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| **APPLICATION FOR APPROVAL TO TRANSFER, GRANT, CEDE, OR ASSIGN AN INTEREST, OR TO BE JOINED AS A JOINT HOLDER OF A MINING CLAIM**  **(TRANSFEREE: COMPANY/CLOSE CORPORATION)**  Part VII of the Minerals (Prospecting and Mining) Act, No. 33 of 1992 (“the Act”)  **SECTION 25 STATES THAT ONLY COMPANIES WHOLLY OWNED BY NAMIBIAN CITIZENS**  **MAY HOLD MINING CLAIMS** |

**The application fee must be paid as specified in Government Gazette No. 7611 dated 27 August 2021.**

**Upon approval, an annual fee shall be due and payable each year.**

**The payment date of the application fee is the application date.**

***For Office Use Only***

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| NEPL Number |  | **Payment Office Date Stamp** |
| Total  Application Fee  Paid | N$ |
| Receipt  Number |  |

**Notice to Transferor:**

**An application without clear photographs of the pegged claim beacons and fail to meet the criteria outlined in Section 28(6) and (7) of the Act may be refused.**

This application\* is for the (**tick the relevant box**)

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| Transfer of Mining Claim(s) |  |
| Grant, Cession or Assignment of an Interest in Mining Claim(s) |  |
| Joinder as Joint Holder of Mining Claim(s) |  |
| Joinder as Joint Holder of an Interest in Mining Claim(s) |  |

*\* Attach, as per Section 39 of the Act, an agreement duly concluded and signed by the parties*

*\* Attach a written motivation why the mining claims are to be transferred*

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| **SECTION A – PARTICULARS OF HOLDER (TRANSFEROR) AND MINING CLAIMS** |

|  |  |
| --- | --- |
| Full Name of Transferor\* |  |
|  |
| Postal Address **in Namibia** |  |
|  |
| Telephone Number(s) |  |
|  |
| Cell Phone Number(s) |  |
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| Email Address(es) |  |
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*\* Attach the valid registration certificate of the mining claims to be transferred*

If the Transferor is a Company/Close Corporation, the Natural Person Contact Details (**Resident in Namibia**)

|  |  |
| --- | --- |
| Full Names\* |  |
| Namibian ID/Passport Number |  |
| Position/Rank in Company |  |
| Cell Phone Number(s) |  |
| Email Address(es) |  |

*\* Attach a certified copy of Namibian ID/Passport*

Questions on mining claim(s) to be transferred

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| QUESTION\* | YES | NO |
| 1. Are all claim beacons erected at the coordinates as registered? **If “YES”, attach clear photos** |  |  |
| 1. Are mining operations ongoing? |  |  |
| 1. Are all monthly reports submitted? |  |  |
| 1. Are all annual reports submitted? |  |  |
| 1. Are all annual fees paid? |  |  |
| 1. Are all royalties paid? |  |  |
| 1. Are there any accessory works on the mining claims? |  |  |
| 1. Are you in possession of a valid accessory works permit? **If “YES”, attach a certified copy** |  |  |
| 1. Has a compensation agreement been entered into with the landowner or occupier? **If “YES”, attach a certified copy** |  |  |
| If the answer is “NO” to ANY of the questions, submit a detailed explanation (***If space is insufficient, attach a separate sheet***) | | |
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Particulars of Mining Claims to be Transferred

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| Registered Number | Location\* | Name, postal address, email address,  and contact number of landowner or occupier  ***If space is insufficient, attach a separate sheet*** |
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*\* Name of private land and number, communal land, resettlement farm or other State land*

*\*\* Provide the postal address, email address and contact details of the landowner or occupant*

Give a summary of mining and related secondary activities done on the mining claims to be transferred

***(If space is insufficient, attach a separate sheet)***

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Provide details of the current condition of the environment which relates to the mining claims to be transferred\* *(****if space is insufficient, attach a separate sheet****)*

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*\* Photos to be attached*

Indicate the number of staff employed on the mining claim(s) to be transferred

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| --- | --- | --- | --- | --- | --- |
| Staff Level | Namibian | | Non-Namibian**\***  (indicate nationality) | | |
| Female | Male | Female | Male | Nationality |
| Professional/Management |  |  |  |  |  |
| Skilled |  |  |  |  |  |
| Semi-skilled |  |  |  |  |  |
| Support |  |  |  |  |  |
| Contractor |  |  |  |  |  |
| Any Other **(*List Below*)** |  |  |  |  |  |
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*\* Attach certified copies of each non-Namibian’s passport and employment visa*

**Sworn Declaration by Mining Claim Holder (Transferor)**

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| I (***full name***) …………………………………………………………………………………………………….…...  declare, under the penalties of falsehood, that the information provided in this application form is true and correct. I have acquainted myself with the provisions of Section 133 of the Act and is fully aware of the consequences of providing false or misleading information. I am aware that other legislation valid in Namibia can be used against me where falsehood is detected in the submission of this application. I declare that I am aware of the consequences of withholding information or making a false entry in this application. I declare that I affixed my signature to each page of this application, as declarant, under my own free will.  ………………………………………… …………………………………..  **Signature of Transferor** **Date** (Day/Month/Year) |

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| **SECTION B**  **PART 1**  **TRANSFEREE: COMPANY/CLOSE CORPORATION**  ***(To be completed and signed by duly authorised representative)*** |

Valid NEPL Number ……...................… Issued ………….……….…………. Expiry ……………..…...........……..

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| --- | --- | --- |
| Full Name of Company/  Close Corporation\* |  | |
|  | |
| Registration Number and Date | Number |  |
| Date |  |
| Registered Address **in Namibia** |  | |
|  | |
| Principal Place of Business **in Namibia** |  | |
|  | |
| Postal Address **in Namibia** |  | |
|  | |
| Telephone Number(s) |  | |
|  | |
| Cell Phone Number(s) |  | |
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| Email Address(es) |  | |
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*\* Attach certified copies of Registration Certificates issued by the Business & Intellectual Property Authority of Namibia (BIPA)*

Designated Individual for Official Correspondence (**Resident in Namibia**)

|  |  |
| --- | --- |
| Full Names\* |  |
| Namibian ID/Passport Number |  |
| Position/Rank in Company |  |
| Cell Phone Number(s) |  |
| Email Address(es) |  |

*\* Attach a certified copy of Namibian ID/Passport*

Authorised share capital of company: …………………………………………………………………………...…

Issued share capital of company: ………………………………………………………………………………..…

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| --- | --- |
| Full Names of Directors\* | Nationality |
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*\* If space is insufficient, attach a separate sheet*

*\** *Attach Original Namibian Police Certificate of Conduct of each director*

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| Full Names of Shareholders\* | Nationality | Number of shares held | % Shares |
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*\* If space is insufficient, attach a separate sheet*

*\*\* Holders of more than 5% of shares* ***[Section 33(2)(a)(ii) of the Act]***

Beneficial Owners’ Information **(MANDATORY) –**

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| --- | --- | --- |
| Full Names, Position and Nationality of All Beneficial Owners\* | | |
| Full Names | Position | Nationality |
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*\* Beneficial owner carries the meaning as defined in the Financial Intelligence Act, No. 13 of 2012*

*\* Attach a copy of the Beneficial Ownership Declaration Form* ***(BO1)*** *filed with BIPA*

*\* Attach a certified copy of the Identity Document of each beneficial owner*

Indicate whether the transferee is the holder of any mineral rights:

**Cross (X) “YES” or “NO”**. If “YES”, indicate the mineral right number(s) and status:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Mineral Right | Yes | No | Mineral Right Number(s) | Status |
| Mining Claim(s) |  |  |  |  |
| Reconnaissance Licence(s) |  |  |  |  |
| Exclusive Reconnaissance Licence(s) |  |  |  |  |
| Exclusive Prospecting Licence(s) |  |  |  |  |
| Mineral Deposit Retention Licence(s) |  |  |  |  |
| Mining Licence(s) |  |  |  |  |

Should any damage exist in the mining claim areas to be transferred, are you prepared to take over such damage and to rehabilitate the area once the mining claims expire/are cancelled/are abandoned?

**Answer “YES” or “NO”. If “NO”, give reasons for your answer.**

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Give an assessment of the impact your proposed mining operations on the environment, after transfer, along with recommended measures to mitigate or prevent such impacts *(if space is insufficient, attach a separate sheet)*

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| **PART 2**  **TECHNICAL AND FINANCIAL RESOURCES** |

Proposed start date of mining operations**\***: ……………………………………………………………………………..

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| \* Section 31(1)(b)(i) of the Act: The fundamental obligation of the holder of a mining claim is to carry on mining operations for the mineral or group of minerals in respect of which such mining claim has been registered. |

Mining method: ………………………………………………………………………………..………………….……….

Estimated monthly production rate: ………………………………………………………………………………….....

Provide particulars of technical resources

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Provide particulars and source of financial resources

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Indicate the number of staff to be employed on the mining claim(s) to be transferred

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| --- | --- | --- | --- | --- | --- |
| Staff Level | Namibian | | Non-Namibian**\***  (indicate nationality) | | |
| Female | Male | Female | Male | Nationality |
| Professional/Management |  |  |  |  |  |
| Skilled |  |  |  |  |  |
| Semi-skilled |  |  |  |  |  |
| Support |  |  |  |  |  |
| Contractor |  |  |  |  |  |
| Any Other **(*List Below*)** |  |  |  |  |  |
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*\* Attach certified copies of each non-Namibian’s passport and employment visa*

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| **PART 3 – OTHER** |

Provide details of any other matters which in your opinion are relevant to this application *(****if space is insufficient, attach a separate sheet****)*

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**Sworn Declaration** *(to be completed and signed by the person making the application)*

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| I, (***full name***) \* ………………..………………………….……………...…………...………………….…………….  with **Namibian** Identity Document /Passport Number (***copy attached***) ……………….………..………………  residing **in Namibia** at address …………………………………………………...…….……………...……………  in my capacity as …………………………………………………………………...………………………….………  and **duly authorised to make this application** on behalf of (***full name of transferee***)  ……………………………………………………………………………………………………………………..…….  ……………………………………………………………………………………………………………………..…….  declare, under the penalties of falsehood, that the information provided in this application form is true and correct. I have acquainted myself with the provisions of Section 133 of the Act and is fully aware of the consequences of providing false or misleading information. I am aware that other legislation valid in Namibia can be used against me where falsehood is detected in the submission of this application. I declare that I am aware of the consequences of withholding information or making a false entry in this application. I declare that I affixed my signature to each page of this application, as declarant, under my own free will.  ………………………………………………… ……………………………  **Signature of Transferee Representative** **Date (Day/Month/Year)** |

*\* Attach the resolution assigning and naming representative*