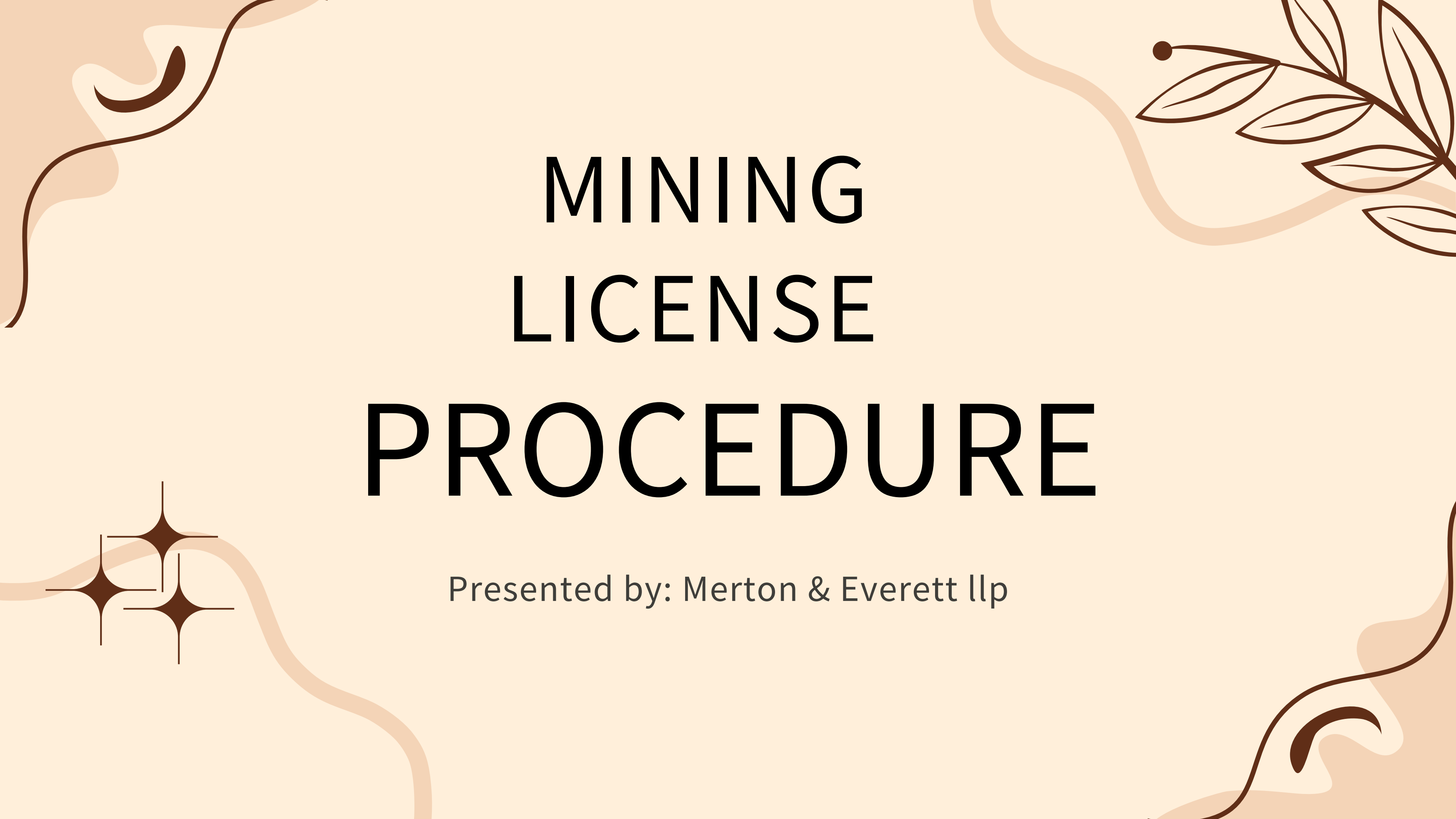


The background features decorative elements in the corners: a dark brown vine with a leaf in the top-left, a dark brown branch with several leaves in the top-right, and three dark brown starburst shapes in the bottom-left. The main text is centered in a large, bold, black, sans-serif font.

MINING LICENSE PROCEDURE

Presented by: Merton & Everett llp

INTRODUCTION

- The Ministry of Lands and Natural Resources and the Minerals Commission of Ghana are the chief administrative bodies regulating the sector.
- As stated in the laws they provide the framework for the conduct of gold explorations in Ghana.

INTRODUCTION

- However, the holder of a mineral right must obtain the necessary approval and permits from the Forestry Commission (FC) and the Environmental Protection Authority (EPA) before undertaking an activity or operations under the license.
- This is significant in ensuring the protection of natural resources, public health, and the environment.

TYPES OF MINING LICENSES

The types of Mining Licenses in Ghana include;

- a. Reconnaissance License
- b. Prospecting License
- c. Mining Lease
- d. Small Scale Mining License

RECONNAISSANCE LICENSE

- Under Act 703, a reconnaissance license allows the holder to have the exclusive right to search the designated area for specific minerals.
- However, it does not allow for drilling or excavation.
- It is worth noting that a reconnaissance license is granted for an initial period of 12 months.
- An applicant can also apply for a Restricted Reconnaissance Licence (RRL), which is specifically valid for a period of 12 months.

RECONNAISSANCE LICENSE

- 12 months (renewable)
- Maximum size - 5,000 contiguous blocks or 1050sq. km
- No Drilling or Excavation

PROSPECTING LICENSE

- The Minister in charge of mines can grant a prospecting license to a qualified applicant, based on a recommendation from the Minerals Commission.
- This license allows the holder to:
 - a. Search for the minerals listed in the license,
 - b. Dig boreholes and make excavations needed for prospecting
 - c. Set up camps or temporary buildings, and
 - d. Carry out any other related activities.

PROSPECTING LICENSE

- Applicants can also apply for a Restricted Prospecting License (RPL), which lasts for three years. The process is similar to the regular license, but the applicant must state the desired restriction period.
- A regular prospecting license is granted for an initial period of up to three years.

PROSPECTING LICENSE

- Up to 3 years (renewable)
- Holder must shed 50% off during each renewal
- 1 Block or a number not exceeding 750 contiguous blocks or 157.5 sq km
- Making of boreholes and excavations
- Erection of camps and temporary buildings

MINING LEASE

- Someone who holds a reconnaissance or prospecting license can apply for a mining lease before their license expires.
- There is an option to apply for a Restricted Mining Lease, which is valid for 15 years.
- A regular mining lease is granted for up to 30 years at first, or for a shorter period if agreed with the applicant, offering flexibility based on their needs.
- This type of lease requires parliamentary ratification under Article 268(2) of the 1992 Constitution

MINING LEASE

- Parliamentary ratification required
- Up to 30 years
- A single block up to 300 contiguous blocks or 63 sq.km
- Conduct mineral operations (i.e mining and prospecting)
- Erect equipment, plant and buildings for mineral operations
- Dispose of minerals mined
- Dump mineral waste product as approved

SMALL-SCALE MINING LICENSE

- A Small-Scale Mining Licence is given to Ghanaians who want to mine on a small scale. It allows the holder to mine for specific minerals in a designated area.
- Only Ghanaian citizens who are at least 18 years old can apply, either as individuals or through a group or cooperative.
- The license is usually granted for up to five (5) years and can be renewed.

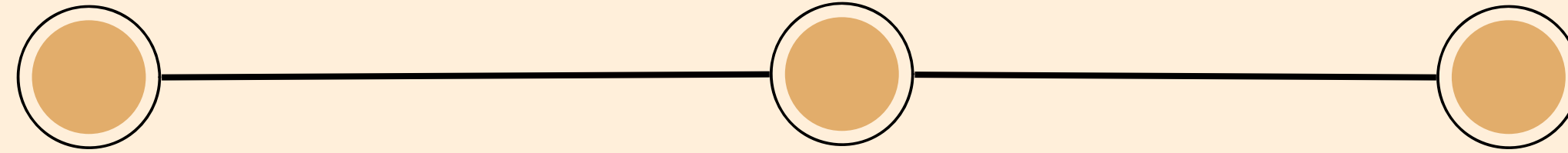
GRANT OF MINERAL RIGHTS

Except for small-scale mining rights that can be granted to an individual as provided for under Act 703, only corporate bodies incorporated in Ghana under the laws of the Republic of Ghana shall be given a mineral right in Ghana.

GRANT OF MINERAL RIGHTS

- However, a license for small-scale mining is granted only to a citizen of the Republic of Ghana who has attained the age of 18 years and is registered by the office of the Minerals Commission in an area designated and known as the District Office.
- Under no circumstances is any foreigner allowed to participate in the small-scale mining industry.

HOW TO OBTAIN RECONNAISSANCE , RESTRICTED RECONNAISSANCE PROSPECTING AND RESTRICTED PROSPECTING LICENCE.



Step 1

Submit application

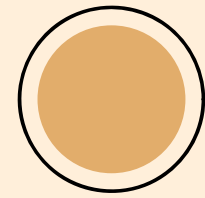
Step 2

Publication
in Gazette
(newspaper)

STEP 3

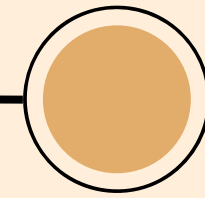
21 Days for
Stakeholders including
the local communities

HOW TO OBTAIN RECONNAISSANCE , RESTRICTED RECONNAISSANCE PROSPECTING AND RESTRICTED PROSPECTING LICENCE.



Step 4

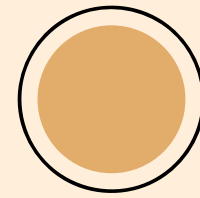
Commission considers application within 30 days and makes recommendations to the minister



STEP 5

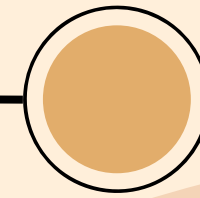
Minister Takes a Decision within 60 days

HOW TO OBTAIN RECONNAISSANCE , RESTRICTED RECONNAISSANCE PROSPECTING AND RESTRICTED PROSPECTING LICENCE.



Step 6

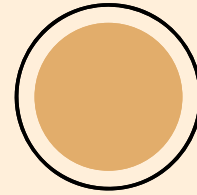
Approval/Rejection



Step 7

Within 60 days applicant pays applicable fees and communicates acceptance

HOW TO OBTAIN RECONNAISSANCE , RESTRICTED RECONNAISSANCE PROSPECTING AND RESTRICTED PROSPECTING LICENCE.



Step 8 LICENSE

Minister on proof of payment of applicable fees,
issues license to applicant within 30 days after the
date of acceptance of the grant

HOW TO ACQUIRE SMALL-SCALE MINING LICENSE



HOW TO ACQUIRE SMALL-SCALE MINING LICENSE



TERMINATION OF MINING LICENSE

- Fails to make any required payment to the Republic or another person on the due date
- becomes insolvent or bankrupt; enters into an agreement or scheme of composition with the holder's creditors, or takes advantage of an enactment for the benefit of its debtors or goes into liquidation, except as part of a scheme for an arrangement or amalgamation

TERMINATION OF MINING LICENSE

- Knowingly makes a materially false statement to the Minister of Lands and Natural Resources in connection with the mineral right; or
- for any reason, becomes ineligible to apply for a mining right under the Minerals and Mining Act, 2006.

ENVIRONMENTAL ASSESSMENT

- Environmental Impact Assessment is governed by the Environmental Assessment Regulations, L.I. 1652.
- These regulations require that all developmental activities likely to impact adversely on the environment must be subject to Environmental Assessment
- The objective of the L.I. is to ensure that development activities are carried out in a way that is environmentally sound and sustainable

THE STEPS FOR ENVIRONMENTAL ASSESSMENT

Screening

This initial stage determines whether a project requires a full EIA, a preliminary environmental assessment, or no environmental assessment at all.

Scoping

If an EIA is required, scoping identifies the significant environmental issues and potential impacts that need to be addressed in the EIA.

THE STEPS FOR ENVIRONMENTAL ASSESSMENT

Impact Assessment

This stage involves predicting and assessing the potential environmental impacts of the project, including both positive and negative effects.

Mitigation

Measures are developed to avoid, minimize, or compensate for negative environmental impacts

THE STEPS FOR ENVIRONMENTAL ASSESSMENT

Public Participation

This stage involves predicting and assessing the potential environmental impacts of the project, including both positive and negative effects.



Reporting

The findings of the EIA are documented in an Environmental Impact Statement

THE STEPS FOR ENVIRONMENTAL ASSESSMENT

Decision Making

Based on the EIS and other relevant factors, the permitting authority makes a decision on whether to approve the project.

Reporting

Once a project is approved, its environmental performance is monitored to ensure compliance with the EIA requirements and mitigation measures.

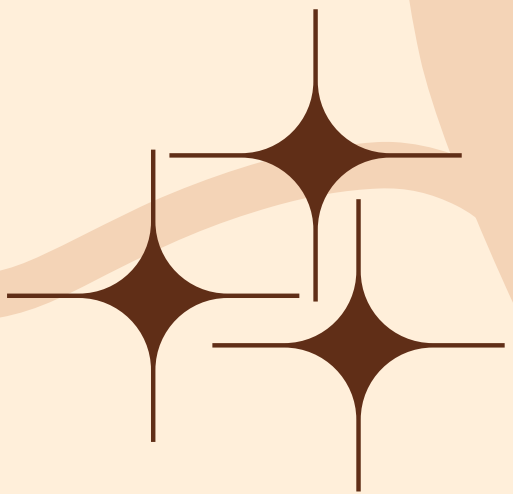


ENVIRONMENTAL ASSESSMENT

The Agency will not issue an environmental permit for any project listed in Schedule 2 such as agriculture, fishing and trapping, logging and forestry, mining, quarrying and oil wells, manufacturing, leather and allied products, non-mettalic mineral products, construction, wholesale trade etc. unless the person responsible submits an Environmental Impact Assessment that meets the requirements of these Regulations.

ENVIRONMENTAL ASSESSMENT

- Environmental Impact Assessment is governed by the Environmental Assessment Regulations, L.I. 1652.
- These regulations require that any development that could harm the environment must go through an Environmental Assessment



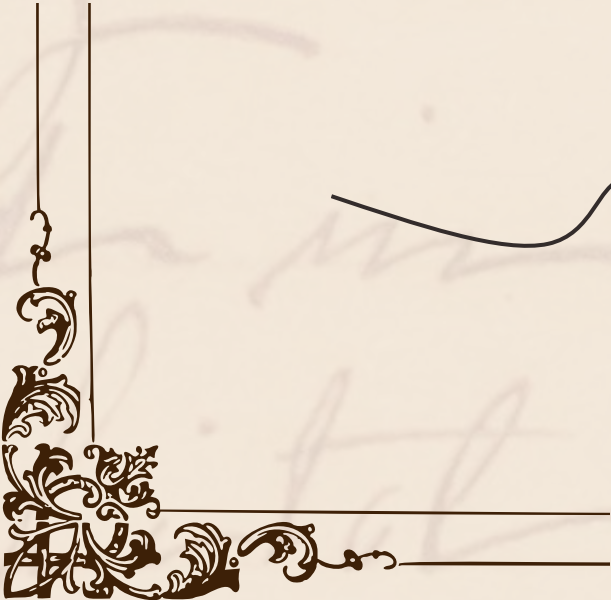


THE NEW AND IMPROVED



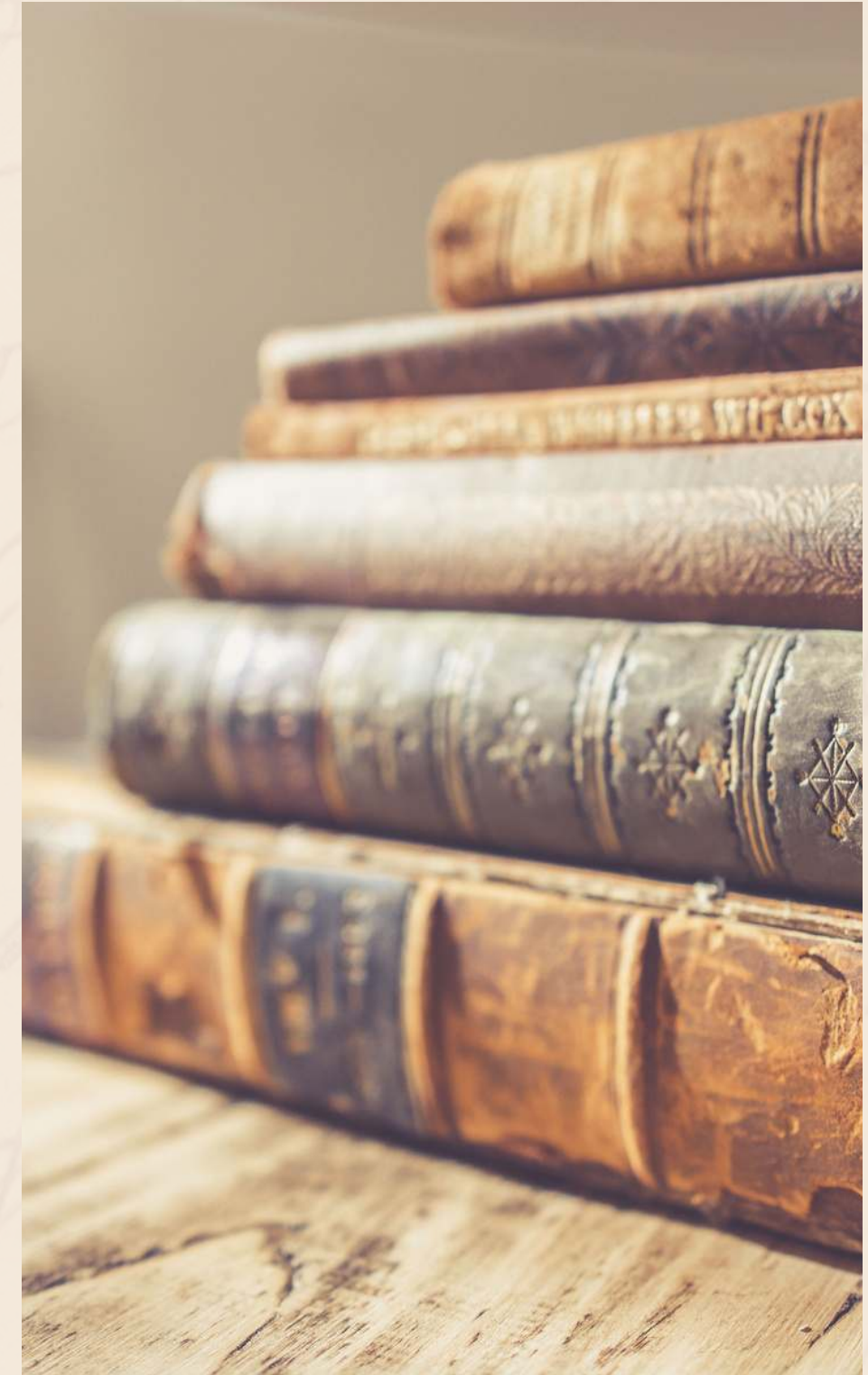
ENVIRONMENTAL PROTECTION ACT 2025

(ACT 1124)



INTRODUCTION

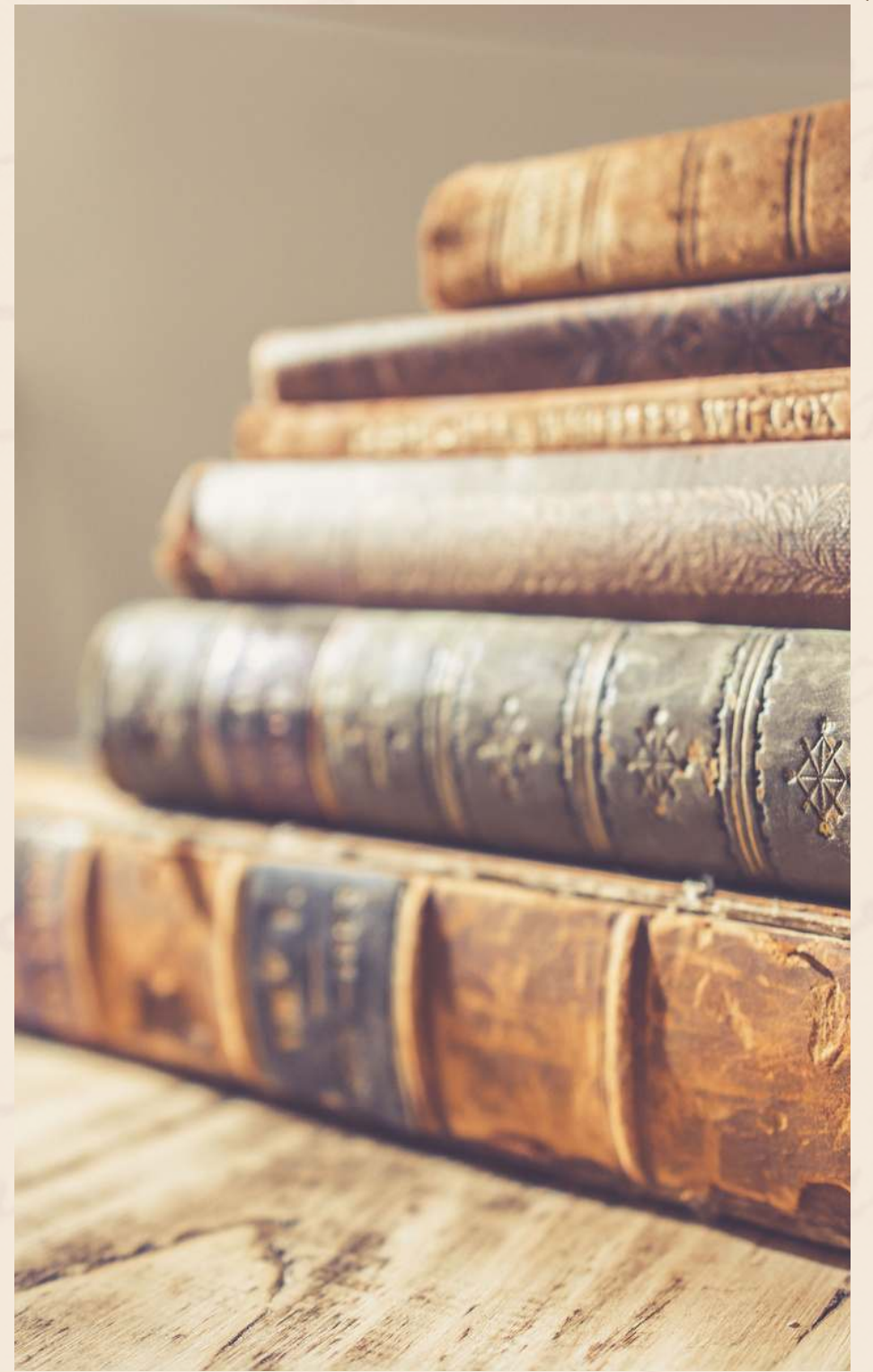
Article 36(5) of the 1992 Constitution says Ghana must protect the environment for future generations and work with others to protect the global environment for everyone.



INTRODUCTION

The Environmental Protection Act, 2025 (Act 1124) was passed to help achieve this.

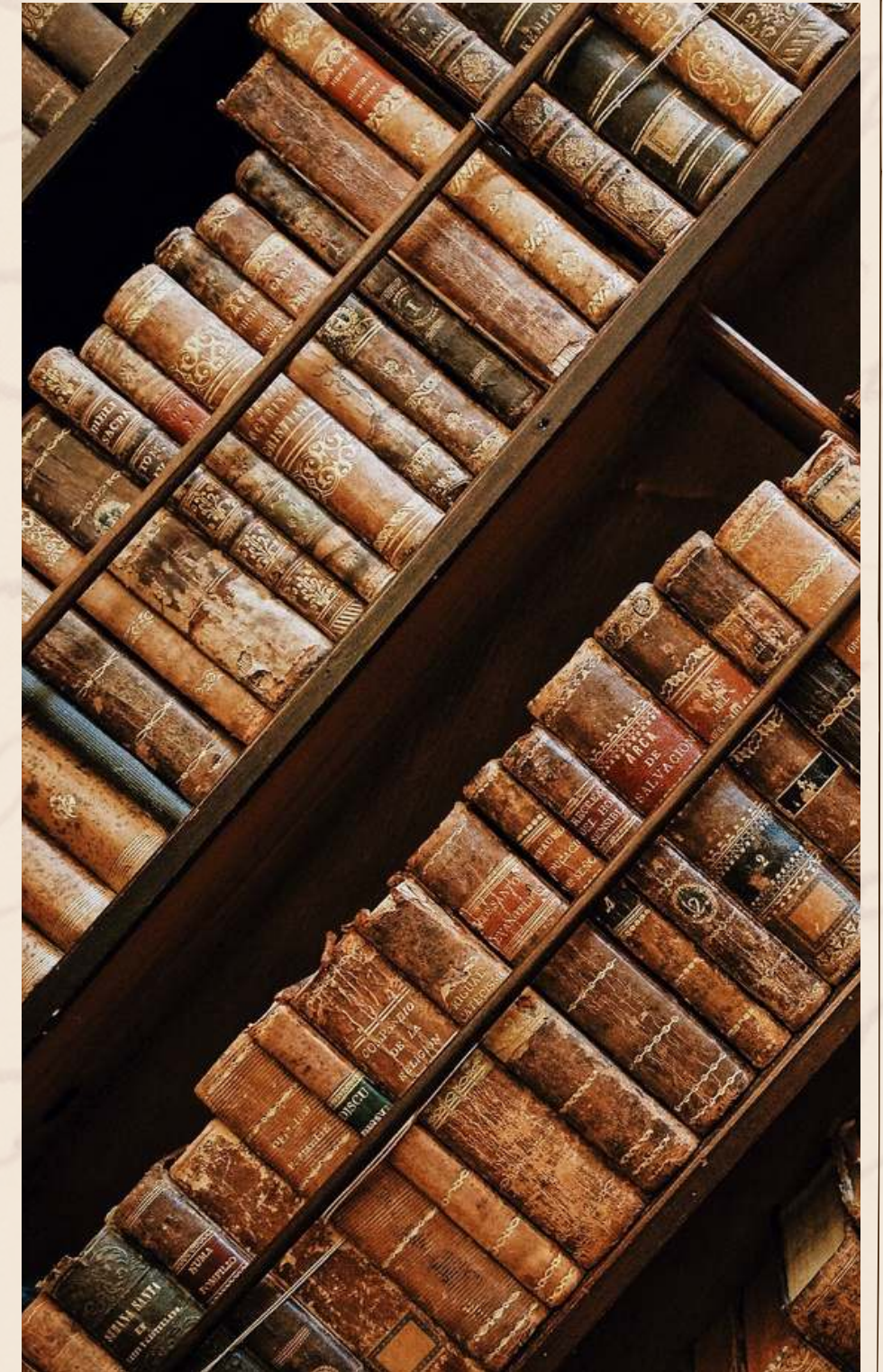
It updates Ghana's environmental laws, combines old ones, and gives more power to the Environmental Protection Authority (formerly the Environmental Protection Agency).



MAIN PURPOSE OF THE ACT 1124



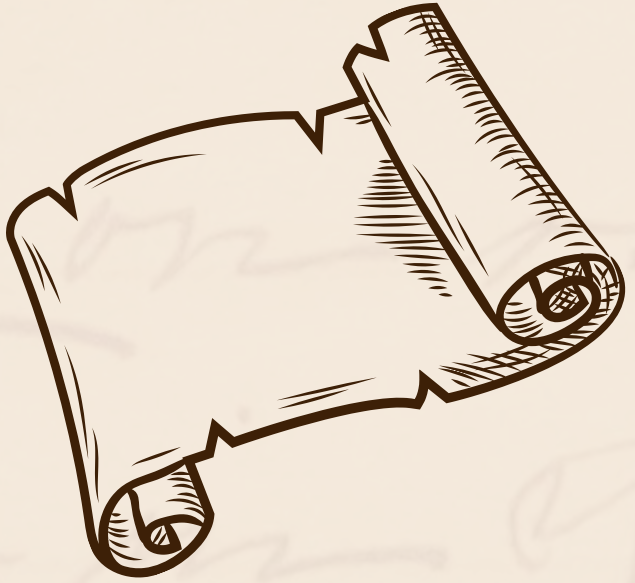
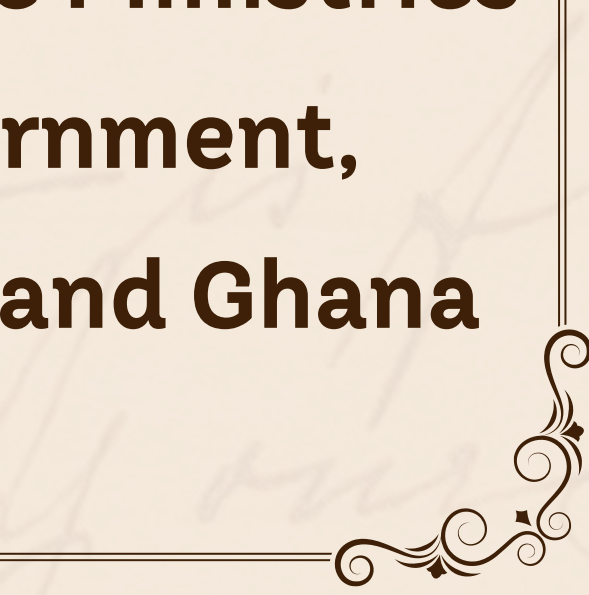
- To protect Ghana's environment—land, air, water, animals, plants, and ecosystems.
- To respond to both local and global environmental concerns, including climate change.
- To make sure development activities are done in a safe and sustainable way.





STRONGER ROLE FOR THE EPA

• The Authority now has full power to regulate and oversee all environmental and climate-related issues in Ghana.

- 
- It coordinates with other key bodies like the Ministries of Environment, Trade, Finance, Local Government, Minerals Commission, Energy Commission, and Ghana Revenue Authority.**
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ENVIRONMENTAL ASSESSMENT

- **Before starting any activity (like mining) that could harm the environment, you must first do an Environmental Assessment (what used to be called Environmental Impact Assessment) .**
- **This means studying and reporting on how your activities could affect the environment.**
- **If the activity is risky, the Authority can reject it or give conditions to reduce harm.**
- **No one is allowed to start such activities without an environmental permit**



OTHER TOOLS

01

**Certifying Environmental Practitioners Only
qualified people can provide environmental
services.**

02

**Monitoring & Inspections – The Authority
checks to make sure people follow the rules.**



OTHER TOOLS

03 Request for Information

The Authority can ask for records or data at any time.

Ratings and Public Disclosure

04 To show which companies are following the law.

Environmental Audits

05 To review if projects are meeting standards.

ENFORCEMENT & PENALTIES

If someone breaks the rules (e.g., mining without a permit), the Authority can take action.

This includes fines, administrative penalties, or criminal charges

CLIMATE CHANGE

For the first time, the law makes climate change part of Ghana's environmental protection system.

The Act creates a Ghana Carbon Registry and Carbon Market Committee to help Ghana benefit from global climate finance and carbon trading



CONCLUSION

In summary, the Environmental Protection Act, 2025 is a powerful tool to protect Ghana's environment. Illegal mining activities that cause harm or are done without proper permits and assessments clearly violate this law. This is why environmental assessment and proper licensing are key and why enforcement is now stronger than ever.

THANK
YOU

