

ADDITIONAL CONDITIONS TO ISSUING OF MINING LICENCES (MLs) TO BE INCLUDED IN NOTICES OF INTENTION TO GRANT FOR NEW MLs. MLs RENEWAL WILL BE TREATED ON A CASE-BY-CASE BASIS.

PART 4: ADDITIONAL CONDITIONS

9. Within 30 days of the grant of a new Mining Licence, the applicant shall submit to the Minister a declaration signed by a duly authorised director of the applicant to the effect and including:
 - 9.1 Proof that there is a minimum 20% representation of historically disadvantaged Namibians in the management structure (including the board) of the applicant; and
 - 9.2 Proof that 5% (five percent) of the principal voting shares in the applicant or 5% (five percent) of the holding of the Mining Licence, as the case may be, is held by historically disadvantaged Namibians. For the purposes of this condition, the term “held” includes a holding of such principal voting shares directly or indirectly through a company, close corporation, trust, traditional authority, or other similar association, and includes ownership by entities representing Government or in which Government holds a meaningful stake.
 - 9.3 The applicant's strategy for addressing the Government's objectives of poverty eradication, including benefitting the Namibian youth and women from disadvantaged groups and poorest of the poor.
10. If the applicant has been misleading in relation to declarations made under condition 9, the Minister may cancel the licence under section 55(1)(a) of the Act and the remaining provisions of section 55 will apply.
11. For the purposes of these conditions, the term “historically disadvantaged Namibians” shall mean Namibian citizens falling within the category of “designated groups” as defined in the (Affirmative Action (Employment) Act, 1998).