

GUYANA

No. 9 of 1979

REGULATIONS

Made Under

THE MINING ACT

(Cap. 65:01)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTION  
79 OF THE MINING ACT, I HEREBY MAKE THE FOLLOWING  
REGULATIONS:—

1. These Regulations, which amend the Mining Regulations, <sup>Citation</sup>  
may be cited as the Mining (Amendment) Regulation, 1979.

2. The provisions of the Principal Regulations specified in <sup>Amendment</sup>  
the first column of the Schedule are hereby amended in the <sup>of Principal</sup>  
manner specified in the second column of the Schedule. <sup>Regulations</sup>  
<sup>Schedule.</sup>

Reg 2

SCHEDULE

Provision

Amendment

Regs. 37 (5) and 42(5) Substitute "one hundred" for "ten".

Reg. 139 Substitute the following —

139. The royalty payable on gold or silver shall be at the rate of five per cent ad valorem or such rate per cent as may from time to time be fixed by the minister."

Provision	Amendment
Reg. 140	<p style="text-align: center;">Substitute the following —</p> <p>“Amount of royalty payable on precious stones, sand, shell, gravel, caddy, kaolin.</p> <p>140. (1) The royalty payable on all diamonds including borts and rubbish shall be at the rate of three per cent ad valorem.</p> <p>(2) The royalty payable on precious stones, semi precious stones other than diamonds, borts and rubbish shall be at the rate of five per cent ad valorem.</p> <p>(3) The royalty payable on stone, gravel, sand, shell, caddy, kaolin and other like substances excluding bauxite or any substance of a like nature shall be at the rate of one dollar per ton.</p> <p>(4) The rates of royalty set out in this regulation may from time to time be varied by the Minister.”</p>
Regs. 150 and 153	<p>Substitute “three hundred” and “five dollars” for one hundred and fifty” and “one dollar” respectively.</p>
Regs. 154, 155 and 160	<p>Substitute “three hundred” for “one hundred and fifty.”</p>
Reg. 181	<p style="text-align: center;">Substitute the following —</p> <p>“Books to be kept on claim showing gold etc., obtained.</p> <p>181. (1) Every holder or lessee of a claim or every person who carries on mining or dredging operations thereon or is in charge of such operations or his representative shall record in a book, kept on the claim or in any place approved by the Commissioner or a mines officer, a correct account of all gold, valuable minerals or precious stones obtained on the claim.</p> <p>(2) The pages of the book shall be consecutively numbered, shall bear the stamp and number of the</p>

**Provision**

**Amendment**

Commission, shall be in a form approved by the Commissioner and shall at all times be open to inspection by any officer authorised by the Commissioner.

- (3) The account shall be written up daily, and on any day on which gold or valuable minerals or precious stones are not obtained an entry to that effect shall be made.
- (4) A copy of the account, if requested by the Commissioner or a mines officer to be furnished by a specified date, shall be furnished by that date by the person requested."

**Reg. 183**            Insert "or every person who carries on mining or dredging operations thereon or is in charge of such operations" after "as aforesaid".

**Reg. 184**            (a) Insert "or every person who carries on mining or dredging operations thereof or is in charge of such operations" after "or any claim".  
(b) After "book" in paragraph (b) insert the words "or fails to comply with any request made under regulation 181(4)"

**Reg. 185**            Substitute the following —

"Restriction as to right to convey gold, valuable minerals or precious stones.

185. (1) No person who is not the holder or lessee or person in charge of a claim, or who is not authorised in writing for that purpose by the holder or lessee or person in charge of a claim or by a mines officer, shall without reasonable excuse convey gold, valuable minerals or precious stones from any place in the claim in which it or they were found to any other place whether inside or outside of the claim.

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- (2) No person who is not the holder of a prospecting licence, an authorised prospector under that licence, the holder of an exclusive permission, or his agent, or who is not authorised in writing for that purpose by any of the foregoing persons, or by a mines officer, shall without reasonable excuse convey gold, valuable minerals or precious stones from the area being prospected to any place outside that area.
- (3) No person shall convey gold, valuable minerals or precious stones from a mining district to Georgetown or to any place outside the mining district in which it or they were found unless he has obtained a permit, and no permit shall be granted to any person for the purpose unless he is the holder or lessee or person in charge of a claim, or is the holder of a prospecting licence, an authorised prospector under that licence, the holder of an exclusive permission, or his agent, or is authorised in writing for that purpose by any of the aforementioned persons, or is the holder of a licence to trade in gold, valuable minerals or precious stones.
- (4) Any gold, valuable minerals or precious stones conveyed contrary to these regulations may be seized by any officer and dealt with as prescribed in section 82 of the Act".

Provision

Amendment

Reg. 190

Substitute the following —

"Penalty on person fraudulently working gold.

190. No person shall work up any gold article of jewellery or any other or valuable minerals into any similar article, or shall cut, polish or mount precious stones, semi precious stones, valuable minerals or minerals until the royalty payable thereon is paid, or shall cut or mount precious stones, semi precious stones, valuable minerals or minerals without written authority from the Minister".

Reg. 196(3)

Substitute "the top copy" for "in a form approved by him a return".

Reg. 197

Substitute the following —

"Production of gold, valuable minerals and precious stones by trader.

197.(1) Where the book required under regulation 196 of these regulations to be kept shows that the holder of a licence to trade in gold, valuable minerals or precious stones has gold, valuable minerals or precious stones in his possession as a trader, the holder of the licence shall, if requested by the Commissioner or the Deputy Commissioner or by an officer of the Commission authorised in writing in that behalf by the Commissioner or Deputy Commissioner, produce such gold, valuable minerals or precious stones for inspection by the Commissioner, Deputy Commissioner or officer as the case may be; and the Commissioner, Deputy Commissioner, or officer may convey such gold, valuable minerals or precious stones to some place where they can be properly weighed, and in so doing he shall afford the holder of the licence the opportunity of accompanying him there.

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(2) The holder of a licence to trade in gold, valuable minerals or precious stones shall be guilty of an offence —

(a) where he fails to produce, as required by paragraph (1), gold valuable mineral or precious stones in his possession as a trader, for inspection by the Commissioner, Deputy Commissioner, or officer; or

(b) where, in the absence of a lawful excuse (the proof where shall lie upon him), the weight of the gold and valuable minerals or the number and weight of precious stones produced by him under paragraph (1) to the Commissioner, Deputy Commissioner or officer, for his inspection exceed, or are less than, the weight of the gold and valuable minerals or the number and weight of precious stones, as the case may be, which, according to his book, he ought to have in his possession.

and shall be liable on summary conviction to a fine of one thousand five hundred dollars.

Heading of  
PART XXI

substitute "EXPORT OF GOLD, VALUABLE MINERALS AND PRECIOUS STONES".

Substitute the following —

"Export of gold, valuable minerals and precious stones to be through local bank in Georgetown unless with written permission of Minister.

201. No person whatsoever who has not obtained authority in writing from the Minister for the purpose shall be any man whatsoever export any gold, valuable minerals or precious stones whether won by him on his claim or purchased by him under his licence to trade, except through a bank carrying on business in Georgetown and every bank shall when

Reg. 201

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**Amendment**

required by the Commissioner furnish him with all particulars relating to all gold, valuable minerals and precious stones exported by or through the bank”.

Reg. 202

Substitute the following —

“Declaring gold, valuable minerals and precious stones before export

202. Every person who exports gold, valuable minerals or precious stones shall, previous to any exportation, lodge the same at the office of the Commissioner or at a place authorised by the Commissioner and shall at the same time declare the weight and value of gold, valuable minerals and the number, weight and value of precious stones to be exported and produce the permits relating thereto along with the export documents for certification to the effect that royalty has been paid.”

Reg. 203

Substitute the following —

‘Sealing of receptacle containing gold, valuable minerals or precious stones

203. Gold, valuable minerals or precious stones lodged as provided in regulation 202 shall, unless the Commissioner otherwise directs, be weighed and checked with the permits relating thereto by an officer, who shall fasten the receptacle containing them with string or tape and shall seal the same with wax and shall also seal the ends of the string or tape with the leaden plier seal stamped, “Geology and Mines Commission, Guyana”. No receptacle containing gold, valuable minerals or precious stones, which does not bear this seal, shall be tendered for export.”

Reg. 204

Substitute the following —

If weight of gold, valuable minerals or precious stones wrongly declared, gold, valuable minerals or precious stones liable to forfeiture,

204. If, on gold, valuable minerals or precious stones being weighed and checked as provided in regulation 202, the weight or number is found to be in excess of the weights or numbers shown by the permits relating thereto, the Commissioner may, if in his opinion the discrepancy in the weight or number is of such extent as to warrant the relief that the

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weight or number has been wrongly declared with intent to defraud the revenue, seize and detain the gold, valuable minerals and precious stones and report the facts to the Minister who in his discretion may declare that all the gold, valuable minerals or precious stones or any part thereof shall be forfeited and the licence of the exporter to trade in gold, valuable minerals or precious stones may be revoked."

Reg. 205

Insert "Gold, Valuable Minerals or" after "Export of".

Second Schedule

Substitute the following —

**"SECOND SCHEDULE  
TABLE OF FEES**

	\$. c.
For a prospecting licence	25.00
On filing a notice of location of any claim and application for a licence	5.00
For filing application for a concession or lease	100.00
For a certified copy of particulars relating to a prospecting licence	1.00
For a licence to mine for gold for each financial year or part thereof	10.00
For a licence to mine for precious stones for each financial year or part thereof	10.00
For a licence to mine for gold and precious stones for each financial year or part thereof	20.00
For a licence to mine for valuable minerals for each financial year or part thereof	20.00



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For a licence to mine for minerals for each financial year or part thereof		10.00
For every duplicate licence issued		1.00
For every duplicate concession or lease, per page		1.00
For transfer of each claim licence		10.00
For every mining privilege		5.00
For each certificate, including registration of labour		1.00
Surveys —		
<p>For the survey of any area comprised within the boundaries of a tract to be held under a claim licence, concession or lease, the applicant shall deposit the estimated cost of the survey and where the actual cost exceeds the amount deposited, shall pay the excess cost after survey, and similarly where the actual cost is less than the amount deposited, shall be entitled to a refund of the difference.</p>		
Fees in proceeding before the Commissioner or mines officer —		
Filing complaint		5.00
Summons of a witness		5.00
Copy of evidence or any document, per page of eighteen lines		1.00
For filing a notice of location and application for a river location licence		10.00
For a river location licence for each financial year or part thereof		50.00"

Form 8

Substitute "\$50." for "\$20."

Made this 29th day of September, 1979.

*Vincent Teekuh,*  
Minister of Energy and Natural Resources.