

LICENSES/ PERMITS SUMMARY AS PER MINING ACT 2016 AND REGULATIONS

New License Name	Purpose	Duration	Size	Attachments on Applications	Process time
Reconnaissance permit	-Non Invasive preliminary investigations	1 year non renewable	Entire county	<p>Application for a Reconnaissance Permit</p> <ol style="list-style-type: none"> 1. Proof of payment of application; 2. Name, Nationality (Copy of ID/ Passport) 3. Address 4. Certified copy of the company's certificate of incorporation 5. Certified copy of company's memorandum and articles of association 6. A list of the full names and nationalities of all company's directors (CR12 -Info on Directors, shareholders) 7. A list of the names of every shareholder who is the beneficial owner of ten per cent (10%) or more of the issued share capital 8. The minerals in respect of which the permit is sought 9. The area in respect of which the permit is sought 10. Duration of permit applied for 11. A proposed work programme setting the work intended over the term of the license; 	90 days
Prospecting permit	Exclusive right to prospect for a mineral	5 years One extension of 5 years	100 blocks Whole or 0.25 blocks	<p>Application for Prospecting Permit</p> <ol style="list-style-type: none"> 1. Proof of payment of application; 2. Name, Nationality (Copy of ID/ Passport) 3. Address 4. Certified copy of the company's certificate of incorporation 5. Certified copy of company's memorandum and articles of association 6. A list of the full names and nationalities of all company's directors (CR12 -Info on Directors, 	90 days

				<p>shareholders)</p> <ol style="list-style-type: none"> 7. A list of the names of every shareholder who is the beneficial owner of ten per cent (10%) or more of the issued share capital 8. The minerals in respect of which the permit is sought 9. The area in respect of which the permit is sought 10. Duration of permit applied for 11. A description of the applicant's profile and history of prospecting operations in Kenya or elsewhere; 12. A statement giving particulars of the technical and financial resources available to the applicant; 13. A description setting out the prospecting operations work intended to be carried out of the period the permit is sought; and 14. Environmental license. 15. Consent from the land owner <p>Renewal of Prospecting Permit</p> <ol style="list-style-type: none"> 1. Proof of payment of the application fee; 2. A report summarizing the prospecting work including the cost incurred to date; 3. An updated/revised programme for prospecting operations including the expenditure to be incurred during the renewal period. 	
Mining permit	Exclusive right to carry out small scale mining	5 years One extension of 5 years	2 contiguous blocks per area Max 5 MPs per county	<p>Application for Mining Permit</p> <ol style="list-style-type: none"> 1. Proof of payment of application; 2. Name, Nationality (Copy of ID/ Passport) 3. Address 4. Certified copy of the company's certificate of incorporation 5. Certified copy of company's memorandum and articles of association 6. A list of the full names and nationalities of all 	90 days

				<p>company's directors (CR12 -Info on Directors, shareholders)</p> <p>7. A list of the names of every shareholder who is the beneficial owner of ten per cent (10%) or more of the issued share capital</p> <p>8. The minerals in respect of which the permit is sought</p> <p>9. The area in respect of which the permit is sought</p> <p>10. Duration of permit applied for</p> <p>11.</p> <p>12. A description of the applicant's profile and history of mining operations in Kenya or elsewhere;</p> <p>13. A statement giving particulars of the technical and financial resources available to the applicant;</p> <p>14. A description of the proposed mining scheme, including sufficient detail to indicate the scale of operation including the planned production profile and capacity (maximum amounts of mineral product that might be produced in a year and the possible location of all major mining operation facilities, pits, dumps and dams; the approximate commencement date of mine development; the approximate production start date; the characteristics and nature of the final Mineral Products; the intended market(s) for the Mineral Products.</p> <p>15. Consent from the land owner</p> <p>16. Environmental license.</p> <p>Renewal of Mining Permit</p> <p>1. Proof of payment of the application fee;</p> <p>2. Duration of permit applied for</p> <p>3. A report summarizing mining operations undertaken since the permit was granted;</p> <p>4. A revised mining programme;</p> <p>5. A report describing environmental remediation actions taken during the term of the permit;</p>	
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				6. An updated environmental audit report.	
Artisanal Mining Permit	Exclusive prospecting/ mining rights using traditional and customary methods	3 years One extension of 3 years	1 block per area Max 5 permits May use 0.25 block size	<p>Application of Artisanal Mining Permit</p> <ol style="list-style-type: none"> 1. Proof of payment of application; 2. Name, Nationality (Copy of ID/ Passport) 3. Address 4. Certified copy of the company's certificate of incorporation (for body corporate, cooperative or association) 5. Certified copy of company's memorandum and articles of association 6. A list of the full names and nationalities of all company's directors (CR12 -Info on Directors, shareholders) 7. A list of the names of every shareholder who is the beneficial owner of ten per cent (10%) or more of the issued share capital 8. The minerals in respect of which the permit is sought 9. The area in respect of which the permit is sought 10. Duration of permit applied for 11. Environmental license; 12. Consent from landowner. <p>Renewal of Artisanal Mining Permit</p> <ol style="list-style-type: none"> 1. Proof of payment of the application fee; 2. A report summarizing mining operations undertaken since the permit was granted; 3. An updated environmental audit report. 	56 days
Reconnaissance license	-Non Invasive preliminary investigations	2 years Non-renewable	Upto 5000 contiguous blocks	<p>Application for a Reconnaissance License</p> <ol style="list-style-type: none"> 1. Proof of payment of application; 2. Name, Nationality (Copy of ID/ Passport) 3. Address 4. Certified copy of the company's certificate of incorporation 5. Certified copy of company's memorandum and articles 	90 days

				<p>of association</p> <p>6. A list of the full names and nationalities of all company's directors (CR12 -Info on Directors, shareholders)</p> <p>7. A list of the names of every shareholder who is the beneficial owner of ten per cent (10%) or more of the issued share capital</p> <p>8. Mineral or minerals for which the license is sought</p> <p>9. The area in respect in which the reconnaissance license is sought;</p> <p>10. Duration of license applied for</p> <p>11. A proposed work programme setting the work intended over the term of the license;</p> <p>12. A statement giving particulars of the technical and financial resources available to the applicant for the reconnaissance operations,</p> <p>13. A description of the particulars of the applicant's plan for the procurement of local good and services</p> <p>14. A description giving particulars of the applicant's plan to employ and train Kenyans</p> <p>15. A description of the applicant's profile and history of reconnaissance operations in Kenya or elsewhere</p> <p>16. Environmental license if required</p> <p>17. Any other information required by the Cabinet Secretary as may be prescribed by Regulations.</p> <p>18.</p>	
Prospecting license	-Prospecting for a mineral -Exclusive	3 years, Two Extensions of 3yrs each	-125 to 1500 blocks per area - Max. 3 discrete areas totaling 10,000 blocks	<p>Application for Prospecting License</p> <p>1. Proof of payment of application;</p> <p>2. Name, Nationality (Copy of ID/ Passport)</p> <p>3. Address</p> <p>4. Certified copy of the company's certificate of incorporation</p> <p>5. Certified copy of company's memorandum and articles of association</p> <p>6. A list of the full names and nationalities of all company's directors (CR12 -Info on Directors,</p>	90 days

				<p>shareholders)</p> <ol style="list-style-type: none"> 7. A list of the names of every shareholder who is the beneficial owner of ten per cent (10%) or more of the issued share capital 8. Mineral or minerals for which the license is sought 9. The area in respect in which the prospecting license is sought; 10. Duration of License applied for 11. A proposed prospecting work programme setting the work intended over the term of the license; 12. A description giving particulars of the technical and financial resources available to the applicant for the prospecting operations, 13. A description of the particulars of the applicant's plan for the procurement of local good and services 14. A description giving particulars of the applicant's plan to employ and train Kenyans 15. A description of the applicant's profile and experience on prospecting operations 16. Environmental license 17. Consent from the land owner 18. Any other information required by the Cabinet Secretary as may be prescribed by Regulations. <p>Renewal of Prospecting License</p> <ol style="list-style-type: none"> 1. Proof of payment of the application fee; 2. Duration of renewal of the prospecting license 3. A report on the progress of the prospecting operations; 4. A statement of the costs incurred in the course of undertaking prospecting operations; 5. The work programme including the expenditure to be incurred during the renewal period 6. Operations that the applicant proposes to carry out during the renewal period, including an estimate of expenditure; 7. The map and coordinates of the area to be retained and also relinquished in respect of which the renewal is sought 	
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				8. Proof of submission and approval of environmental audit reports relating to the initial application and the application for renewal, to the National Environmental Management Authority.	
Retention License	-Retention of area with a temporarily uneconomical deposit -For Prospecting license holders	-2 years -One Extension of 2 years	Within holder's prospecting license but not less than 125 blocks	<p>Application for Retention License</p> <p>9. Proof of payment of application fee</p> <p>10. The mineral or mineral deposit in respect of which the licence is sought;</p> <p>11. A full study and assessment by an independent expert on-</p> <ul style="list-style-type: none"> (i) the prospects for recovery; (ii) the commercial significance of the mineral deposit; (iii) the relevant adverse market conditions, economic factors, technical constraints or any other factors that may make it impossible to develop the mineral deposit immediately; <p>12. The area in respect of which the licence is sought;</p> <p>13. Particulars of any proposed prospecting operations to be carried out under the licence;</p> <p>14. Details of the experience and financial resources available to the applicant for the development of the mineral when the relevant adverse market conditions, economic factors, technical constraints or other factors which make it impossible to develop the mineral cease to exist;</p> <p>15. A plan giving particulars of the applicant's proposals with respect to the employment and training of Kenyan citizens; and</p> <p>16. A plan giving particulars of the applicant's proposals with respect to the procurement of local goods and services.</p> <p>17. A description justifying the application for a retention license</p> <p>18. Any other information as required by the Cabinet Secretary</p> <p>Renewal of Retention License</p>	90 days

				<ol style="list-style-type: none"> 1. Duration of renewal of the retention license 2. A report summarizing the activities carried out to date during the first term of the Mention licence; 3. A description justifying the reasons for the renewal which shall include but not limited to the analysis of the relevant adverse market conditions, economic factors, technical constraints or any other factors preventing development of the deposit during the initial term of the retention licence; 4. A statement of expenditure incurred during the initial term of the licence. 	
Mining license	Deposit development, extraction, processing and disposal of mineral(s)	25 years Renewable for maximum 15 yrs or mine life	Not exceeding 300 blocks No more than 3 discrete areas	<p>Application for Mining License</p> <ol style="list-style-type: none"> 1. Proof of payment of application; 2. Name, Nationality (Copy of ID/ Passport) 3. Address 4. Certified copy of the company's certificate of incorporation 5. Certified copy of company's memorandum and articles of association 6. A list of the full names and nationalities of all company's directors (CR12 -Info on Directors, shareholders) 7. A list of the names of every shareholder who is the beneficial owner of ten per cent (10%) or more of the issued share capital 8. Mineral or minerals for which the license is sought 9. The area in respect in which the mining license is sought; 10. Duration of License applied for 11. A proposed programme of mining operations that outlines the mine forecasts and operation plans, including the options for minerals beneficiation in the prescribed form; 12. A statement regarding the mineral or minerals in the area of land over which the license is sought, including details of all known minerals as well as 	120 days

				<p>probable mineral reserves;</p> <p>13. A statement of the financial and technical resources available to the applicant to carry out the proposed mining operations and to comply with the conditions of the license;</p> <p>14. A description the applicant's profile and history of mining operations in Kenya or elsewhere;</p> <p>15. A statement giving particulars of the technical and financial resources available to the applicant;</p> <p>16. The Feasibility Study report;</p> <p>17. Environmental license;</p> <p>18. A description of the particulars of the applicant's plan to employ and train Kenyans; and</p> <p>19. A description of the particulars of the applicant's plan for the procurement of local goods and services</p> <p>20. A plan giving particulars of the applicant's proposals with respect to social responsible investments for the local community</p> <p>21. Consent from the land owner</p> <p>Renewal of Mining License</p> <p>1. Proof of payment of the application fee;</p> <p>2. A report on the progress of the mining operations;</p> <p>3. A proposed programme of mining operations to be carried out during the term of renewal;</p> <p>4. A plan of the area in respect of which a renewal of the mining license is sought including all or any of the contiguous blocks in the mining license area;</p> <p>5. Environmental license for the renewal period.</p>	
Mineral Dealers License (Trading)				<p>Application for a Mineral Dealers License (Trading)</p> <p>1. Proof of payment of prescribed fee;</p> <p>2. Full Name, Nationality of the applicant (Copy of ID/ Passport) - For individual applicants</p> <p>3. The physical address of the place of business of</p>	

				<p>the applicant</p> <ol style="list-style-type: none"> 4. In the case of a company - <ol style="list-style-type: none"> a) Certified copy of the company's certificate of incorporation b) Certified copy of company's memorandum and articles of association c) Current copy of CR12 from Registrar of Companies (Info on Directors, shareholders) d) A list of the names of every shareholder who is the beneficial owner of ten per cent (10%) or more of the issued share capital 5. The name of the mineral or class of minerals for which the License is sought; 6. "Knowledge and Experience", a description of the applicant's knowledge or experience of mineral dealings in Kenya and elsewhere; 7. A certified, signed statement or formal letter of intent from a bank or any financial institution of the funds available to the applicant; 8. A description of the knowledge or experience of the applicant in relation to any previous dealings in minerals; and 9. The appointed agents of the applicant and their areas of operation if any. 	
Renewal of Mineral Dealers License (Trading)				<p>Application for renewal of a Mineral Dealers License (Trading)</p> <ol style="list-style-type: none"> 1. Proof of payment of prescribed fee; 2. Copy of dealings annual report. 3. Copy of royalty liability reconciliation report. 4. Quarterly reports 5. Copy of tax compliance certificate. 	
Mineral Dealers License (Processing)				<p>Application for a Mineral Dealers License (Processing)</p> <ol style="list-style-type: none"> 1. Proof of payment of prescribed fee; 2. Full Name, Nationality of the applicant (Copy of ID/ Passport) - For individual applicants 3. The physical address of the place of business of the applicant 	

				<ol style="list-style-type: none"> 4. In the case of a company - <ol style="list-style-type: none"> a) Certified copy of the company's certificate of incorporation b) Certified copy of company's memorandum and articles of association c) Current copy of CR12 from Registrar of Companies (Info on Directors, shareholders) d) A list of the names of every shareholder who is the beneficial owner of ten per cent (10%) or more of the issued share capital 5. The name of the mineral or class of minerals for which the License is sought; 6. "Knowledge and Experience", a description of the applicant's knowledge or experience of mineral dealings in Kenya and elsewhere; 7. A certified, signed statement or formal letter of intent from a bank or any financial institution of the funds available to the applicant; 8. A description of the knowledge or experience of the applicant in relation to any previous dealings in minerals; and 9. Technical plans detailing the proposed mineral processing operation(s) 10. Work plan of the proposed processing operation 11. Details of land ownership and consents 12. Proposed source of minerals for processing 13. Particulars for the procurement of local goods and services and the employment and training of Kenyans 14. Environmental license 15. Letters of appointment of agents detailing their contacts and areas of operations and their identification documents 	
Renewal of Mineral Dealers License (Processing)				<p>Application for renewal of a Mineral Dealers License (Processing)</p> <ol style="list-style-type: none"> 1. Proof of payment of prescribed fee; 2. Duplicate copy of the receipt of the payment of the prescribed fee. 3. Copy of dealings annual report. 	

				4. Copy of royalty liability reconciliation report. 5. Copy of tax compliance certificate.	
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