

DECREE No. 2024 / 05062 /PM OF 19 NOV 2024
to lay down the terms and conditions for conducting mining operations.-

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 No. 96/12 of 5 August 1996 on the framework law relating to environmental management;
Mindful of Law No. 98/015 of 14 July 1998 to regulate establishments classified as dangerous, unhealthy, and inconvenient
Mindful of Ordinance No. 74/1 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.2007/004 of 13 July 2007 to regulate handicraft in Cameroon;
Mindful of Law No. 2018/012 of 11 July 2018 relating to the 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 enforcements;
Mindful of Law No. 2019/024 of 24 December 2019 to institute the General Code of Regional and Local Authorities;
Mindful of Law No.2023/014 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-a of 4 August 1995;
Mindful of Decree No. 2011/408 of 9 December 2011 to organize the Government, as amended and supplemented by Decree No.2018/190 of 8 March 2018;
Mindful of Decree No. 2012/432 of 1 October 2012 to organize 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:

SERVICES DU PREMIER MINISTRE
SECRÉTARIAT GÉNÉRAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUÊTES

COPIE CERTIFIÉE CONFORME

CHAPTER I GENERAL PROVISIONS

ARTICLE 1.- (1) This decree lays down the terms and conditions for mining operations.

(2) It shall specify the terms and conditions for conducting artisanal, semi-mechanized artisanal and industrial mining operations.

ARTICLE 2. - For the purposes of this decree, the following definitions shall apply:

Address: Complete contact details, including 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 communications 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 issued within the assigned perimeter, whose following categories are provided for in the Mining Code:

- artisanal mining licences, semi-mechanized artisanal mining licences, and mining waste processing licence, which are mining title;
- artisanal mining licences for quarry substances and mining licences for public interest quarry licence.

National mining sector: All the potential or proven mineral resources contained in the soil, subsoil, territorial waters and continental plateau on Cameroonian territory.

Artisanal Company: Any craft business employing less than ten (10) employees and making a minimum investment of one million (1 000 000) CFA francs.

Deposit: Any natural deposit of mineral substances workable under the current economic conditions.

Safety perimeter: Distance of five hundred (500) meters around a mining site representing a prohibited zone.

Licence: Administrative instrument that confers on its holder or beneficiary the exclusive right to carry out works or activities for which it is issued within the assigned perimeter for which the four categories of licences have been provided for by the Mining Code.

Prospecting: Search for mineral deposits by observation, study of information and analysis of samples taken manually from the earth's surface or from a depth not exceeding two meters, or from watercourses.

Transit: Physical passage on the Cameroonian territory with or without transshipment or change of transport means when such a passage represents only a segment of the journey which began and will end outside the border of the Republic of Cameroon.

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

COPIE CERTIFIEE CONFORME

CHAPTER II
ARTISANAL MINING OPERATIONS

SECTION I
INDIVIDUAL ARTISANAL MINER'S CARD
AND ARTISANAL MINING LICENCE

ARTICLE 3.- The conduct of artisanal mining activities shall be subject to obtaining an individual artisanal mining card and an artisanal mining licence.

PART I
INDIVIDUAL ARTISANAL MINER'S CARD

ARTICLE 4. - The application for an individual artisanal miner's card shall be submitted to the Mayor and deposited at the Council where the mining activity is taking place, in three (3) copies, with the original stamped at the current rate. A receipt shall be issued to the applicant upon submission.

ARTICLE 5.- (1) The application referred to in Article 4 above shall be made on a form provided by the relevant Council, indicating:

- the applicant's name and address;
- the Council and Division where the applicant intends to operate;
- the targeted mineral substances.

(2) The application shall be accompanied by the following documents:

- a certified true copy of the National Identity Card;
- the receipt showing proof of payment of fixed fees as stipulated in Article 128 of the Mining Code;
- two (2) 4x4 photos of the applicant.

ARTICLE 6.- (1) The individual artisanal miner's card shall be issued by the Mayor of the locality where the mining activity is taking place, for a two-year period, and shall be renewable for the same period.

(2) The artisanal miner's card shall be collected by the applicant upon presentation of the receipt of payment of the corresponding fixed fees at the council treasury concerned.

(3) The provisions regarding the application for the individual artisanal miner's card shall apply to the application for its renewal.
However, only documents that have changed from the initial application, along with the activity report from the previous period, need to be submitted for the renewal.

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

COPIE CERTIFIEE CONFORME

ARTICLE 7.- The Mayor shall keep a register of mining sector artisanal miners operating in the Council. A copy of the register shall be sent quarterly to the relevant Divisional Delegation in charge of Mines and to the National Mining Corporation.

ARTICLE 8.- (1) The holder of an individual artisanal miner's card shall not grant, assign, or transfer any right related to this card, nor shall anyone be associated as a co-holder.

(2) Possession of an individual artisanal miner's card shall not grant the holder exclusive rights to the mineral substances in the Council concerned.

(3) The individual artisanal miner's card shall only be valid for the Council where it was issued.

PART II ARTISANAL MINING LICENCE

ARTICLE 9.- (1) Application for an artisanal mining licence shall be submitted in accordance with the regulations in force to the competent municipal authority.

(2) In addition to the required documents, the following shall be submitted:

- a 1/2000 scale map showing the boundaries of perimeters and planimetric coordinates of heights;
- the indicated mineral to be extracted, description of excavation methods, and technology used for ore processing;
- a written commitment to comply with preventive environmental protection measures, safety and hygiene regulations, and other administrative requirements.

ARTICLE 10.- (1) The artisanal mining licence shall be issued by the Mayor of the concerned Council, after obtaining the approval of the relevant Divisional Delegate in charge of mines.

(2) A copy of the artisanal mining licence shall be forwarded to the Minister in charge of mines by the relevant Divisional Delegate of the Ministry of mines.

ARTICLE 11.- (1) The artisanal mining licence shall be valid for two (2) years from the date of notification to the applicant.

(2) The licence shall cover a quadrilateral perimeter, with sides not exceeding one hundred (100) meters in length, within a cadastral unit.

(3) The maximum depth for artisanal mining shall be ten (10) meters, and the surface area shall not exceed one hectare.

(4) The decision granting the artisanal mining licence shall specify particularly:

- the beneficiary of the artisanal mining licence;
- the surface area of the artisanal mining perimeter;
- the conditions under which extraction and product concentration will take place;

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

COPIE CERTIFIEE CONFORME

- the obligations of the licence holder regarding environmental preservation.

ARTICLE 12.- The use of explosives or chemical substances for ore treatment by the holder of the artisanal mining licence shall be prohibited.

ARTICLE 13.- Failure to comply with environmental or mining site restoration standards will result in the withdrawal of the artisanal mining licence, without prejudice to penalties provided for by the mining code and environmental legislation.

ARTICLE 14.- The holder of the artisanal mining licence shall be responsible for any damages or disturbances to property use and enjoyment rights caused within the perimeter of the licence.

ARTICLE 15.- The holder of the artisanal mining licence shall submit a semi-annual report to the Mayor and copy the relevant Divisional Delegate in charge of mines, detailing activities, including mineral production in tons, kilograms, or carats, market value, and number of persons employed. A copy of the report shall be forwarded to the National Mining Corporation by the licence holder.

ARTICLE 16.- (1) In the event of the accidental discovery of a more significant ore deposit than originally anticipated, the holder of an artisanal mining licence not operating within a research permit area must notify the Minister in charge of mines, who will decide on the possibility of mining at a larger scale.

(2) The artisanal mining licence holder must meet the following conditions:

- change the legal regime of their status;
- provide proof of a strategic partner with proven technical and financial capabilities;
- submit a report and/or study characterizing the resource.

(3) Upon submission of the report/study, the Minister may either:

- grant an artisanal semi-mechanized mining licence;
- or, invite the applicant to submit a research permit application under the conditions provided for by the law, if applicable.

ARTICLE 17.- In the event that the application is rejected, the Ministry in charge of mines shall notify the applicant, and the requested perimeter shall be reverted to the national mining sector.

ARTICLE 18.- Failure to declare as per Article 15 will result in sanctions for the offender as stipulated by the legislation in force.

SECTION II

GRANTING OF ARTISANAL MINING LICENCE WITHIN AN EXPLORATION PERMIT

ARTICLE 19.- An artisanal mining licence may only be granted within the perimeter of a valid exploration permit upon favourable recommendation from the Ministry in charge of mines. The exploration permit holder shall be informed at the behest of the Ministry in charge of mines.

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

COPIE CERTIFIEE CONFORME

ARTICLE 20.- The holder of an exploration licence, who observes unauthorized artisanal or semi-mechanized artisanal mining activities within their perimeter, must report them to the Minister in charge of mines and the Mayor of the relevant Council.

ARTICLE 21.- The holder of an artisanal mining licence granted within the perimeter of an exploration permit must carry out their activities in compliance with the prevailing environmental and social standards. The site must be restored progressively as the mining activity is going on.

ARTICLE 22.- Shareholders and partners of companies that are exploration permit holders, shall be prohibited from directly or indirectly obtaining artisanal mining permits within the perimeter of the exploration licences for which they are holders.

ARTICLE 23.- The issuance of a mining permit shall automatically terminate all on going or current artisanal mining licences on the concerned site.

SECTION III
COLLECTOR'S CARD
FOR PRECIOUS AND SEMI-PRECIOUS MINERALS

ARTICLE 24.- The collection of precious and semi-precious substances shall be subject to obtaining a collector's card, issued by the National Mining Corporation.

ARTICLE 25.- The holder of a collector's card shall be authorized to collect minerals from artisans on behalf of the National Mining Corporation.

ARTICLE 26.- (1) The application for a collector's card must be submitted in triplicate using a form provided by the National Mining Corporation.

(2) The form shall indicate the applicant's name(s), first name(s), address, and the type(s) of substance(s) involved. The following documents must be attached:

- a certified copy of the national ID card;
- a 4x4 passport-size photo
- the type of substance(s) concerned;
- the unique identification number;
- the receipt of payment for the fixed fees as required by law, done at the relevant municipal treasury where the activity will be carried out.

ARTICLE 27. -(1) The application for a collector's card shall be submitted against a receipt at the relevant territorial offices of the National Mining Corporation.

(2) The National Mining Corporation shall have 30 days from the date of receipt to make its decision.

(3) After this 30-day period referred to in paragraph (2) above, if no response is received, the application shall be considered rejected.

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

COPIE CERTIFIEE CONFORME

ARTICLE 28.- The collector's card shall include the following details:

- the collector's name, address, and date of birth;
- one (1) 4x4 photograph;
- the dates of issuance and expiration of the card;
- the substance(s) to be collected;
- the name, quality and signature of the issuing Authority.

ARTICLE 29.- (1) The collector's card shall be valid for two years, renewable. The validity period shall start from the date of signature. The collector's card must be notified to the beneficiary within the deadlines provided for by the regulations in force.

(2) The application for renewal of a precious and semi-precious substances collector's card must be received by the National Mining Corporation three (3) months before it expires, in accordance with the procedure observed for its issue.

ARTICLE 30.- The National Mining Corporation shall keep an updated registry listing all registered collectors of mineral substances.

SECTION IV **MONITORING AND CONTROL OF ARTISANAL** **MINING ACTIVITIES**

ARTICLE 31.- (1) The management of artisanal mining activities shall fall under the responsibility of councils. They shall be responsible for the entire process of monitoring and controlling artisanal mining activities in strict compliance with the legislation in force, together with the other relevant authorities and bodies.

(2) Notwithstanding the provisions of paragraph (1) above, the Ministry in charge of mines may, where applicable, conduct surprise inspections as part of artisanal mining activities.

ARTICLE 32.- As part of the management of artisanal mining activities, councils shall submit a semi-annual activity report to the Minister in charge of mines. A copy of this report shall be forwarded to the National Mining Corporation at the behest of the council concerned.

SECTION V **SEMI-MECHANIZED ARTISANAL MINING LICENCES FOR** **MINERAL SUBSTANCES**

ARTICLE 33.- (1) The semi-mechanized artisanal mining licence for mineral substances shall be issued by order of the Minister in charge of mines to legal entities under Cameroonian law.

(2) The issuance of this licence mentioned in paragraph 1 above shall be subject to presentation of a payment receipt of the required fees.

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

COPIE CERTIFIEE CONFORME

(3) Semi-mechanized artisanal mining shall involve a maximum of three (3) excavators or mechanical shovels, one loader, and equipment for washing mineralized gravel or for concentration.

(4) A legal entity may be issued only a maximum of 4 (four) semi-mechanized artisanal mining licences.

ARTICLE 34.- (1) The semi-mechanized artisanal mining licence shall cover a perimeter made up of contiguous cadastral units delineated by the North-South and East-West facing sides.

(2) The area for which the semi-mechanized artisanal mining licence is issued shall not exceed twenty-one (21) hectares, equivalent to one cadastral unit.

(3) The maximum depth for semi-mechanized artisanal mining of mineral substances shall be thirty (30) meters.

ARTICLE 35.- (1) The request for a semi-mechanized artisanal mining licence shall be addressed to the Minister in charge of mines.

(2) The request shall include, in addition to the required documents, the following:

- an extract from a topographical map on a scale of 1:50,000 showing the location of the requested perimeter in relation to the nearest dwellings, buildings, communication routes, springs, waterworks, engineering structures or remarkable points, and reproducing its boundaries in geographical and planimetric coordinates;
- an overall plan on a scale of 1:2000 showing the requested extraction area and the precise location of ancillary installations;
- the name or designation of the mineral(s) to be mined;
- a description of excavation methods and technology to be used;
- the environmental and social certificate of compliance derived from a summary environmental and social impact assessment approved by the competent authority;
- a site restoration, rehabilitation, and closure plan;
- a hygiene, safety, health and environmental plan;
- the proposed mining and enrichment plan, along with the equipment and infrastructure to be used;
- the signed agreement between the operator, the Village Head of the project location, the Mayor, the relevant Divisional Delegate in charge of mines with territorial jurisdiction and the development committee, where applicable;
- a receipt of the site restoration deposit fixed at three million (3,000,000) CFA francs per hectare, refundable upon site restoration, deposited at a first-class bank in Cameroon;
- a brief study of the requested perimeter approved by the Ministry in charge of mines, detailing the area, quantities, and thickness of the minerals to be exploited;
- proof of ownership of fifty-one percent (51%) of the shares by nationals.

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

COPIE CERTIFIEE CONFORME

(3) The request for semi-mechanized artisanal mining licence of mineral substances shall be processed in accordance with the procedures provided for by the regulations in force.

ARTICLE 36.- (1) No semi-mechanized artisanal mining licence of mineral substances shall be issued within the perimeter of a valid exploration or mining permit.

(2) Any licence holder who allows or expressly participates in semi-mechanized artisanal mining activities within the perimeter of his exploration permit shall be liable to the penalties provided for by the legislation in force.

(3) The holder of an exploration licence shall be required to report to the Ministry in charge of mines any case of semi-mechanized artisanal mining within the perimeter of its exploration licence.

(4) Upon receipt of the report from the holder of the exploration permit referred to in paragraph 3 above, the Ministry in charge of mines shall have a period of fifteen (15) days to take all appropriate measures to stop artisanal semi-mechanized mining within the perimeter of the exploration permit.

ARTICLE 37.- (1) The semi-mechanized artisanal mining licence of mineral substances shall be valid for two (2) years from the date of signature. The beneficiary shall be notified of the decision within the timeframe provided for by the regulations in force. It shall be renewable for the same period.

(2) The decision granting the semi-mechanized artisanal mining licence shall specify:

- the beneficiary;
- the area of the mining perimeter;
- the mineral substance involved;
- the conditions under which extraction and product concentration will take place;
- the obligations of the licence holder regarding environmental preservation.

(3) The application for renewal of the semi-mechanized artisanal mining licence of mineral substances shall be submitted in accordance with applicable regulations.

ARTICLE 38.- (1) The holder of the semi-mechanized artisanal mining licence of mineral substances shall be liable for any damages or disturbances to property use and enjoyment rights within the perimeter.

(2) The holder of the semi-mechanized artisanal mining licence of mineral substances shall submit a detailed annual report on its activities during the previous year to the Regional Delegate of the Ministry in charge of mines with territorial jurisdiction, for transmission to the Minister in charge of mines and to the National Mining Corporation, before 31 March of each year following the date on which the authorization was granted.

(3) The report provided for in paragraph 2 above shall be presented on a form drawn up by the Ministry in charge of mines, specifying in particular:

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

9

COPIE CERTIFIEE CONFORME

- the area effectively exploited;
- the production of minerals in tons, kilograms, grams, or carats;
- the market value of the production;
- the number of people employed;
- measures taken to ensure safety, hygiene, and environmental protection, as well as site rehabilitation.

SECTION VI:

TRANSFER FROM SEMI-MECHANIZED ARTISANAL MINING TO SMALL-SCALE MINING

ARTICLE 39.- (1) In the event of discovering a larger deposit for which semi-mechanized artisanal mining licence has been issued, the holder of such licence shall notify the Minister in charge of mines, who will decide on the possibility of mining on a larger scale.

(2) In order to transfer from semi-mechanized artisanal mining to small-scale mining, the holder of the semi-mechanized artisanal mining licence shall meet the following conditions:

- provide evidence of proven technical and financial capacity;
- submit a technical report estimating the mineral reserve;
- present a draft mining agreement;
- provide a feasibility study.

(3) After submitting the feasibility study, the Minister in charge of mines may invite the applicant to submit a complete file for a small-scale mining permit.

(4) In case the application is rejected, the Ministry in charge of mines shall notify the applicant, who may continue semi-mechanized artisanal mining or request for an exploration permit under the conditions provided for by this decree.

(5) Failure to declare as stipulated in paragraph (1) above will expose the offender to penalties as provided for by the legislation in force.

ARTICLE 40.- The transfer from semi-mechanized artisanal mining to small-scale mining shall require the holder of the said licence to comply with the conditions attached to the required mining title.

CHAPTER III **INDUSTRIAL MINING OPERATIONS**

ARTICLE 41.- (1) Reconnaissance activities may be carried out by the State or on its behalf by the National Mining Corporation to improve geological or scientific knowledge. These activities shall take place across the national territory, except in prohibited or protected zones as defined by the Mining Code.

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

10

COPIE CERTIFIEE CONFORME

(2) reconnaissance activities conducted by the State shall not require obtaining a mining title. They shall include:

- geological and mining mapping campaigns;
- airborne and ground geophysical surveys;
- mineral inventories;
- any other relevant geological and mining study.

SECTION I **RECONNAISSANCE PERMIT**

ARTICLE 42.- Reconnaissance permit shall cover an area delimited by sides-oriented North-South and East-West and made up of contiguous cadastral units. It shall be issued for all mineral substances within the said perimeter.

ARTICLE 43.- (1) Applications for the issuance or renewal of a reconnaissance permit shall be written and submitted in accordance with the regulations in force.

(2) In addition to the information required by the regulations in force, the reconnaissance permit application must include:

- an extract of the topographic map at a 1:200,000 scale or an appropriate scale highlighting the perimeter of the requested permit and showing its boundaries;
- a note indicating the objective of the intended reconnaissance, its scientific or economic nature, its geographic location, and its probable duration;
- a commitment by the applicant to communicate the reconnaissance findings to the Ministry in charge of mines;
- a note detailing the planned work program for the validity period of the permit.

(3) The file mentioned in paragraph 1 above shall be processed, and the related permit shall be issued and notified in accordance with the regulations in force.

(4) The annual reconnaissance budget presented by the applicant shall not be less than fifty thousand (50,000) CFA francs per square kilometre. It shall include all expenses directly related to mining fieldwork and other sample analysis costs.

ARTICLE 44.- (1) The reconnaissance permit shall be issued by an order of the Minister in charge of mines. It shall be valid for a period of one (1) year from the date of issuance. It may be renewed for identical periods of one (1) year.

(2) The permit shall specify:

- the substances concerned;
- the boundaries of the permit's perimeter;
- the area of the permit;
- the validity period of the permit;
- the conditions to which reconnaissance work is subject.

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES
mg
COPIE CERTIFIEE CONFORME

(3) The instrument of issuance of the reconnaissance permit shall not confer exclusive rights.

(4) The Minister in charge of mines shall have five (5) days to notify the reconnaissance permit.

(5) The permit's issuance shall be subject to presenting a payment receipt of required fixed fees.

ARTICLE 45.- The renewal of the reconnaissance permit shall be subject to the submission of a report on the work completed during the elapsed period. Only documents modified after the initial application, along with the payment receipt of required fixed fees, shall be attached to the renewal application.

ARTICLE 46.- If the reconnaissance permit holder wishes to reduce the area of their permit, they must attach to the documents listed in Article 43 above, the definition of the new boundaries of the licence perimeter, along with an extract of the topographic map at a 1,200,000-scale showing the new perimeter and reproducing its boundaries.

ARTICLE 47.- During the first validity period or any subsequent renewal periods, the reconnaissance permit holder shall submit every six (6) months a report to the Minister in charge of mines detailing the work completed, expenses incurred, and any geological resources, indications, or other useful mineral concentrations discovered.

ARTICLE 48.- (1) Before the end of the first quarter of the year following the expiration of the reconnaissance permit, the holder shall submit a report summarizing all activities carried out during the previous year.

(2) The aforementioned annual report shall include the following information:

a) General information about the permit holder:

- a brief reminder of the company's constitutive elements and any changes during the year related to capital, corporate bodies;
- a detailed organizational chart of the company;

b) Summary of previous activities:

- a brief summary of activities during the past year, and previous years in case of renewal;
- a systematic recap of key information and results obtained;

c) Personnel situation:

- a list of personnel;
- workdays completed;
- personnel remuneration;
- a summary of workplace accidents during the past year;
- personnel training and technology transfer;
- the registration status of personnel with the National Social Insurance Fund;

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

COPIE CERTIFIEE CONFORME

d) Equipment: A descriptive list of all equipment used;

e) Accounting: A statement of expenses incurred during the past period, as well as the statistical and fiscal declaration.

SECTION II **RESEARCH PERMIT**

PARAGRAPH I **ISSUANCE AND RENEWAL OF EXPLORATION PERMIT**

ARTICLE 49.- (1) Application for exploration permit shall be submitted in accordance with the regulations in force.

(2) In addition to the documents required by the regulations in force, the exploration permit application shall include:

- an extract of the topographic map at a 1:200,000 scale of the requested permit area, specifying the heights and boundaries of the requested perimeter;
- a report on previous work on the requested perimeter, if applicable;
- a written commitment to carry out the proposed work program;
- a timeline for the completion of the work, an evaluation of the costs, and a financing proposal;
- the delimitation and area of the requested zone;
- the administrative units concerned;
- a deposit guarantee certificate.

(3) For renewal, the applicant shall provide, in addition to the above-mentioned documents:

- the payment receipt of the annual surface fee for the elapsed period;
- the most recent annual report with justifications of expenses incurred in the course of the exploration;
- the level of fulfilment of obligations in the exploration contract;
- the deposit guarantee certificate based on the new work program.

ARTICLE 50.- The application for the issuance or renewal of an exploration permit shall be reviewed by an Interministerial Commission under the Minister in charge of mines.

ARTICLE 51.- (1) The issuance of the exploration permit shall be subject to the signing of a mining exploration contract between the Minister in charge of mines and the mining company, in accordance with the provisions of Article 32, paragraph 2 of the Mining Code.

(2) In addition to the elements listed in Article 32, paragraph 5 of the Mining Code, other elements may be negotiated between the parties in accordance with current legislation and regulations.

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

13

COPIE CERTIFIEE CONFORME

(3) The draft exploration contract, attached to the exploration permit application, shall be drafted and negotiated by the Commission referred to in Article 48 above.

(4) The mining exploration contract shall take effect upon the issuance of the exploration permit.

ARTICLE 52.- The exploration permit shall cover an area delimited by sides-oriented North-South and East-West and made up of contiguous cadastral units.

(2) The area for which the exploration permit is issued shall not exceed five hundred square kilometres (500 km²) or the equivalent in cadastral units.

(3) The exploration permit shall be issued or renewed by an order of the Minister in charge of mines.

ARTICLE 53.- The instrument granting the exploration permit, along with the approved work program, shall specify:

- the name and number of the exploration permit;
- the substance for which the exploration permit is issued;
- the definition of the permit perimeter boundaries;
- the surface area;
- the validity period;
- the conditions under which the exploration must be conducted, including the work program and the scheduled amount of expenditures during the permit's validity period.

ARTICLE 54.- (1) The minimum expenditures to be made each year shall be those indicated in the approved work program for the reference year. They shall not be less than six hundred thousand CFA francs per square kilometre per year (600,000/Km²/year) during the validity period of the research permit.

(2) The expenditures considered for fieldwork shall include:

- expenses incurred in Cameroon for the execution of exploration works;
- expenses related to tests, analyses, and studies;
- salaries and various fees for personnel engaged in fieldwork, in proportion to the time spent;
- depreciation of equipment belonging to the permit holder, effectively used for research work;
- fixed fees, taxes, surface fees, study fees, and various taxes.

(3) The minimum expenditures shall be adjusted in relation to the number of cadastral units covered by the permit.

ARTICLE 55.- (1) The exploration permit shall be issued for an initial maximum period of three (3) years. It may be renewed up to three (3) times, each for a period not exceeding two (2) years.

SERVICES DU PREMIER MINISTRE
SECRÉTARIAT GÉNÉRAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUÊTES

14

COPIE CERTIFIÉE CONFORME

(2) The holder of an exploration permit may, upon renewal, request a reduction of the permit area. The remaining area will revert to its original status.

(3) The holder of an exploration permit shall not, upon renewal, request for an extension of the permit beyond its initial perimeter.

PARAGRAPH II CHANGE OF EXPLORATION PROGRAMME

ARTICLE 56.- The holder of an exploration permit may request for a change in the exploration work programme in any of the following cases:

- force majeure preventing the holder from carrying out the approved programme;
- the holder's desire to carry out exploration activities in a manner different from the initially proposed method.

ARTICLE 57.- The request for a change in the work programme shall be addressed to the Minister in charge of mines and include the new activity programme along with the related expenses.

ARTICLE 58.- The holder of an exploration permit who locates a deposit and demonstrates to the Ministry of Mines, with a pre-feasibility study, that they cannot exploit it within the prescribed timeframe, may, after receiving a mandatory opinion from the Commission attached to the National Mining Corporation, obtain an exceptional extension of the permit validity for an additional period not exceeding two (2) years, and it shall be non-renewable.

ARTICLE 59.- The holder of the exploration permit shall submit, every six (6) months, a technical and a financial report to the Minister in charge of mines, with a copy to the National Mining Corporation, following a model established by the Minister of Mines.

ARTICLE 60.- (1) The financial report shall include proof of expenses related to the exploration work conducted.

(2) Unjustified expenses shall not be accounted for in the cost of the exploration work.

(3) The expenses incurred shall be approved at the end of each permit validity year by the Minister in charge of mines.

ARTICLE 61.- (1) Any applicant requesting for an exploration permit shall be required to provide a deposit based on the project's size, guaranteeing the fulfilment of their obligations.

(2) The applicant must provide a bank guarantee equivalent to twenty-five percent (25%) of the work cost for each period of validity.

ARTICLE 62.- (1) At the end of the exploration permit's validity period, an evaluation of the execution of the permit holder's work shall be carried out jointly by the Ministries in charge of mines, finance, and the National Mining Corporation within the framework of the Commission for Monitoring the Implementation of exploration Work.

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

COPIE CERTIFIEE CONFORME

(2) In case the permit holder fulfils all obligations, the full release of the deposit shall be issued by the Minister in charge mines.

(3) If the permit holder has not fulfilled all obligations, a partial release of the deposit shall be issued by the Minister in charge of mines, proportional to the shortcomings identified during the evaluation mentioned in paragraph 1 above.

(4) In case of non-compliance with the permit holder's obligations, the Minister in charge of mines shall proceed to seize the deposit.

(5) The seized deposit shall be paid to the Mining Sector Development Fund

SECTION III **MINING AGREEMENT**

ARTICLE 63.- (1) The holder of an exploration permit who has discovered a deposit and wishes to proceed with mining activities shall submit an application to the Minister in charge of mines, with an original copy to the National Mining Corporation, to obtain a mining permit, in accordance with the applicable regulations.

(2) The application mentioned in paragraph 1 above must include a draft mining agreement.

ARTICLE 64.- (1) The application deemed admissible shall be forwarded by the Minister in charge of mines to the National Mining Corporation for the negotiation of the mining agreement within the negotiation framework for mining agreements.

(2) The organization and functioning of the negotiation framework mentioned in paragraph 1 above shall be defined by a specific regulation.

SECTION IV **SHARING OF PRODUCTION BETWEEN THE STATE AND THE APPLICANT FOR A** **MINING PERMIT UNDER THE MINING AGREEMENT**

ARTICLE 65.- The terms of sharing production between the State and the applicant for a mining permit shall be negotiated by mutual agreement within the framework of the mining agreement.

ARTICLE 66.- (1) The State's share in the sharing of production shall be based on the project's size and the nature of the substance.

(2) The State's share, as mentioned in paragraph 1 above, shall be taken from the finished product ready for commercialization and shall range between:

- one percent (1%) and five percent (5%) for precious and semi-precious substances;
- two percent (2%) and fifteen percent (15%) for other mineral substances.

(3) For each mining permit, the shares shall be set out in the mining agreement.

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

COPIE CERTIFIEE CONFORME

(4) The monitoring, control, and recovery of the State's share within the production sharing framework shall be ensured by the National Mining Corporation.

ARTICLE 67.- The State's share may be subject to take over by the mining operator upon payment of a price negotiated by mutual agreement, in accordance with the prevailing market rate.

SECTION V
SMALL-SCALE MINING AND
INDUSTRIAL MINING PERMIT

ARTICLE 68.- (1) Any application for a small-scale mining or industrial mining permit shall be drafted and submitted in accordance with the regulations in force.

(2) The application file shall include the following:

- references to the exploration permit from which the requested mining licence is derived;
- if applicable, references to the semi-mechanized artisanal mining licence from which the requested small-scale mining permit emanates;
- geographical coordinates of the boundary points of the area for which the permit is being requested;
- the period for which the mining permit is sought.

(3) In addition to the required documents by law, the application specified in paragraph (2) above shall also include the following documents:

- a) an extract from the regional map at a 1:50,000 scale indicating the perimeter of the requested permit;
- b) the applicant's commitment, upon granting the small-scale or industrial mining permit, to allocate at least 10% of the mining company's capital, free of all charges, to the benefit of the state, in accordance with Article 47 of the Mining Code;
- c) a detailed report outlining the results of research activities conducted and supporting evidence of the expenses incurred during the last period of the exploration permit's validity;
- d) a detailed feasibility study including:
 - the quantified evaluation of the importance and quality of the ore reserves, following international standards;
 - the determination of the ore processing method;
 - a mining plan supported by a production profile;
 - presentation of a mine construction programme, detailing the work, equipment, installations and supplies required to bring a deposit or potential deposit into commercial production, together with the estimated costs relating thereto and the expenditure to be incurred annually;
 - a description of the infrastructure required for the mining operation;
 - a socio-economic impact notice of the project, particularly on local populations;

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

17

COPIE CERTIFIEE CONFORME

- the environmental and social compliance certificate, including the approved Environmental and Social Impact Assessment (ESIA) and the associated Environmental and Social Management Plan (ESMP);
 - a plan for product commercialization, including sales points and prices;
 - the company's organizational chart, job categories to be created, and salary ranges;
 - recommendations and conclusions on the economic feasibility of the project and a schedule for commercial production, considering the above factors;
 - a draft mining agreement;
 - any other necessary information for the project's bankability.
- e) a plan for the closure of the mine, restoration, and rehabilitation of mining sites, together with a schedule for carrying out the work and an estimate of its cost;
- f) the financial model for the operation of the deposit, including clear and comprehensive financial projections for the operating period, showing the depreciation plan for fixed assets and possible loans;
- g) a proposal for the financing of the guarantee to ensure the execution of the works, consisting of a bank guarantee.

(4) Any application for a small-scale mining or industrial mining permit shall be processed in accordance with the law.

ARTICLE 69.- (1) The industrial mining permit shall be issued by decree of the President of the Republic.

(2) The small-scale mining licence shall be issued by order of the Minister in charge of mines, after approval by the Prime Minister.

ARTICLE 70.- (1) The industrial mining permit shall be valid for a period justified by the feasibility study, up to a maximum of twenty (20) years, starting from the date of the notification of the decree granting the permit. It shall be renewed for successive periods not exceeding (ten) 10 years each.

(2) The small-scale mining permit shall be valid for a period of five (5) years from the date of signature of the order thereof. It shall be notified within five (5) days of its signature and shall be renewable for successive periods of three (3) years each.

ARTICLE 71.- (1) Any application for the renewal of a small-scale mining or industrial mining permit shall be drafted and submitted in accordance with the regulations in force.

(2) In addition to the documents required by the regulations in force, the renewal application file shall include the following information:

- the references of the mining permit;
- proof of payment of the annual surface royalty for the previous period;
- the exact geographical location of the deposits for which the renewal is sought;
- a general report confirming the continuation of activities during the previous period;

SERVICES DU PREMIER MINISTRE
 SECRÉTARIAT GÉNÉRAL
 DIRECTION DES AFFAIRES ADMINISTRATIVES
 ET DES REQUÊTES
 COPIE CERTIFIÉE CONFORME

- a detailed report of the work carried out under the permit, with supporting plans, and mining documents relating to substances listed in the instrument granting the mining permit;
- an updated development and mining plan of the deposit;
- a report on any exploration work carried out by the applicant and the state of the reserves of the exploited deposits;
- proof of compliance with environmental obligations;
- an updated mine closure, restoration, and site rehabilitation plan of the mining operation sites, including a financing plan for the works.

(3) The renewal application will be processed and examined in accordance with the regulations in force.

ARTICLE 72.- (1) In the event of rejection of the renewal application, the small-scale or industrial mining permit shall expire at the end of its validity period.

(2) In the case mentioned in paragraph 1 above, the land covered by the permit's perimeter shall be free from all associated rights and obligations starting from midnight the day after the permit's expiration date.

ARTICLE 73.- (1) In the event that a mineral substance other than the one for which the mining permit was granted is discovered, the holder of the small-scale or industrial mining permit shall notify to the Minister of mines. The licence shall have preferential rights for its exploitation.

(2) The licence holder must submit a request for an amendment to the mining convention to the Minister in charge of Mines.

(3) The request mentioned in paragraph 2 above shall include the following:

- a detailed report on the work carried out under the permit, accompanied by plans and documents related to the substance listed in the title document;
- an updated development and mining of the updated deposit;
- a report on any exploration work carried out and the state of the reserves of the exploited deposits;
- a feasibility study that conforms with the mining of the newly discovered substance;
- an updated Environmental and Social Impact Assessment (ESIA) with an associated Environmental and Social Management Plan (ESMP);
- a draft amendment to the mining agreement.

ARTICLE 74.- The draft amendment to the mining agreement shall be negotiated following the same procedures as the original agreement.

ARTICLE 75.- (1) The holder of the mining permit shall pay all duties, taxes, and royalties resulting from mining of the new substance, without prejudice to those owed for the mining of the original substance.

SERVICES DU PREMIER MINISTRE
 SECRÉTARIAT GÉNÉRAL
 DIRECTION DES AFFAIRES ADMINISTRATIVES
 ET DES REQUÊTES

COPIE CERTIFIÉE CONFORME

(2) Each substance exploited shall be subject to a separate report, in accordance with specifications of the regulations in force.

ARTICLE 76.- The holder of the mining permit shall submit a report to the Ministry in charge of mines, with a copy to the National Mining Corporation, detailing the coordinates of the perimeter of the waste storage mining site as part of the mine construction plan.

ARTICLE 77.- The holder of the mining permit shall comply with all obligations related to site restoration, rehabilitation, and closure during the validity period of the permit.

ARTICLE 78.- The holder of the small-scale or industrial mining permit shall submit bi-annual and annual activity reports to the Minister in charge of mines, with a copy to the National Mining Corporation.

ARTICLE 79.- The activity report mentioned in Article 78 above shall follow the format established by order of the Minister in charge of mines.

CHAPTER IV **MONITORING, INSPECTION, AND CONTROL OF MINING ACTIVITIES**

ARTICLE 80.- (1) In accordance with Articles 3, 116, 155, and 156 of the Mining Code, the monitoring, follow-up, and control of mining activities, quarry operations, spring waters, mineral and thermal waters, and geothermal sites shall be conducted by sworn agents of the Ministry in charge of mines in collaboration with the concerned administrations and bodies.

(2) The organization and functioning of the operations mentioned in paragraph 1 above shall be defined by an Order of the Minister in charge of mines.

(3) The procedures for authorizing and appointing officials to carry out the operations mentioned in paragraph 1 above, as well as the administrative surveillance modalities for the said operations, shall be set by an Order of the Minister in charge of mines.

ARTICLE 81.- (1) The officials responsible for administrative surveillance and control of mining activities, quarry operations, spring waters, mineral and thermal waters, as well as geothermal sites shall be inspectors and surveillance officials of mines, quarries, and mining companies in accordance with the laws and regulations of the Republic of Cameroon.

(2) The officials mentioned in paragraph 1 above shall be appointed by the Minister in charge of mines.

ARTICLE 82.- Administrative surveillance and technical control of geological and mining works shall be carried out by sworn engineers and agents of the Ministry in charge of mines, within the framework of:

- the reconnaissance, prospection, and exploration of mineral and quarry substances, geothermal sites, spring waters, mineral, and thermal waters;
- mining of mineral and quarry substances, geothermal sites, spring waters, mineral, and thermal waters.

ARTICLE 83.- Administrative surveillance and technical control shall ensure the conservation of all deposits, the safety of people and property, the protection of buildings, dwellings, and communication channels, and the protection and rational use of water sources, groundwater, and the environment.

ARTICLE 84.- (1) In the exercise of their powers, sworn engineers and agents may:

- access and inspect sites, buildings, installations, structures, vehicles, materials, machines, and other equipment used for mining activities;
- obtain samples of ore, water, or other substances for analysis;
- consult and request copies or extracts of documents, reports, and other data related to mining activities in all formats that allow clear interpretation of the said activities;
- conduct any test and investigation necessary to ensure compliance with provisions of the law, its application decrees, and the mining agreement.

2) The Ministry in charge of mines shall be responsible for punishing infringements found during administrative supervision and technical control of the works referred to in article 82 above.

ARTICLE 85.- In the exercise of their duties listed in article 84 above, the sworn engineers and agents must comply with the rules and procedures in force during their stay on the work sites without this obligation constituting an obstacle to their mission.

CHAPTER V **MISCELLANEOUS AND FINAL PROVISIONS**

ARTICLE 86.- The terms and conditions for the issuance and renewal of mining waste licences shall be subject to a special instrument of the Prime Minister.

ARTICLE 87.- All previous contrary provisions, particularly those of Decree No. 2002/648/PM of 26 March 2002 to lay down implementation instruments of Law No. 001 of 16 April 2001, and its subsequent amendments, are hereby repealed.

ARTICLE 88.- This decree shall be registered and published according to the procedure of urgency and inserted in the Official Gazette in English and French. /-

SERVICES DU PREMIER MINISTRE
SECRETARIAT GENERAL
DIRECTION DES AFFAIRES ADMINISTRATIVES
ET DES REQUETES

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Yaounde, 19 NOV 2024

THE PRIME MINISTER,
HEAD OF GOVERNMENT,


Joseph DION NGUTE