



COUNTY GOVERNMENT OF TAITA TAVETA

DEPARTMENT OF MINING

PUBLIC NOTICE

29 October 2018

In an effort to address and prevent re-occurrence of historical land injustices that have been prevalent in Taita Taveta County, and to guarantee socio-economic benefit to the communities in mining areas and to provide security of tenure for investments in Taita Taveta County;

In accordance with the Constitution of Kenya, 2010, which calls for openness, accountability and public participation in development matters and guided by the spirit of Article 174 on the objects of devolution;

In recognition of the clauses in the Mining Act, No. 12 of 2016 and subsequent regulations on the process of application and granting of Mineral Rights, the County Government of Taita Taveta hereby provides a public notice to *all investors, the general public and the communities residing in mining areas.*

The County Government of Taita Taveta shall only grant a **Letter of No Objection** to the Ministry of Petroleum and Mining for any application of a mineral right within the county on submission and compliance with the following requirements; including but not limited to:

REQUIREMENTS

1. Submission of a Letter of Interest to Prospect or Mine within the boundaries of Taita Taveta County to the County Department of Mining
2. Description of the Mineral Right applied for including:
 - a. GPS Coordinates of the permit / licence area
 - b. Ward(s) within which the permit / licence area lies in
 - c. The type of mineral intended for exploration and/or extraction
3. Submission of copies of the applicant details:
 - a. In the case of an Individual
 - i. Copy of National Identification Document (ID or Passport)
 - ii. Copy of KRA PIN
 - iii. Copy of Tax Compliance Certificate
 - b. In the case of a body corporate
 - i. Name of Contact Person and Designation in the Company
 - ii. Copy of company registration certificate
 - iii. Copy of company KRA PIN
 - iv. Copy of company Tax Compliance Certificate
 - v. List of the names and nationalities of the company directors and their associated shareholding





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- vi. Details of the Company registered address
4. Receipt for payment for the “Application of Consent” fee as per the County Finance Act.
 5. Copy of current County Single Business Permit in accordance with the intended size of the mining operation as per the County Finance Act
 6. A summary of the prospecting/mining plan including:
 - a. Anticipated duration of the life of the prospecting/mine operation.
 - b. Production forecasts over the term of the permit/licence,
 - c. Mining methodologies expected to be used
 - d. Plans for mineral processing within the County and
 - e. Mineral transportation.
 7. The list of impacted landowners and in particular ones whose parcels of land fall directly within or form part of the permit / licence area. The list should include:
 - a. Land Owner’s full names,
 - b. Land Parcel Title / Allocation Number,
 - c. Land Owner’s ID Number,
 - d. Land Owner’s Phone Number
 8. Copies of legally binding documentation detailing the landowner consent and compensation agreement terms.
 9. A proposed plan for continuous county government and community engagement for purposes of information sharing and sensitisation on project progress.
 10. Where applicable according to the type of mineral right, copies of the proposed :
 - a. Environmental Management Plan (part of the Certified NEMA EIA Report),
 - b. Procurement of Local Goods and Services Plan,
 - c. Employment and Training Plan
 - d. Community Social Investments Programme
 - e. Community Resettlement Programme

These requirements apply for all prospecting and mining operations categorised as follows:

SMALL SCALE OPERATIONS

- Artisanal Mining Permit
- Prospecting Permit
- Mining Permit

LARGE SCALE OPERATIONS

- Retention Licence
- Prospecting Licence
- Mining Licence

The Department of Mining shall provide the necessary technical assistance, if required and upon written request, to comply with the above at the cost of the applicant.

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