
 DECREE No. 2024 / 05061 /PM OF 19 NOV 2024

To define the conditions for the granting of Mining Titles, Permits and Licences.

THE PRIME MINISTER, HEAD OF GOVERNMENT,

- Mindful of the Constitution;
- Mindful of Act No. 8/65-UDEAC-37 of 14 December 1965 relating to the CEMAC Customs Code and its subsequent amendments;
- Mindful of Law No. 76/25 of 14 December 1976 to establish regulations governing cadastral surveys and records;
- Mindful of Law No. 85/09 of 4 July 1985 to lay down the procedure governing expropriation for public purposes and conditions for compensation;
- Mindful of Law No. 92/007 of 14 August 1992 on the Labour Code;
- Mindful of Law 96/12 of 5 August 1996 on the framework law relating to environmental management;
- Mindful of Law No. 98/015 of 14 July 1998 regulating to establishments classified as dangerous, unhealthy and inconvenient;
- Mindful of Ordinance No. 74/2 of 6 July 1974 to establish rules governing land tenure;
- Mindful of Ordinance No. 74/2 of 6 July 1974 to establish rules governing State lands;
- Mindful of Law No. 2002/003 of 19 April 2002 on the general tax code and its subsequent amendments;
- Mindful of Law No. 2018/012 of 11 July 2018 relating to Fiscal Regime of the State and other Public Entities;
- Mindful of Law No. 2019/012 of 19 July 2019 to lay down the general framework for radiological and nuclear security, nuclear safety, civil liability, and Safeguards enforcement;
- Mindful of Law No. 2019/024 of 24 December 2019 to institute the General Code of Regional and Local Authorities;
- Mindful of Law No. 2001/014 of 19 December 2023 relating to the Mining Code;
- Mindful of Decree No. 92/089 of 4 May 1992 to specify the duties of the Prime Minister, as amended and supplemented by Decree No. 95/145 of 4 August 1995;
- Mindful of Decree No. 2011/408 of 9 December 2011 to organise the Government as amended and supplemented by Decree No. 2018/190 of 2 March 2018;
- Mindful of Decree No. 2012/432 of 1 October 2012 to organise the Ministry of Mines, Industry and Technological Development;
- Mindful of Decree No. 2019/001 of 4 January 2019 to appoint a Prime Minister, Head of Government;
- Mindful of Decree No. 2020/749 of 14 December 2020 to set up the National Mining Corporation,

HEREBY DECREES AS FOLLOWS:

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CHAPTER I **GENERAL PROVISIONS**

ARTICLE 1.- This Decree defines the conditions for the granting of Mining Titles, Permits and Licences.

ARTICLE 2.- The provisions of this Decree shall govern all mining titles, permits and licences relating to mines, quarries, geothermal deposits, spring water, mineral and thermo-mineral water, subject to specific provisions governing each type of mining title, permit or license.

ARTICLE 3.- Within the context of this Decree, the following definitions shall apply:

Address: Complete contact details, residence, post office box number, telephone number, fax number and e-mail address belonging to a person, who provides them to the Ministry in charge of mines, and through which any official communication may be channelled to him/her.

Mining Licence: An administrative instrument that confers on its holder or beneficiary the exclusive right to carry out mining works or activities for which it has been granted within the assigned perimeter.

Mining title transfer licence: Administrative instrument of the Minister in charge of Mines that confers on its beneficiary the right to transfer his or her mining title.

Boundary marking: Physical delimitation of the perimeter of a mining title, permit or licence.

Classification of a mineral substance: Process through which a legal status is assigned to a mineral substance.

Declassification of mineral substance: Process through which a mineral substance, previously classified under a legal status is removed from that status.

Demarcation: Delimitation of the perimeter of the mining title.

Pre-emptive right: The privilege of the State to acquire, before any other person, a tangible or intangible asset that its owner intends to sell.

National mining property: Set of potential or ascertained mineral resources found in the soil, sub-soil, territorial waters and continental shelf on the Cameroonian territory.

Registration: Entry of data into the Mining Titles Register.

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Mining perimeter: Boundaries delimiting the surface of the land for which mining rights, water rights or geo-thermal permits are conferred.

Representation: Complete contact details that enable the Administration to contact the holder of a mining title, permit or licence through a third party.

ARTICLE 4.- (1) Natural deposits of mineral substances shall be classified depending on their legal status, into mines or quarries.

(2) The classification of mineral substances may be modified by order of the Minister in charge of mines.

ARTICLE 5.- (1) Valid mining titles, permits or licences for a mineral substance whose classification is modified shall remain subject to the legal status in force at the time of its granting. They shall remain valid for the relevant substance up to the expiry of the mining title, permit or licence granted initially.

(2) Following the modification of the classification of a mineral substance, any new granting of a mining title, permit or licence for the substance concerned shall comply with the legal status of the new classification.

ARTICLE 6.- (1) When the holder of a mining title, permit or licence for a mineral substance whose classification has been modified intends to continue exploration or mining works on the substance concerned after the expiry of the initial mining title, permit or licence, he shall submit an application for a mining title, permit or licence, as the case may be, under conditions and procedures regulating the substance which has been newly classified.

(2) During the exploration phase, and when the application referred to in paragraph 1 above is not submitted within stipulated deadlines, the Minister in charge of mines shall ascertain the forfeiture of the right of the person concerned and the site covered by the mining title, permit or licence shall revert to the National Mining Corporation in the event the substance concerned is classified under the mining regime.

CHAPTER II

TERMS AND CONDITIONS FOR THE GRANTING OF MINING TITLES, PERMITS AND LICENCES

SECTION I

APPLICATIONS AND PROCESSING OF FILES

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PARAGRAPH I **APPLICATIONS**

ARTICLE 7.- (1) Applications for the granting or renewing of mining titles, permits or licences or any other application required under the Mining Code shall be drafted in compliance with the form provided by the Minister in charge of mines, the National Mining Corporation or the competent local authority, as the case may be.

(2) The form provided for in paragraph 1 above shall state the mining title, permit or licence applied for, the substance(s) concerned, the perimeter applied for, the administrative units concerned and information on the applicant.

(3) The original of the application shall be dated, signed and stamped at the current rate.

ARTICLE 8.- The application for the granting or renewing of mining titles, permits or licences or transaction approvals, subject to being deemed inadmissible, shall:

- contain all information required on the form;
- be submitted by or on behalf of an eligible person;
- be submitted to the services charged with receiving such applications by this Decree;
- be accompanied by the documents required by this Decree;
- relate to a mining perimeter that does not encroach on another mining perimeter, with the exception of applications for artisanal exploitation such as provided for under Section 23 of the Mining Code.

ARTICLE 9.- (1) The following applications shall be deemed inadmissible when made by any natural or legal person:

- an application whose mining title, licence or permit has been withdrawn during the prescribed time and under the conditions laid down by the regulations in force;
- an application whose applicant is found guilty of fraud in the mining sector;
- an application whose applicant is bankrupt or under judicial liquidation;
- an application whose applicant does not have the necessary technical or financial capacities to carry out the mining operations intended;
- an application whose applicant has not fulfilled the obligations under the specifications, as the case may be.

(2) The provisions of Paragraph 1 above shall also apply to holders of five (5) valid mining titles, permits or licences.

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ARTICLE 10.- (1) When the law requires that the application be submitted in many copies, supporting documents shall also be submitted in as many copies.

(2) Any person who applies on behalf of a third party, whether or not the third party already holds a mining title, permit or licence, must show proof of his identity, capacity, address and power of attorney issued by the third party.

ARTICLE 11.- (1) Subject to the provisions of Article 12 below, any application for the granting or renewal of a mining title, permit or licence or a transaction approval or any other application required under the Mining Code, shall be addressed to the Minister in charge of mines, to the General Manager of the National Mining Corporation or to the Mayor of the territorially competent council as the case may be, in three (3) copies, in English or French with the original stamped at the current rate.

(2) Documents bearing the following information shall be attached to the application:

a) for a natural person:

- name and surname, affiliation, residence, nationality, address;
- Certificate of Nationality;
- certified true copy of the national identity card or any other valid officially recognised identification document;
- a certificate of non-conviction dated not more than three (3) months;
- the proposed work plan and the corresponding statement of expenses;
- Tax Identification number;
- site location plan, as the case may be;
- valid tax compliance certificate;
- receipt of payment of the processing fees and/or any fees provided for by regulations, issued by the competent collection authority.

b) for a legal person:

- legal form, company name, headquarters and address, names, positions and nationalities of the company's management;
- company's updated articles of association signed by a notary, the constitutive act, the composition of the capital as well as the fiscal and statistic declaration of the last three financial years;
- list, complete identification and addresses of partners or shareholders, the percentage of shares held by each as well as their nationalities;

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- certified list of persons authorized to sign on behalf of the company, their respective nationalities and addresses;
- attestation of registration into the Trade and Personal Property Credit Register;
- the proposed work plan and the corresponding statement of expenses;
- documents attesting of the technical and financial capacities to carry out the work plan;
- valid tax compliance certificate or any other corresponding document;
- certificate of non-bankruptcy issued by the competent court of the location of the headquarters;
- letter of guarantee issued by a first class banking institution based in Cameroon, as the case may be;
- choice of residence;
- payment receipt from the Public Treasury of non-refundable processing fees as well as granting or renewing fees, as provided for in Section 128 of the Mining Code.

(3) Apart from the documents listed in paragraph 2 above, the application for renewing of a mining title, permit and licence shall contain and indicate:

- the duly filled application form;
- references of the previous mining title, permit and licence;
- any possible reduction of the perimeter;
- mineral substance(s) for which renewing is solicited;
- the general report of the works carried out during the validity period of the previous title in physical and electronic copies;
- copy of the financial reports of works previously carried out, submitted to tax authorities;
- planned exploration work plan for the next period with the corresponding budget, where necessary;
- valid tax compliance certificate;
- attestation of fulfilment of environmental and social obligations, as the case may be;
- the level of rehabilitation of the already mined surface, as the case may be.

ARTICLE 12.- (1) The application for the granting of mining titles, permits and licences or the application for a transaction approval relating to the following permits and licences shall be submitted at the Ministry in charge of mines:

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- exploitation licence for a public interest quarry,
- exploitation licence for mining waste;
- exploitation permit for spring water, mineral and thermo-mineral water and geothermal deposits;
- packaging licence;
- exploration permit;
- exploitation permit for small scale mining and industrial mining.

(2) Applications for the granting or renewing of industrial quarry permits or semi-mechanized artisanal mineral substances permits shall be submitted at the territorially competent Divisional Delegation of the Ministry in charge of mines.

(3) Applications for the granting or renewing of artisanal for mineral substances mining licences or artisanal quarry substances licence shall be submitted at the territorially competent council.

(4) Applications for authorisation to access the site of an old quarry shall be submitted at the territorially competent Regional Delegation of the Ministry in charge of mines.

(5) Applications for the granting or renewing of the collector's card for precious and semi-precious mineral substances and non-precious mineral substances as well as applications for marketing counter approval shall be submitted at the National Mining Corporation.

ARTICLE 13.- The following documents shall be submitted as proof of the technical and financial capacities provided for in Article 11 above:

a) for technical capacities:

- the applicant's professional references;
- titles, degrees and professional references of the applicant's officials or of the company in charge of the follow-up and conduct of the planned works;
- specific description of the applicant's technical resources and equipment to carry out the planned works;
- the list of exploration, research or exploitation works that the applicant or the company in charge of the follow-up and conduct of the works to be executed or to which it has participated in the last three (3) years in the sector with the summary description of the most important works and any related contractual documents, as the case may be;

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- any binding agreements between the operator and his strategic partners, as the case may be;
- the list of previous works carried out by the said strategic partner in accordance with the various technical components of the project, as the case may be.

b) for financial capacities:

- the funding plan of the applicant's work plan;
- bank attestation on the availability of equity funds representing at least twenty-five per cent (25%) of the budget of the works, together with a bank statement issued by a recognized Cameroonian bank;
- the tax and statistic declaration for the past three years;
- balance sheets and income statements for the last three years.

ARTICLE 14.- (1) A person applying for mining titles, licences or permits shall be required to have a headquarters or residence address in the Republic of Cameroon. The residence and the address shall be communicated to the Minister in charge of mines, failure which, the application shall be deemed inadmissible.

(2) Administrative instruments, instructions or any other document shall be forwarded exclusively to the indicated residence or address against an acknowledgement of receipt.

(3) Any change of residence, address or representation shall be communicated to the Minister in charge of mines within thirty (30) days.

PARAGRAPH II
PROCESSING OF FILES

ARTICLE 15.- (1) The reviewing of any application files for the granting or renewing of mining titles, licences or permits or transaction approvals shall consist in a review of the submitted file, in order to:

- confirm information provided;
- confirm the eligibility of the applicant or assignee, heir or leaseholder as the case may be;
- confirm the perimeter and surface area concerned;
- confirm the technical and financial capacities;
- verify the execution of previous commitments, as the case may be;
- temporarily verify any possible overlaps of the mining perimeter applied for in relation to previous mining titles, permits and licences or any pending applications;

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- temporarily determine the surface area of the requested mining perimeter.

(2) As soon as an application for granting or renewing of mining titles, licences or permits shall be received, the territorially competent Divisional Delegate of the ministry in charge of Mines may, where necessary, carry out any necessary investigations required for the processing of the file, with expenses covered by the applicant.

(3) The Divisional Delegate referred to in paragraph 2 above shall equally examine the proposed work plan or the summary report of the explorations already carried out, before giving his reasoned opinion on the granting or renewing of the mining title.

(4) The Divisional Delegate referred to in paragraph 3 above, shall, within a week, forward the application file, along with any observation considered relevant, to the territorially competent Regional Delegate of the Ministry in charge of mines. However, a duly justified extension period of not more than fourteen (14) days may be granted to further the investigations referred to in paragraph 2 above.

(5) The Regional Delegate referred to in paragraph 4 above, shall record the application in the regional register of applications, stamp his approval and, within one week, forward the file together with his observations to the Minister in charge of mines.

ARTICLE 16.- At the time of submission of the files provided for in Article 12 paragraph 2 above, the territorially competent Divisional Delegate of the Ministry in charge of mines shall, in the presence of the applicant:

- verify all the documents that constitute the file;
- indicate the date and time of the submission of the application;
- sign the register;
- inscribe "temporary" on the Divisional Register of Applications.

ARTICLE 17.- (1) During the reception of the application file for the granting or renewing of the mining title, permit or licence or a transaction approval, at the Ministry in charge of mines, all the documents that make up the file shall be verified in the presence of the applicant or of his representative.

(2) In case the application is deemed admissible, the Cadastral System shall generate two (2) receipts that ascertain the submission of the application for mining

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title, permit or licence one of which shall be handed to the applicant and the other stapled into the Register of mining titles. The receipt referred to in paragraph 1 above shall contain:

- the serial number or code;
- name and address of the applicant;
- date and time of submission;
- type of registration;
- signatures of the issuing staff and of the receiver.

(3) In case the application is deemed inadmissible, for any other reason than perimeter overlaps or ineligibility of the applicant, the applicant shall immediately be informed and a deadline of seven (7) working days shall be granted him to comply. Past this period, the application shall be rejected.

(4) The Mining Registrar shall record data of the solicited perimeter of the mining, quarry or spring water and geothermal deposits on the mining site maps on a temporary basis within two (2) working days as from the date of registration of the application.

ARTICLE 18.- (1) After the file shall have been processed, it shall be submitted to the Minister in charge of mines together with the corresponding draft document, where applicable.

(2) The draft instrument, together with the file provided for in paragraph 1 above shall first be examined by an inter-ministerial committee for the review of mining titles, permits and licences or the framework for the negotiation of mining agreements provided for under Section 40 of the Mining Code, as the case may be.

(3) Specific instruments of the Prime Minister shall lay down the conditions for the organisation and functioning of the committees provided for in paragraph 2 above.

ARTICLE 19.- In case the application is rejected, notification bearing the reasons for rejection shall be served the applicant by the Minister in charge of mines.

ARTICLE 20.- The processing of files submitted at the council and at the National Mining Corporation as provided for in Article 12 above, shall be done in accordance with the rules of procedure specific to the relevant entity, within the time limit provided for by this Decree.

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SECTION II
GRANTING AND RENEWING OF TITLES, PERMITS AND LICENCES

ARTICLE 21.- Mining titles, permits and licences shall be granted by the competent authorities as provided for by specific instruments.

ARTICLE 22.- (1) The mining title, permit or licence or transaction approval shall be notified the holder by the Minister in charge of mines, the competent Regional Delegate of the Ministry in charge of mines or the territorially competent council as the case may be, within fifteen (15) calendar days as from the date of signature of the granting instrument.

(2) The beneficiary of a mining title, permit or licence provided for in paragraph 1 above shall be subjected to the payment of land tax and land concessions, where applicable, under terms and conditions provided for in specific instruments.

ARTICLE 23.- The duration of the validity of a mining title, licence or permit shall be calculated as from its date of notification.

ARTICLE 24.- With regard to exploration permits, mining substances permits, geothermal deposits mining permits, public interest quarry licences and industrial quarry permits, the Minister in charge of mines shall publish the granting or renewing instrument in the Official Gazette and in a journal of legal notices.

ARTICLE 25.- When the application for granting or renewing is for radioactive substances and their derivatives, the Minister in charge of mines shall, during examination of the application file, write to the National Radiation Protection Agency to obtain a prior authorisation that guarantees the safe and secured reconnaissance, exploration and mining of the radioactive substances.

ARTICLE 26.- (1) As from the date of their registration, applications for the granting of mining titles, permits and authorisations or applications for transaction approvals shall be examined within the following prescribed deadlines:

- thirty (30) days, for the reconnaissance permit, artisanal exploitation licence, artisanal quarry substances licence, mining waste licence;
- forty-five (45) days for the approval of a transaction;
- sixty (60) days, for the semi-mechanised artisanal exploitation licence, exploration permit, public interest quarry licence, industrial quarry permit, spring water, mineral or mineral thermal water or geothermal deposit mining permit, packaging licence;

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- ninety (90) days, for small scale mining and industrial scale mining permits.

(2) Prior to its expiry, the deadline provided for in paragraph 1 above may be extended by a reasoned written decision for a period that may not exceed half of the initial duration.

(3) In case there is no reply at the end of the deadlines provided for in paragraphs 1 and 2 above, the licence or permit shall be deemed to have been granted or the transaction approved.

(4) In case the application for the granting of a mining title, permit or licence or transaction approval is not successful before the expiry of the deadline provided for in paragraph 1 above, the Minister in charge of mines, the General Manager of the National Mining Corporation or the territorially competent Mayor, as the case may be, shall inform the applicant of the extension of the review period.

(5) In case no extension is granted as provided for in paragraph 2 above, and after the expiry of the stipulated deadline, without any formal rejection of the application or contrary order of the relevant authority, at the request of the applicant, the Mining Registrar or any other competent service shall record the granting or the renewing of the mining title, permit or licence, where necessary, or transaction approval and shall change the marking "temporary" on the mining site map to the marking "final". In any case, no new application for a perimeter that is the object of a pending application may be deemed admissible until the examination of the previous application is completed.

ARTICLE 27.- The duration of a mining title, licence or permit granted on the basis of a no-reply by the competent authority shall go into effect as from the date of registration in the Mining Titles Register.

ARTICLE 28.- (1) The application for renewing a mining title, licence or permit shall be submitted before the expiry date, within the following deadlines:

- forty-five (45) days for the artisanal exploitation licence;
- Sixty (60) days, for the semi-mechanised artisanal exploitation licence and the artisanal quarry substances licence;
- ninety (90) days, for the exploration permit, the public interest quarry licence, quarry permit and spring water, mineral or thermo-mineral water or geothermal deposit mining permit;
- twelve (12) days, for small scale mining and industrial scale mining permits.

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(2) The submission of a renewing application file beyond the deadlines provided for in paragraph 1 above shall result in the rejection of the licence or permit.

(3) In case the application for renewing mining titles, permits, or licences or submitted within stipulated deadlines is not processed before the expiry date, the mining title, licence or permit shall remain valid until notification of its renewing or rejection of such renewing.

(4) The application for renewing shall be examined within the deadlines provided for in Article 24 above.

ARTICLE 29.- (1) The National Mining Corporation or the territorially competent council shall be required, within seven (7) days as from the date of the granting, to forward copies of granting or renewing instruments signed by the Minister in charge of mines.

(2) Upon receipt of the information referred to in paragraph 1 above, the Mining Registry shall have seventy-two (72) hours as from the date of signature of the granting or renewing instruments of the mining titles to update and post the Mining site map in the consultation room of the Mining Registry.

CHAPTER III

DETERMINATION OF THE PERIMETERS OF MINING, QUARRY, AND MINING SITES OF GEOTHERMAL, SPRING WATER, MINERAL AND THERMO-MINERAL WATER DEPOSITS

ARTICLE 30.- (1) The national territory shall be divided into elementary cadastral units forming a grid system divided into squares whose sides point to the North-South and East-West.

(2) The square shall be the basic cadastral unit which makes up mining perimeters. It shall cover a surface area of twenty-one (21) hectares.

(3) The interval between the North-South side of each square, as well as the East-West side, shall be an interval of fifteen (15) seconds in geographic coordinates of the *WGS 84 System*, represented on topographic maps on a scale of 1/200000. The coordinates of the angles of mining perimeters shall be multiples of fifteen (15) seconds and the angles of mining perimeters shall always correspond to the cadastral grid.

(4) The geographic location of each square of the natural land surface shall be determined on the mining site map by the Mining Registry.

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(5) When there is a difference between the location of squares on the field and on the map, the coordinates of the map shall prevail.

ARTICLE 31.- (1) Mining perimeters shall be identified by the squares that constitute it. The squares shall be identified by the geographic and planimetric coordinates of the *WGS 84 and RGNC System* on the natural land surface or by codes that the cadastral system shall assign them.

(2) The definition of summits of the mining perimeter shall be presented in geographic and planimetric coordinates.

ARTICLE 32.- (1) Mining site maps shall be kept up-to-date, as the case may be and based on the mining title, licence or permit, at the Ministry in charge of mines, at the council of the place where the activity is carried out or at the National Mining Corporation in paper and digital versions. They shall show lay out of:

- the approved mining perimeters along with the corresponding code;
- mining perimeters of applications for the granting of mining titles, licences and permits that are under examination, indicating the application's registration number;
- prohibition and protected areas.

(2) At the close of each examination and in case of a granting, the Ministry in charge of mines, the National Mining Corporation or the council where the activity is carried out, shall enter the term "temporary" on the layout of the solicited mining perimeter on the mining site map. The marking "temporary" shall be replaced by the marking "final" after the signature of the requested mining title, licence or permit.

ARTICLE 33.- (1) Anyone applying for a mining title shall carry out a survey of the mining perimeter applied for within sixty (60) days following receipt of notification of the granting instrument.

(2) The survey of the mining perimeter shall be carried out by a sworn surveyor, and cost shall be borne by the applicant of mining title. He shall include an appendix describing the mining perimeter in topographic form showing latitudes and longitudes, in accordance with Articles 30 and 31 above as well as the surface in equivalent measurement units.

(3) The delimitation of artisanal mining licence perimeters shall be carried out through demarcation.

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(4) In case there is a dispute on the location of a mining perimeter, the Ministry in charge of mines shall carry out a survey of the disputed land. Related costs shall be borne by the plaintiff.

(5) The Ministry in charge of mines may, at any time, call in another sworn surveyor, to carry out the survey on the disputed mining perimeter by virtue of the law and in compliance with the requirements contained in this article.

ARTICLE 34.- (1) The marking of a perimeter shall be done as follows:

- a square top boundary marker with sides measuring at least ten (10) centimetres placed at each corner of the mining perimeter;
- each boundary marker shall bear a sign or metal plate with sides measuring at least ten (10) centimetres indicating the number of the boundary marker, the name of the owner and the registration number of the permit or licence, as the case may be;
- all the boundary markers shall be numbered in a way that Boundary Marker 1 shall be at the far South- West; the other boundary markers shall be numbered clockwise beginning from Boundary Marker 1.

(2) In case it become impossible to plant a boundary marker due to soil related difficulties, the presence of water or which constitutes a risk to be compensated due to farmed land or trespassing on user rights under private land, the corner in question may be marked by planting, as near as possible, a control pole along the mining perimeter and by placing on each witness poles, a metal plate indicating the number of the boundary marker, the name of the holder, the number and name of the mining title, licence and permit as well as the direction and distance from the corner.

(3) Boundary markers shall be made of stone or concrete. The height from the ground shall be at least one (1) meter, the summit side shall measure ten (10) centimetres and that of the base shall be at least twenty-five (25) centimetres. Boundary markers shall be kept in perfect state by the holder of the mining title, licence or permit. They shall always be visible, cleared from vegetation and shall, at all times, bear the metal plate provided for in paragraph 1 above.

ARTICLE 35.- (1) The demarcation of the mining perimeter shall be carried out in the presence of a representative of the Ministry in charge of mines, a territorially competent representative of the Ministry in charge of surveys and the territorially competent traditional authority.

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(2) At the end of the marking process, a dated report signed by the sworn surveyor who carried out the land marking shall be produced. Also, the demarcation minutes shall be drafted and jointly signed by all parties present.,

ARTICLE 36.- The land marking report provided for in Article 33 above, shall be submitted in four (4) copies at the Ministry in charge of mines. It shall comprise:

- the capacity calculation matrix including the distances between summits and coordinates of each summit;
- pictures of the installed boundary markers;
- list of the equipment used;
- the data sheet of each marked point indicating the reference ellipsoid, coordinates system, location, the repeater sketch and the geographic coordinates and layouts of each point;
- the location map of the mining perimeter at the scale 1/200000 or at an appropriate scale that can better outline the mining title, licence or permit perimeter;
- the legal dispatch of the swearing-in of the surveyor;
- the signed master plan indicating the geographic North, the distance between the summits, the surface of the permit, the coordinates of the summits, the coordinates system used, the name of the location of the mining title, licence or permit, the Sub-Division, Division and Region;
- The demarcation minutes signed by all parties present.

ARTICLE 37.- The identification of the mining sites and quarries shall be done using plates that must consist of and indicate:

- information on the surface area, the name of the mining title, licence or permit where necessary, the number, date of issue of the permit or licence
- the name of the holder of the mining site

ARTICLE 38.- (1) The identification of the mining exploitation sites and industrial and semi industrial quarries shall be done using two plates situated at the North-East and North-South entries.

(2) The plate referred to in paragraph 1 above must contain information on the perimeter, duration, name, number, date of issue and expiry of the permit. It shall equally bear the name of the owner of the exploitation site.

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(3) Omission or refusal to identify mining sites and quarries shall be considered as failure to comply with administrative requirements and shall expose the defaulting holder of the title or licence to sanctions provided for in the Mining Code.

CHAPTER IV
ACCESS TO LAND AND RELATIONS BETWEEN MINERS AND NEIGHBOURING POPULATIONS

SECTION I
ACCESS TO LAND

ARTICLE 39.- The signing of the mining agreement shall confer on the operator, the land use rights by the State, following consultations with affected populations, on land necessary for the mining of mineral substances discovered, in accordance with the laws and regulations in force.

ARTICLE 40.- To benefit the granting of land for use, the operator shall submit to the Minister in charge of mines a file stating the boundaries and the destination of the parcels of land he desires to occupy, for the mining of the deposits discovered.

ARTICLE 41.- (1) Upon receipt of the application for the provision of parcels of land, the Minister in charge of mines shall forward to the minister in charge of state property a file requesting that the necessary lands, for the exploitation of the resources concerned, be declared as being subject to expropriation by the State for public purposes, under conditions provided for by the legislation in force.

(2) When the conditions shall have been met, the Minister in charge of state property shall sign an order declaring the planned works as being for public purpose and defining the level of competence of the Committee responsible for land investigations.

ARTICLE 42.- The Committee referred to in Article 41 above, shall undertake the necessary investigation. It shall have a period of three months as from the date it is contacted to produce files to be used for the preparation, as the case may be, of compensation, incorporation, expropriation or declassification decrees of lands requested by the operator, in compliance with the legislation and regulations in force.

ARTICLE 43.- (1) Upon the publishing of the decrees referred to in Article 40 above, the Minister in charge of state property shall:

- register the concerned lands on behalf of the State;
- sign the instruments authorising the conclusion of the necessary leases in accordance with the legislation in force.

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(2) The leases referred to in paragraph 1 above shall be signed between the State and the operator to finalise the allocation for use of the concerned parcels of land.

ARTICLE 44.- The procedures to access the land base for operations on a public interest quarry shall respect the same rules as those provided for in Articles 39 to 43 above, for the small scale mine and for the industrial mine.

ARTICLE 45.- (1) In case the execution of the planned project is imminent, the Minister in charge of state property, may issue to the operator, at the request of the Minister in charge of mines, upon the production of the minutes of the deliberations of the assessment and evaluation Committee, a temporary occupation licence of the solicited land for public purposes.

(2) The duration of the licence may not exceed two (2) years.

(3) The conditions for the granting of the licence provided for in paragraph 1 above shall be laid down by order of the Minister in charge of state property.

ARTICLE 46.- The charges, compensation and in general, all expenses resulting from the measures to free and allocate for use, lands of the land base, shall be borne by the operator.

ARTICLE 47.- (1) For mining activities and quarries such as the artisanal semi-mechanised mining, the mining of artisanal and industrial quarries and the mining of spring water, mineral and thermo-mineral water and geo-thermal deposits, the operator shall be issued, depending on the legal status of the land in question, either a lease or a temporary occupation licence, in accordance with the regulations in force.

(2) For activities related to reconnaissance, exploration, artisanal mining, artisanal mining of quarries and mining of domestic quarries, the operator shall be issued a temporary occupation licence in accordance with the regulations in force.

ARTICLE 48.- As compensation for the occupation of lands made available by the State through land concession or any other procedure provided for by the land law, the owners of mining and quarry permits shall be required to pay the related rights, at the level of the territorially competent state land treasury in accordance with the provisions of Section 130 of the Mining Code.

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SECTION II

COMPENSATION OF PERSONS WHO ARE VICTIMS OF EXPROPRIATION FOR PUBLIC PURPOSES AND OTHER COMPENSATIONS

ARTICLE 49.- Landowners, soil occupants, beneficiaries and usufruct right holders, who are victims of expropriation for public purposes for the mining of small scale mines, industrial mines and public interest quarry, shall be entitled to compensation for the losses incurred and infringed rights, in accordance with the legislation and regulations in force.

ARTICLE 50.- (1) Compensation shall be for material, direct and certain damage caused by the expropriation.

(2) Compensation shall, as the case may be, cover lands, plants, buildings and all other developments, regardless of their nature, duly ascertained and assessed by the land inquiry committee.

(3) The conditions for ascertainment and assessment of property shall be laid down by the land and state property law in force.

ARTICLE 51.- (1) The neighbouring population to a small mining exploitation or industrial mining exploitation shall be entitled to a compensation whose amount shall be deducted from the "ad Valorem" Tax

(2) The neighbouring population to an artisanal quarry or industrial quarry shall be entitled to a compensation on the tax for the extraction of quarry products.

(3) The conditions for the payment of the compensation referred to in paragraphs 1 and 2 above shall be laid down by regulations.

SECTION III

COMPENSATION OF DAMAGES FOR WORKS NOT DECLARED FOR PUBLIC PURPOSES

ARTICLE 52.- (1) The existence of a mining title or mining licence, may not prevent the landowner from mining the various minerals on his land, nor pose as an obstacle to the mining of the various minerals within the perimeter of the mining title or licence.

(2) The operator shall only be entitled to refunds of expenses he incurred or that were rendered useless by the execution of the various materials, for which compensation shall have been made, where necessary, for the benefits he may have from it.

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ARTICLE 53.- (1) The landowner or the member of a customary community, or the customary community, shall be entitled to compensation for the occupation of their land by the owner of the mining title, permit or licence.

(2) A mere passage on the lands mentioned above shall not give right to any compensation in case it does not result in any damage. The passage shall be done under the best environmental protection conditions.

ARTICLE 54.- (1) Occupation entails, where applicable, the right to fell the timber required for mining and to use the open waterfalls and groundwater, within the perimeter defined in the title, subject to compensation or payment of the taxes or royalties provided for by the laws and regulations in force.

(2) Surface water shall be used by the mining operators in the respect of rules of the trade. Moreover, the operator must comply with the law with regard to waters and forests regarding the cutting of the timber necessary for the mining works, the use of waterfalls that are not used but that have not been reserved and the development of these for his needs within the mining perimeter of the mining title, permit or licence.

(3) The occupation shall be subject to the payment of a compensation for land under private individual land, except with the express approval of the landowner.

ARTICLE 55.- (1) The operator shall be required to repair damages that may have occurred on the property, as well as damages caused to neighbouring constructions.

(2) In the situation referred to in paragraph 1 above, the operator shall be liable only to the compensation corresponding to the value of damage caused.

ARTICLE 56.- (1) Compensation for which the landowner may be entitled include, particularly:

- denial of the right of use or possession of the natural land surface;
- damage caused to the natural surface of the land;
- severance of the land, or any part thereof, from lands held by the land owner;
- loss or restriction of enjoyment, passage or any other right;
- loss or damages caused to improvements;
- interruption of farming activities on the land.

(2) No compensation rights may result from access to the land or be based on the mineral substance it contains.

ARTICLE 57.- (1) The compensation amount shall be determined by a written agreement between the holder of the mining title, permit or licence and the landowner.

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(2) In the event of disagreement, the parties shall resort to expert assessment to determine the amount to be paid.

(3) If the disagreement persists, the parties may resort to arbitration, failure which one of them may petition the Minister in charge of mines to determine the amount of damages to be paid.

(4) The Minister in charge of state property, after concerting with the Minister in charge of mines, shall automatically decide the amount of damages following an expert assessment it shall have ordered with costs borne by the holder of the mining title, permit or licence.

(5) The amount provided for in paragraph 4 above, shall be paid into an impound account opened by the Minister in charge of state property until the dispute is finally resolved.

ARTICLE 58.- (1) The holder of the mining permit of a small scale or industrial mine, of an artisanal semi-mechanised mining licence or of an artisanal mining licence may, for his mining needs and those of the attached industries, possess other non-mining substances whose works shall necessarily involve felling.

(2) The provisions of paragraph 1 above, notwithstanding, the holder of a mining permit, permit or licence shall be required to comply with the laws and regulations in force governing these materials.

(3) The landowner may obtain from the operator, against payment, other non-mining substances the operator has no use of, except in the case where these derive from the treatment of extracted mining substances.

CHAPTER V

MINING TITLES, PERMITS AND LICENCES REGISTERS

ARTICLE 59.- (1) Instruments related to mining titles, permits or licences shall be entered into the appropriate registers.

(2) The registers provided for in paragraph 1 above shall contain all applications for mining titles, permits and licences recorded, all subsequent granting, renewing, renunciation, withdrawal or expiry decisions and all other records considered useful and necessary by the Mining Office. The entries of the register shall be deemed reliable until otherwise proven.

ARTICLE 60.- (1) The Mining titles, permits and licences registers shall be made of paper and/or digitalised.

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(2) The registers for each of the following categories of mining title, permits and licences shall be updated and kept at the Mining Registry:

- reconnaissance permit;
- artisanal mining licence;
- semi-mechanised artisanal mining licence
- artisanal mining licence for quarry substance;
- mining waste processing licence;
- public interest quarry licence;
- industrial quarry licence;
- exploration permit;
- small-scale mining permit;
- industrial mining permit;
- spring water, mineral water or thermo-mineral water and geothermal deposits permit;
- spring water, mineral water or thermo-mineral water packaging permit.

(3) In the registers referred to in paragraph 1, the following information shall be entered for each mining title, licence or permit:

- the code in the form of a chronological number assigned by the Mining Office during the granting of the mining title, licence or permit;
- the registration number of the initial application, the date and time of submission;
- the name and company name of the applicant, holder or beneficiary;
- the targeted, explored or mined mineral substance(s);
- the indication of the granting, renewing, refusal or withdrawal of the mining title, licence or permit;
- the transcription of all changes, transfer, transmission, farm-out, extension, renunciation, civil or legal instrument concerning the mining title, licence or permit.

(4) At the end of each working day, the Mining Registrar shall highlight the last entry and shall indicate, by his/her signature, the close of entries for the day in the corresponding registers.

(5) Information recorded in the mining titles, permits and licences registers kept at the Mining Office shall be freely accessible.

CHAPTER VI

CONSOLIDATION OF MINING TITLES

ARTICLE 61.- Mining titles of the same type may be consolidated into one or several mining titles of the same type in accordance with the following cumulative conditions:

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- perimeters of the mining titles are contiguous;
- substances of the mining titles are identical and/or related;
- holders of mining titles are identical;
- the surface area of the consolidated mining title does not exceed the maximum surface area allowed for the type of mining title considered.

ARTICLE 62.- (1) The application for consolidation shall be addressed to Minister in charge of mines and submitted at the Mining Office, with copy to the National Mining Corporation, in three copies with the original stamped at the current rate.

(2) The following documents shall be attached to the application referred to in paragraph 1 above:

- a plan indicating the corners of the consolidated boundaries in latitudes and longitudes;
- a summary plan showing the boundaries of the consolidated perimeters and all other natural landmarks enabling the localisation of the perimeter;
- a work plan, or where necessary, proposals on the consolidated mining title.

(3) The applicant for the consolidation of mining titles shall also be subjected to the payment of non-refundable survey and exploration fees set by a particular instrument.

ARTICLE 63.- The validity period of a consolidated mining title shall be fixed as follows:

- the non-expired duration, if the validity periods of the existing titles at the time of the granting of the consolidated title are the same;
- the longest of the non-expired periods, if the non-expired validity period at the time of the granting of the consolidated title are not the same.

ARTICLE 64.- Once consolidated, the new mining title shall be subject to:

- the provisions of the law in force during the granting of mining titles in case both titles to be consolidated have the same validity period at the time of the consolidation;
- the provisions of the law in force at the time of the granting of the mining title with the longest validity period at the time of consolidation, in case both titles to be consolidated have divergent validity periods.

ARTICLE 65.- (1) All rights on the mining titles being consolidated shall be transferred to the consolidated mining title.

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ARTICLE 69.- Transaction of rights on mining titles may only be done between Cameroonian mining companies.

ARTICLE 70.- In addition to the documents required in Article 11 of this decree, the applicant for the approval of a transaction of rights of a mining title shall submit, to the Minister in charge of mines, an application file comprising:


- a copy of the mining title, subject of the transaction;
- an instrument signed by a notary bearing the cost of the operation;
- the articles of association or any document attesting to the identity of the company of the beneficiary and that of its shareholders or stakeholders.
- proof of the technical and financial capacities of the beneficiary;
- undertaking by the transferring party or the preferred creditor in case of the realisation of the guarantee for the execution of the development and mining programme of the deposit initially produced by the ceding party;
- undertaking by the transferring party or preferred creditor in case the realisation of the guarantee for the allocation of ten (10%) of shares or securities of the mining company free of all charges for the benefit of the State, as well as terms and conditions for the sharing of production recorded in the mining agreement, where necessary;
- undertaking by the transferring party or the preferred creditor in case the realisation of the guarantee with the respect of the execution of the provisions of the Mining Agreement in force, where necessary;
- the signature by the transferring agent of a sworn undertaking to continue developing and mining the deposit, in accordance with the provisions of the Mining Agreement and the plans approved by the Minister in charge of for mines;
- a detailed file comprising expenses committed on the permits and their justifying documents.

ARTICLE 71.- The review of the request for approval of the transfer shall entail the Ministry in charge of mines guaranteeing the satisfaction of the eligibility conditions for the transaction on the mining titles by ensuring, particularly that:

- a) the ceding party has fulfilled the obligations incumbent on him, particularly with regard to:
- the execution of mining works, in accordance with the development and mining programme of the deposit;
 - *the implementation of the environmental and social protection measures;*
 - the payment of rights, taxes and royalties owed;

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- b) the acquiring party or the preferred creditor shall show proof of technical and financial capacities required to continue mining, as provided for in this decree;
- c) the acquiring party shall undertake to continue developing and mining the deposit, in accordance with the provisions of the Mining Agreement and the plans approved by the Minister in charge of mines.

ARTICLE 72.- In case the transferring party wishes to amend the development and mining plan of the deposit, the application for transfer shall be examined under the same conditions as those for the granting of a new industrial mining or small-scale mining permit.

ARTICLE 73.- (1) In case of transfer, the procedure to change the mining title may only be done upon presentation of the receipt of payment of fixed rights and the deductions on the related capital gains, pursuant to Article 86 of the Mining Code, on the basis of a statement of amounts owed drawn up by the competent services of the State.

(2) In case of approval, the transfer, farm-out, cession or collateral shall be registered at the Mining Office.

(3) In connection with the procedure referred to in Article 72 above, the Mining Registrar shall prepare the draft transfer instrument by changing the holder of the mining title that is the subject of the transaction.

(4) The transfer instrument shall be drafted in the same way as the granting instrument.

ARTICLE 74.- The instrument rejecting the application for approval must be accompanied by a reasoned opinion.

ARTICLE 75.- Notwithstanding the provisions of Article 71 above, the transactions relating to security mechanisms such as provided for in the Mining Code, can be effected between holders of a mining title and any legal person under the Cameroonian law.

ARTICLE 76.- (1) The preferred creditor who intends to effect the guarantee on his own account, shall fulfil the same conditions for approval as those provided for in this decree.

(2) The preferred creditor who intends to effect the guarantee on the mining title that is the subject of the transaction, must ensure that the potential successful bidder meets the conditions for eligibility to obtain or renew the mining title concerned.

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SECTION II
CESSION OF MINING TITLES

ARTICLE 77.- Any mining title may be freely ceded to a third party by its holder under conditions provided for in this decree.

ARTICLE 78.- The acquiring third party, referred to in Article 77 above, must be a mining company which fulfils the conditions for the granting of mining titles such as provided for in this decree.

ARTICLE 79.- (1) The cession may cover the whole mining title and in such a case, it shall bear the characteristics and shall be considered as a regular sale.

(2) The cession may equally cover a share of the mining title.

ARTICLE 80.- In case the cession is approved, the rights and obligations attached to the permit shall be transferred to the new buyer.

ARTICLE 81.- (1) Any mining company involved in collective proceedings for the discharge of its liabilities shall be required to inform the Minister in charge of mines, who may restructure the mining project under the conditions provided for by the regulations in force.

(2) In case of the collective proceedings for the discharge of liabilities, the courts to which the matter has been referred shall first forward the file to the Ministry in charge of mines for expert requisitioning.

ARTICLE 82.- In case of the liquidation of a mining company, the relevant mining title shall be subjected to legal assignment.

ARTICLE 83.- (1) The legal assignment referred to in Article 82 above, shall be subject to the same conditions as those for granting of mining titles.

(2) The transfer of the mining title which is the subject of a legal assignment, may only occur after the payment of the value of the mining title as an element of the share of the liquidated mining company, at the behest of the creditors' trustee designated for that purpose.

(3) The transfer of the mining title shall be effected upon presentation of the legal assignment order of the title concerned, along with the public sale report issued by the creditors' trustee.

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SECTION III
CONVEYANCE OF MINING TITLES

ARTICLE 84.- Without prejudice to the provisions of Article 77 of this decree, the rights on the mining titles; in the absence of particular contrary provisions, shall be conveyed in case there is a merger or a split of one or several mining companies.

ARTICLE 85.- The merger may only be done between two or several mining companies.

ARTICLE 86.- Merger and split operations of mining companies, where necessary, shall result in the conveyance of the assets and liabilities of the absorbed mining company to the absorbing mining company. These operations shall result in the complete devolution of the mining title and ownership to the beneficiary mining companies.

ARTICLE 87.- The mining company benefiting from the conveyance must be either a mining company resulting from the merger or absorption of the mining company, holder of the mining title, or a company in the same group as the mining company, holder of the mining title, provided that the majority shareholder is the same in all cases.

ARTICLE 88.- Merger or split operations for mining companies, of which one is at least holder of a valid mining title, on the risk of being nullified, shall be subject to the prior approval of the Minister in charge of mines, under conditions provided for by this decree.

ARTICLE 89.- Merging and splitting shall result in the conveyance of the mining title to the beneficiary entity or entities under conditions provided for by this decree.

CHAPTER VIII
SEIZURE OF MINING TITLE RIGHTS

ARTICLE 90.- Any right attached to a mining title may be seized as a precautionary measure or as a seizure-sale measure, in accordance with the provisions of the regulations in force.

ARTICLE 91.- (1) The mining title shall confer both property rights which are attached to the occupation of the land and real rights over the resource covered by the mining title.

(2) The property rights referred to in paragraph 1 above shall refer to the lease rights.

(3) The real rights shall cover tangible and intangible assets and the products resulting from the resource of the mining title.

ARTICLE 92.- (1) The assets or products resulting from the resource covered by the mining title, which relate to the seizure for precautionary measures, shall be made

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available, and shall not be ceded, put up as collateral or pledge by the holder of the title, until the lifting of the precautionary measure, where necessary.

(2) The seizure for precautionary measures, of rights on a mining title, may be converted to seizure-sale of the products resulting from the resource covered by the mining title, save for the part to which the State is entitled, under conditions provided for by the legislation in force.

CHAPTER IX

TRANSFER OF SITES CONTAINING PREVIOUSLY PROVEN DEPOSITS ABANDONED BY THEIR DISCOVERERS OR WITHDRAWN

ARTICLE 93.- (1) Following the signing of the instrument to withdraw the mining title or ascertain abandonment of a mining site, the Minister in charge of mines shall have a period of forty-five (45) days to transfer the mining site concerned and assign the corresponding mining title to the National Mining Corporation.

(2) Once transferred, the National Mining Corporation shall assess or audit the cost of works and investments made under the mining project concerned.

(3) The assessment or audit report referred to in paragraph 2 above, shall be forwarded to the Minister in charge of mines.

CHAPTER X

SUSPENSION AND LOSS OF MINING TITLES PERMITS AND LICENCES

SECTION I

SUSPENSION OF MINING TITLES

ARTICLE 94.- (1) Apart from the cases of withdrawal referred to in Section 170 of the Mining Code, failure to comply with the administrative requirements incumbent on holders of mining titles, permits or licences may result in the suspension of the mining title, permit or licence for a maximum period of six (6) months.

(2) In case, at the end of the suspension period provided for in paragraph 1 above the holder of a mining title, permit or licence fails to remedy the violation which led to the suspension, the Minister in charge of mines shall order the withdrawal of the title, licence or permit, without prior formal notice.

(3) The suspension decision shall be notified the holder of the mining title, permit or licence by any means in writing.

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ARTICLE 95.- The suspension of the mining title, permit or licence shall put an end to all activities on the perimeter covered by the mining title, permit or licence, throughout the period concerned.

SECTION II
LOSS OF MINING TITLES,
PERMITS AND LICENCES

ARTICLE 96.- Mining titles, permits and licences shall be lost through renunciation, withdrawal or expiry.

ARTICLE 97.- (1) The holder of the mining title, permit or licence who wishes to renounce all or part of his rights, shall submit at the Ministry in charge of mines, an application drafted on a form provided by the Ministry in charge of mines.

(2) The application for renunciation, in addition to the duly filled and signed form, shall comprise:

- one (1) detailed submission report setting out the works already carried out and their results, and specifying the execution rate or changes in the objectives of the latest work programme;
- a memo on the technical and financial reasons behind the application;
- one (1) discharge issued by the Ministry in charge of the environment, attesting that the operator respects the environmental protection requirements with regard to the proper restoration and rehabilitation of the site.
- an attestation of non-indebtedness, where necessary.

(3) In case the renunciation covers only a part of the mining title, permit or licence, the application shall be accompanied by:

- a plan describing the outline of the perimeter retained and all the geological data collected if it is an abandoned perimeter, in electronic or physical copies, in the case of an exploration licence;
- a survey of the preserved land, conducted following the procedures laid down in this decree, for any other mining title, authorisation or permit.

(4) In the event of the renunciation provided for in paragraph 3 above, the abandoned surface areas must form a compact block with sides facing North-South and East-West and must be included in one or more cadastral units.

ARTICLE 98.- (1) In case the Ministry in charge mines receives an application for renunciation, it shall:

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- define the new surface area of the mining title, permit or licence in case of partial renunciation;
- specify possible works to be done for the environmental preservation of the abandoned surface area;
- establish the statement of rights, royalties and possible taxes required for the part of the year that has run out until the date of the recording of the renunciation application at the Ministry in charge of mines.

(2) The data provided for in paragraph 1 above shall be notified the holder of the mining title, permit or licence while calling on him to respect his obligations, where necessary, within a period of thirty (30) days, before the acceptance of the renunciation.

ARTICLE 99.- (1) Within a period of fifteen (15) days following the registration of the renunciation file at the Mining Registry, the Mining office shall ensure its compliance and forward the file through hierarchy, to the Minister in charge of mines, along with a draft instrument to ascertain to the renunciation.

(2) In the event the Minister approves, the Mining Office shall:

- enter the renunciation into the Mining Titles Register;
- issue a receipt of the registration of the renunciation to the renouncer;
- notify the renouncer of the registered instrument;
- have the renunciation notice published in the Official Gazette in English and in French and in a journal of legal notices in case the granting instrument was published;
- post a copy of the renunciation notice during a period of thirty (30) days at the Mining Office.

ARTICLE 100.- (1) The renouncer shall be required to pay the duties, royalties and taxes owed the State and execute the environmental protection works.

(2) In case of partial renunciation, its acceptance and its registration at the Mining Office shall only be done after the payment of duties, royalties and taxes owed the State and verification on the field of the execution of environmental protection works.

(3) In case of total renunciation, the Minister in charge of mines shall issue a release of the security, if the holder of the mining title has fulfilled his obligations as provided for in paragraph 1 above.

(4) If the applicant for total renunciation has not fulfilled his obligations as provided for in paragraph 1 above, the Minister in charge of mines shall issue a

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release of the security, if necessary, for the holder of the mining title, with deductions made on amounts due, where applicable, particularly of all duties, taxes, royalties, compensations, penalties, rents or any other required amounts as at the date of the renunciation, all the expenses engaged by the Ministry in charge of mines or any other administrative body, on behalf of the holder, to fulfil his obligations.

ARTICLE 101.- (1) Any mining title, licence or permits may be withdrawn by the competent authority in the cases provided for in Sections 170 and 172 of the Mining Code.

(2) In the event of one or all of the violations referred to in paragraph 1 above, a formal notice to remedy this violation within a period not exceeding sixty (60) days, as from the date of notification of the formal notice, shall be served the holder of the mining title, permit or licence.

(3) If by the end of the deadline provided for in paragraph 2 above the formal notice is not heeded, the authority shall establish the failure to comply with obligations and shall proceed to withdraw the mining title, permit or licence in question, in accordance with the provisions of Section 168 of the Mining Code.

ARTICLE 102.- (1) In case of the withdrawal of the mining title, permit or licence, the Registrar shall record the withdrawal in the appropriate register and shall publish the withdrawal instrument:

- in the Official Gazette and in the Journal of legal notices in English and in French;
- by posting on the notice board provided for the purpose at the Mining Office for thirty (30) calendar days with the former holder notified as soon as possible.

(2) The Minister in charge of mines shall issue a release of the security where necessary, for the former holder of the mining title, permit or licence, with deductions made on the amounts due, where necessary, particularly for:

- all duties, taxes, royalties, compensations, penalties, rents or all other required sums of money as at the date of the withdrawal;
- all expenses committed by the Minister in charge of mines on behalf of the holder, to fulfil his obligations.

(3) In the event the mining title in the mining agreement is definitively withdrawn, the related agreement shall become null and void.

ARTICLE 103.- (1) The holder of a mining title, permit or licence that has been withdrawn may submit a new application for a mining title, permit or licence only after a period of two (2) years as from the date of notification of the withdrawal instrument.

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(2) He may partially directly or indirectly acquire rights on the same mining perimeters only after a period of three (3) years following the date of notification of the instrument withdrawing the mining title, permit or licence.

SECTION III **EXPIRY OF THE VALIDITY PERIOD**

ARTICLE 104.- (1) The expiry of the validity period shall result in the loss of rights conferred by the mining title, permit or licence as of the date of expiry.

(2) Notwithstanding the provisions of paragraph 1 above, the holder of the mining title, permit or licence that has become null and void, shall still be held responsible for all ensuing commitments and payment of all duties, taxes, royalties, compensations, penalties, rents or any other required sums of money as at the date of expiry; as well as all responsibility for the rehabilitation of the operations site and all responsibilities for the damages caused by his operations or by violations to the obligations of taking adequate prevention and protection measures.

(3) The mining titles, permits or licences that may not be conveyed shall expire as a result of:

- death of the holder, for a natural person;
- dissolution, absorption, or liquidation of the holder, for a legal person.

CHAPTER XI **ACCESS TO GEOLOGICAL AND MINING INFORMATION**

ARTICLE 105.- (1) Without prejudice to prerogatives recognised on the National Mining Corporation on the matter, geological and mining information preserved at the Ministry in charge of mines shall consist of all data relating to the national subsoil, its potential, mineral resources as well as geo-hazards.

(2) The geological and mining information referred to in paragraph 1 above shall be entered into the physical and/or electronic documents incorporated into the database with or without spatial references, accessible to an applicant via a library, map library, litholibrary depending on technological developments, via media library or via the Internet.

(3) The accessible geological and mining information referred to above shall not concern the data of holders of valid permits and licences.

ARTICLE 106.- The geological and mining information archived at the library/media library shall constitute physical and/or digital document sources comprising particularly:

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- prospecting and reconnaissance study reports;
- geological and mining surveys;
- the activity reports of holders of exploration and mining permits save for valid ones;
- administrative surveillance and technical control reports of the activities of the mining sector save for valid permits and licences;
- any geoscientific studies;
- monographs and specialised works;
- Serials; scientific journals and specialised magazines;
- catalogue of mining indices
- dictionaries, encyclopaedias, courseware, directories, etc;
- airborne (magnetism, radiometry) geophysical data available in unprocessed form (grids and/or flight lines) or obtainable in the form of deliverables (magnetic and radiometric maps and their interpretations), save for valid permits and licences
- geological and mining system of information (SIGM);
- literary digital documentary resources;
- audiovisual data;
- digital litholibrary data;
- any other iconographic data.

ARTICLE 107.- Geological and mining information archived at the map library shall particularly consists of:

- geological, geophysical, geochemical, photo-geological and mining maps as well as their derived products;
- geo-hazard maps.

ARTICLE 108.- Geological and mining information archived at the litholibrary shall particularly consists of:

- witness samples of non-radioactive rocks and minerals;
- the drill core resulting from exploration perimeters and mining sites.

ARTICLE 109.- (1) The provision of geological and mining information to the categories of applicants covered by the Mining Code shall be free or payable, as the case may be.

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(2) A joint order of the Ministers in charge of mines and finance shall specify the terms and conditions to access geological and mining information as well as the amounts and procedures for the payment and collection of the relevant fees.

ARTICLE 110.- The following shall be open to consultation by the public:

- the Mining Titles Register and the mining site maps, found at the Mining Office and possibly on the Internet;
- the registers of applications for and granting of artisanal mining licences, access licences to old quarries, found at the competent Regional Delegations;
- the registers of applications for and granting of artisanal quarry licences, found at the territorially competent Divisional Delegations;
- the registers of applications for and granting of collector's card found at the offices of the National Mining Corporation;
- the registers of the applications for and granting of individual artisanal mining cards and artisanal mining licences found at the territorially competent Council offices.

CHAPTER XII

MISCELLANEOUS AND FINAL PROVISIONS

ARTICLE 111.- (1) The provisions of Articles 7 to 14 of this decree shall not apply to applications for mining titles, permits and licences solicited by the National Mining Corporation.

(2) Notwithstanding the provisions of paragraph 1 above, the examination of the mining titles, permits and licences solicited by the National Mining Corporation shall be done in accordance with the provisions of this decree.

ARTICLE 112.- The rules governing the exclusion of mineral substance from mining or exploration activities shall be laid down by a separate instrument.

ARTICLE 113.- A legal person, holder of a mining title, licence or permit shall inform the Minister in charge mines of any amendments to its by-laws, its social capital or persons covered by Article 12 of this decree, within a period of not more than thirty (30) days. In addition, it shall forward an annual report of its activities, along with the balance sheet, the income statement and statistics and tax declaration, to the Minister in charge of mines with original copies forwarded to the Minister in charge of finance.

ARTICLE 114.- All previous contrary provisions, particularly those of Decree No. 2002/648/PM of 26 March 2002 to specify the terms and conditions for the application

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of Law No. 2001/001 of 16 April 2001 and its subsequent amendments, are hereby repealed.

ARTICLE 115.- This decree shall be registered, published according to the procedure of urgency, and inserted in the Official Gazette in English and in French. /-

Yaounde, 19 NOV 2024

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MP
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THE PRIME MINISTER,
HEAD OF GOVERNMENT,



[Signature]
JOSEPH DION NGUTE