



**THE MINES AND MINERALS
(AMENDMENT) BILL 2008**



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A

BILL

Entitled

AN ACT TO AMEND the Mines and Minerals Act (Cap. 42)

ENACTED by the National Parliament of Solomon Islands

THE MINES AND MINERALS (AMENDMENT) BILL 2008**ARRANGEMENT OF CLAUSES**

Clause:

1. Short title and Commencement
2. Amendment of section 3
3. Amendment of section 7
4. Amendment of section 20
5. Amendment of section 80

1. This Act may be cited as the Mines and Minerals (Amendment) Act 2008 and shall come into force on such date as the Minister may appoint by Notice published in the Gazette.

Short title
and
commencement

2. Section 3 (Interpretation) of the Mines and Minerals Act (Cap.42) (hereinafter referred to as the “principal Act”) is hereby amended –

Amendment
of section 3

(a) by inserting after the word “alluvial miner” the following –

“associate company” includes parent or holding companies, subsidiary companies, business or joint ventures”

(b) by deleting the full stop that appears at the end of the definition of the word “reconnaissance area” and replacing it with a semicolon (;) and

(c) by inserting after the definition of the word “reconnaissance area” the following –

“tender” means inviting, soliciting or placing on open market, whether domestically or internationally, a land area proposed for reconnaissance, prospecting or mining”.

3. Section 7 of the principal Act is hereby amended as follows –

Amendment of
section 7

(i) by inserting immediately after paragraph (b) the following –

“(c) to carry out independent and due diligent search and proper assessment of the companies intending to or applying for reconnaissance permit, prospecting licence and mining lease as prescribed;

(d) if necessary, to interview or hold meetings with an applicant for discussing or resolving any relevant matter that the Minister may direct in writing from time to time or the Director deems essential for the board's purposes;"

(ii) by renumbering paragraph (c) as paragraph (e), paragraph (d) as paragraph (f), paragraph (e) as paragraph (g), and paragraph (f) as paragraph (h).

Amendment of
section 20

4. Section 20 of the principal Act is hereby amended in the following respects –

(a) by deleting the opening provision of subsection (1) and inserting therefor the following –

“(1) Except in cases of tender, each application for a prospecting licence shall be made to the Director in the prescribed form and shall state –

(b) in subsection (4), by deleting the words “the requirements of this section” and substituting therefor the words “the prescribed procedures.”

(c) in subsection (5),

(i) by deleting the full stop that appears at the end of paragraph (b) and substituting therefor a semicolon and the word “or” and

(ii) by inserting immediately after paragraph (5)(b) the following paragraph (5)(c) as follows –

“(c) the applicant or an associate company is currently holding three or more prospecting licences over different prospecting areas and has not applied for a mining lease or commenced mining in at least one prospecting area.”

5. Section 80 of the principal Act is hereby amended – Amendment of
section 80
- (i) by deleting the word “and” at the end of paragraph (u); and
 - (ii) by inserting immediately after paragraph (u) the following as paragraph (v) –

“(v) prescribing the procedures for tender;
and”
 - (iii) by renumbering paragraph (v) as paragraph (w)”

THE MINES AND MINERALS (AMENDMENT) BILL 2008**OBJECTS AND REASONS**

This Bill seeks to ensure that companies applying for reconnaissance permit, prospecting licences and mining leases are diligently checked by the Ministry and its officers.

The Bill further seeks to restrict the issuance of prospecting licences through control made by the Director.

International tender has also been opened up by this Bill by placing land areas proposed for reconnaissance, prospecting or mining in the open market, whether domestically or internationally.

**MINISTER OF MINES, ENERGY
AND RURAL ELECTRIFICATION**

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