

GUIDE TO APPLY FOR SMALL-SCALE MINING LICENSE

If you are interested in small-scale mining, you need to apply for a small-scale mining license. This document will explain the basic steps and requirements for obtaining a license, as well as the rights and responsibilities of the license holder.

Mining Act 2012, Mineral Title Regulations 2015 and application forms

If you are interested in applying for a small-scale mining license, you will need to consult the relevant legislation and regulations. The Mining Act 2012 is the main law that governs the exploration, development and management of mineral resources in the country. The Mineral Title Regulations 2015 provide the detailed rules and procedures for obtaining and maintaining mineral titles. You can find both documents on the official website of the Ministry of Mining www.mom.gov.ss. You will also need to fill out the appropriate forms for your license application, which are available for download on the same website [Forms – Ministry of Mining:: \(mom.gov.ss\)](http://www.mom.gov.ss).

1. The Mining Act 2012 [Mining Act & Regulations – Ministry of Mining:: \(mom.gov.ss\)](http://www.mom.gov.ss)
2. The Mineral Title Regulations 2015 [Mining Act & Regulations – Ministry of Mining:: \(mom.gov.ss\)](http://www.mom.gov.ss)

Mining Cadastral Portal

<http://portals.flexicadastre.com/southsudan/>

Application:

If you want to apply for a small-scale mining licence in South Sudan, you need to read and follow the Mining Act 2012 and the Mining (Mineral Title) Regulations 2015. These documents contain the rules and procedures for obtaining and maintaining a mineral title. You can find them online or at the Ministry of Mining.

The most important sections to read are pages 42-45 of the Mining Act 2012, which explain the eligibility, duration, renewal and termination of a small-scale mining licence. You also need to read Chapters V and XIII of the Mining (Mineral Title) Regulations 2015, which cover the application process, fees, obligations and rights of a small-scale mining licence holder. Additionally, you should read Chapter XIV and Schedules two, three, five and six of the same regulations, which provide the forms, maps, coordinates and fees that you need to submit with your application.

To apply for a small-scale mining licence, you need to download and fill out three forms from the Ministry of Mining website:

- Form A-3, Form I-1 and Form AT-2. Form A-3 is the main application form, where you provide your personal and company details, the location and description of the mineral title area, the minerals you want to mine, the proposed work program and budget, and other relevant information. Form I-1 is where you identify the mineral title area using a shape file template (WGS 1984) and enter the coordinates of the area.
- Form AT-2 is where you declare that you have not been convicted of any offence under the Mining Act 2012 or any other law related to mining.
- Along with these forms, you need to attach several documents to prove your identity, eligibility and competence as a small-scale mining licence applicant. These include: a copy of Form R-1 (receipt for payment of application processing fee), a copy of your company's certificate of incorporation and memorandum and articles of association, a sheet with the names and nationalities of your company's directors (with CVs and references if possible), a sheet with the names of your company's shareholders who own 10% or more of the shares, and a sheet with your company's profile and history of exploration and mining operations in South Sudan and elsewhere.
- A small-scale mining licence applicant must provide a statement of their technical and financial qualifications, including a certified copy of their audited accounts for the previous year.
- They must also submit a prefeasibility study that describes the proposed mining scheme, such as the scale of operation, the production profile and capacity, the location of major facilities, pits, dumps and dams, the number of employees or workers, the commencement dates of mine development and commercial production, the characteristics and nature of the final mineral products, and the intended markets. The prefeasibility study must also state that the mine will not use explosives or toxic chemicals or agents.
- The applicant must also provide a mine plan that shows the proposed licence area and the features of the mining operations on a scaled map.
- Additionally, the applicant must describe the environmental and other impacts of the mining operations, such as any adverse effects on the environment or any monument, and the measures and costs to mitigate them.
- The applicant must also describe how the mining operation will affect gender relations in the community, both positively and negatively.

- The consultation plan is a document that outlines how the applicant will communicate and engage with the local authorities and communities that are affected by the mining operations. The plan should include the objectives, methods, frequency and feedback mechanisms of the consultation process. The plan should also demonstrate how the applicant will respect the rights and interests of the traditional authorities and their customary laws.
- The employment and contracting section provide details of how the applicant will create opportunities for South Sudanese people and businesses to participate in the mining operations. The section should specify the number, qualification, training and remuneration of the South Sudanese employees and contractors. The section should also indicate how the applicant will promote local content, skills development and gender equality.
- The optional additional information is any other relevant information that the applicant wishes to include in the application. This could be related to the technical, financial, environmental, social or legal aspects of the mining operations. The applicant should explain why this information is important and how it supports the application.

Application processing fee

To apply for a request to pay application processing fee for the Director General of Mineral Development, you need to fill out the forms and attach the required documents. The forms will be reviewed by the Director General and, if approved, the payment will be made to the account section of the Ministry of Mining. Please note that the application processing fee is non-refundable and does not guarantee approval.

Submission

To apply for a small-scale mining license, you need to follow these steps:

1. Wait for the approval of your payment request.
2. Pay the application processing fee, which is non-refundable, at the Accounts Department.
3. Bring your application and the payment receipt to the Mining Cadastre Office as evidence of payment.
4. Submit three hardcopies and one soft copy (in .pdf format) of your application with the completed forms and documents required by the Mining Act 2012 and Mineral Title Regulations.
5. Before you submit the application for a small-scale mining license, you need to prepare the following documents and steps:
 - Make sure you have three hard copies of the complete application forms and the required documents. They should be certified, signed and sealed where necessary.
 - Make sure you have a soft copy of the same documents in a USB flash disk.
 - Update your company details, especially the name and address for correspondence.
 - Provide the details of your legal representative and the proof of authorization for him or her to represent your company.
 - Specify the mineral(s) you want to explore.
 - Upload the shape file of the area you are applying for small-scale mining to the system.
 - Scan and upload the receipt for proof of payment for small-scale mining application processing to the system.
 - Verify that the shape file has the correct format and that it does not overlap with any existing mineral title.
 - Generate, sign and stamp Form R-1 from the system. Keep a copy for yourself and upload another copy to the system.
 - Upload all your application documents (in PDF format) to the system as required by the Mining Act 2012 and Mineral Title Regulations.
 - Check in the system that your shape is valid. It should conform to 15 second grid, not overlap with any other active license, have a maximum area of 11760 cadastral units and a minimum area of 47 cadastral units, be single part, not contiguous with other exploration or small-scale licenses by the same applicant (manual check), not overlap with restricted areas or oil blocks, and not be within country border and buffer.

To register your application for a small-scale license, you need to submit a complete application to the Mining Cadastre officer. The officer will check your application and assign a unique code to it. The officer will also record the date and time of your verification in the Small-Scale Mining License Register and sign it along with you or your representative. You will receive a copy of the registered application with the code, date and time stamped and signed by the officer. This will secure your priority under the first-come first-serve rule. If your application is incomplete, the officer will reject it and ask you to correct it within 14 days. However, your area will not be reserved for you until you submit a complete application.

Granting or Rejection of the application

To apply for a small-scale mining license, you need to submit a complete and valid application form with all the necessary documents. The system will register your application and give you a signed and dated confirmation form. The minister will review your application within 84 days and decide to grant or reject it. You will be informed of any additional or amended information needed during this time. If your application is granted, you will receive a notification to collect your license within 91 days of registration. You must acknowledge the notification within 10 days. To collect your license, you must bring the receipt of payment of the license fee from the Ministry of Mining account section to the cadastre office within 14 days of the notice. You will then receive the hardcopy of your license.

Field Work Program

The license of field work program and schedule requires you to inform the Director General within three months of approval. This is a mandatory condition that you must comply with.

Inquiry

If you have any questions or need any assistance, please contact our consultancy team mining@lilicoengineering.com | +21912325210