________

3. MATERIAL

a) TYPE OF MATERIAL TO BE QUARRIED _________________________________________________
b) RESERVES ESTIMATE (TONNES / _________________________________________________
c) ESTIMATE OF DAILY PRODUCTION (TONNES / m³) ____________________________________
Appendix 1

4. **MACHINERY AND EQUIPMENT TO BE USED**

a) CRUSHER (S) ______________ LOCATED ON PROPOSED SITE? YES [ ] NO [ ]

b) SCREEN (S) ______________ c) BULLDOZER (S) ______________

d) FRONT END LOADER (S) ______________ e) POWER SHOVEL (S) ______________

f) BACK – HOE (S) ______________ g) AIR TRACK DRILL (S) ______________

h) AIR COMPRESSOR AND HAND DRILLS ______________

5. **GENERAL**

a) PROPOSED NUMBER OF EMPLOYEES ______________

b) HAS APPLICANT EVER BEEN CONVICTED UNDER THE QUARRIES LAW (1955) OR THE QUARRIES CONTROL ACT (1983)? YES [ ] NO [ ]

IF YES GIVE DETAILS ______________

c) HAS THE APPLICANT EVER BEEN REFUSED A LICENCE? YES [ ] NO [ ]

IF YES GIVE DETAILS ______________

APPLICANT'S SIGNATURE ______________ DATE ______________

**NOTES:**

- GIVE PRECISE LOCATION e.g. ON NORTH SIDE OF ROAD BETWEEN MILE POSTS 5 AND 6 AND ON THE SPANISH TOWN TO OLD HARBOUR HIGHWAY. ALSO SUBMIT SIX (6) COPIES OF LOCATION MAP ON THE SCALE 1:12,500 WITH THE LOCATION CLEARLY THEREON. THE MAPS MAY BE OBTAINED AT THE SURVEY DEPARTMENT, 23 1/4 CHARLES STREET, KINGSTON.

- SUBMIT ONE OR MORE OF THE FOLLOWING: 1) CERTIFICATE OF TITLE 2) COPY OF STAMPED SALES AGREEMENT OR INSTRUMENT OF TRANSFER 3) COPY OF SURVEY PLAN OF PROPERTY 4) COPY OF LEASE AGREEMENT 5) AFFIDAVIT FROM ATTORNEY OR JUSTICE OF THE PEACE INDICATING OWNERSHIP OR POSSESSION OF LAND. OWNERSHIP OF LAND MUST BE PROVEN.

- IF APPLICANT IS A COMPANY, THE NAMES AND ADDRESSES OF THE DIRECTORS, MEMORANDUM AND ARTICLES OF ASSOCIATION MUST BE SUBMITTED.

- UNDER SECTION 12 OF THE QUARRIES CONTROL ACT, 1983, APPLICANTS ARE REQUIRED TO POST A RESTORATION BOND WITH THE COMMISSIONER OF MINES PRIOR TO THE GRANTING OF THE LICENCE.

- MAKE CHEQUES PAYABLE TO COMMISSIONER OF MINES.

RETURN COMPLETED FORM TO: COMMISSIONER OF MINES, MINES & GEOLOGY DIVISION, P.O. BOX 141, HOPE GARDENS KINGSTON 6, JAMAICA
ITEMS REQUIRED FOR QUARRY APPLICATION

In order to ensure processing of your application for a Quarry Licence, the following information must be supplied:

- Application fee of $10,000.00
- Proof of land ownership or access (Title, stamped lease agreement or sale agreement)
- Location map (1:12,500)
- Survey Diagram (at least 1:6,000) showing exact area to be quarried
- Tax Compliance Certificate
- Tax Registration Number
- Two character references
- Resource Evaluation Report (Sand and Gravel only) and a Quarry Plan – to be supplied on the advice of the MGD.
- Restoration Bond
- Quarry Tax Production Returns plus Quarry Tax for the period(s) outstanding- (Renewal applications only)

PLEASE NOTE:

For new applicants - A sign must be placed at the quarry site stating: ‘It is my intention to operate a quarry at this site. Any objections must be submitted to the Commissioner of Mines, Mines and Geology Division, Hope Gardens, Kingston 6.’

For renewal applicants – A sign must be placed at the quarry site stating: ‘It is my intention to continue operating a quarry at this site. Any objections must be submitted to the Commissioner of Mines, Mines and Geology Division, Hope Gardens, Kingston 6.’
Appendix 3

NOTICE

All applicants for quarry licences must display at the proposed quarry sites and other prominent places such as Post Offices, Court Houses or Police Stations, notices of intention to quarry. This notice should be in the format as follows:

NAME OF QUARRY/OWNER

IT IS MY INTENTION TO OPERATE A QUARRY AT THIS SITE (site must be described as precisely 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 TWENTYONE DAYS.

..............................................
Applicant Signature

..............................................
Date
Appendix 4

MINES & GEOLOGY DIVISION

QUARRY PRODUCTION RETURNS

(UNDER SECTION 15(1) OF THE QUARRIES CONTROL ACT)

<table>
<thead>
<tr>
<th>PERIOD</th>
<th>YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>1ST QUARTER [JANUARY - MARCH]</td>
<td></td>
</tr>
<tr>
<td>2ND QUARTER [APRIL - JUNE]</td>
<td></td>
</tr>
<tr>
<td>3RD QUARTER [JULY - SEPTEMBER]</td>
<td></td>
</tr>
<tr>
<td>4TH QUARTER [OCTOBER - DECEMBER]</td>
<td></td>
</tr>
</tbody>
</table>

QL No............................  LICENSEE .............................................................

ADDRESS .................................................................

Tel #    Fax    Email

LOCATION & PARISH OF QUARRY .........................................

<table>
<thead>
<tr>
<th>PRODUCTION AND SALES INFORMATION</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>MATERIAL</td>
<td>PRODUCTION (m$^3$ OR TONNES)</td>
<td>SALES (m$^2$ OR TONNES)</td>
<td>UNIT PRICE (J$$)</td>
<td>VALUE (J$$)</td>
</tr>
<tr>
<td>CRUSHED AGGREGATE (ALL SIZE PARTICLES)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UNCRUSHED AGGREGATE SAND</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MARL AND FILL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OTHER</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

ADDITIONAL INFORMATION

• MACHINERY & EQUIPMENT.................................................................

• No. OF EMPLOYEES:  MALE..........................  FEMALE...............  TOTAL...........................

• SAFETY OFFICER.................................................................

• No. ACCIDENTS DURING PERIOD...........................................................

• NAME AND POSITION OF PERSON SUBMITTING REPORT............................................

• REMARKS ...........................................................................

.................................................................  .................................................................

SIGNATURE  DATE

****NOTE
PLEASE MAKE CHEQUE PAYABLE TO 'COMMISSIONER OF MINES'