

---

THE UNITED REPUBLIC OF TANZANIA

*Supplement No. 6*

*8<sup>th</sup> February, 2019*

***SUBSIDIARY LEGISLATION***

*to the Gazette of the United Republic of Tanzania No.6. Vol.100 dated 8<sup>th</sup> February, 2019*  
Printed by the Government Printer, Dodoma by Order of Government

---

GOVERNMENT NOTICE NO. 135 published on 8/2/2019

THE MINING ACT  
(CAP.123)

**REGULATIONS**

*(Made under section 112)*

THE MINING (MIRERANI CONTROLLED AREA) REGULATIONS, 2019

PART I  
PRELIMINARY PROVISIONS

- Citation and Commencement      1. These Regulations may be cited as the Mining (Mirerani Controlled Area) Regulations, 2019, and shall come into operation on the date of publication.
- Interpretation                2. In these Regulations, unless the context otherwise requires-
- Cap. 123                        “Act” means the Mining Act;  
   “Authorized officer” has the meaning ascribed to it under the Act;  
   “Commission” has the meaning ascribed to it under the Act;  
   “Controlled Area” means the Mirerani Controlled Area;

*Mining (Mirerani Controlled Area)*

*GN. No. 135 (contd.)*

GN No.  
408 of 2010

- “holder of mineral right” means the person in whose name a mineral right is registered under the Act;
- “identification card” means an authorization permit issued by the Commission for entrance in the Controlled Area;
- “inspector of mines” means the inspector of mines appointed under section 25 of the Act;
- “mine guard” means a person authorized by holders of mineral rights to guard the area under their mineral rights;
- “Mines Manager” means a person in-charge of a mine as referred to under regulation 4 of the Mining (Safety, Occupational Health and Environment Protection) Regulations;
- “mine warden” means any public officer authorized by the Commission to enter the Controlled Area for the purposes of observing the breach of these Regulations;
- “Minister” means the Minister responsible for mining affairs;
- “Mirerani controlled area guard” means a person assigned by the Security Committee to guard the entire Controlled Area;
- “Security Committee” means the committee referred to under regulation 21;
- “tourist” any person who visits the controlled area for pleasure;
- “visitor” means a resident or non-resident who visits the Controlled Area on temporary basis;
- “visitor’s pass” means an authorization permit which allows a person to enter and remain in the Controlled Area for the period specified under regulation 13(2); and
- “wall” means thirty metres in the constructed wall except where there is existing building which forms part of the mining operations.

PART II  
SECURITY COMMITTEE

Establish-  
ment of  
Security  
Committee

3.-(1) There shall be established a Committee to be known as the Security Committee for the Controlled Area.

(2) The Committee established under sub-regulation (1) of regulation 3 shall be composed of-

- (a) the Chairman of the Security Committee who shall be the District Commissioner of Simanjoro; and

*Mining (Mirerani Controlled Area)*

---

*GN. No. 135 (contd.)*

- (b) other members of the Committee shall consist of-
- (i) one representative from Manyara Region Miners Association;
  - (ii) Officer Commanding District;
  - (iii) District Security Officer;
  - (iv) one representative from Mirerani Village Council;
  - (v) one representative from Naisinyai Village Council;
  - (vi) one representative miner from each of the Mirerani Mining Blocks;
  - (vii) a Township Executive Officer; and
  - (viii) any other person appointed by the Commission.

(3) The Resident Mines Officer shall be a member and secretary to the Security Committee and in his absence to any date scheduled for Committee meeting, the Mines Resident Officer shall be the Secretary for that meeting.

(4) In the absence of the Chairman the members of the meeting shall appoint one of the members to be the Chairman for that meeting.

Duties of  
Security  
Committee

4. The duties of the Security Committee shall be to advise the Commission on the matters of security, environment and management of the Controlled Area.

Commission  
to issue  
directives

5. The Commission may issue directives to the Security Committee or any other person or body of persons on any matter relating to the proper implementation of these Regulations.

PART III  
THE CONTROLLED AREA

Controlled  
Area

6.-(1) The Controlled Area shall comprise of the entire area by order of the Minister as published in the *Gazette*.

(2) The Controlled Area under sub-regulation (1) shall have a wall, or other means of enclosure established by the Government.

(3) There shall be the main gate of the wall to be used for control purposes.

(4) Every person shall be required to pass through the main gate of the wall at the time of entry and exit.



*Mining (Mimerani Controlled Area)*

*GN. No. 135 (contd.)*

- |  |  |
|--|--|
| Notice Board                             | <p>7. (1) There shall be a notice board to be displayed conspicuously for the purposes of notifying the public on conditions of the Controlled Area.</p> <p>(2) The notice to be displayed shall be written in both Kiswahili and English languages.</p>   |
| Fencing of mineral right area by holders | <p>8. (1) Every holder of a mineral right granted within the Controlled Area, shall be required to establish fences for enclosure of the areas of his mineral rights.</p> <p>(2) The holder of each mineral right shall be required at his mineral right area to display a notice board in a conspicuously place.</p> <p>(3) The notice shall be written in both Kiswahili and English languages indicating the particulars of the mineral right holder as specified by the Security Committee.</p> <p>(4) Subject to sub-regulation (1), upon fulfillment of the requirements of establishing the fences, the holder of a mineral right shall give notice of the completion in writing to the Security Committee.</p> <p>(5) The Security Committee shall notify the Commission or any other officer authorized by the Commission to inspect such fences.</p> |
| Certificate of compliance                | <p>9. Subject to regulation 8, the Commission shall issue a certificate of compliance to the holder of the mineral right, where it is satisfied that the work of fencing of the mineral rights area is complete and it has been executed in accordance with the requirements specified.</p>  |
| Right of way                             | <p>10. Subject to regulation 8(1), every holder of a mineral right shall not attempt or block access to other mineral right holders to access their mineral right areas within the Controlled Area.</p>  |
| Restriction of certain activities        | <p>11. The mining activities on the surface or underground of the Controlled Area shall not be conducted at 200 meters from the wall.</p>  |
| Maintenance of enclosure                 | <p>12.-(1) The holder of each mineral right shall maintain or cause to be maintained to the satisfaction of Commission, every wall or</p>  |

*Mining (Mirerani Controlled Area)*

*GN. No. 135 (contd.)*

other means of enclosure under his mineral rights area and every notice board, gate and lock required under these Regulations.

(2) The Commission shall have the powers of setting out the period necessary for the holder of mineral right to complete the establishment of the fences, walls or other means of enclosure of the mineral right areas.

(3) Any holder of mineral right who fails to comply with the completion period specified by the Commission shall be liable to a fine of not exceeding five hundred thousand shillings.

Mine wardens

13.-(1) There shall be a mine warden who shall be under the supervision of the Resident Mines Officer.

(2) Mine wardens shall have the power to enter the Controlled Area to inspect surface boundaries and search for, arrest any person for minerals illegally acquired or deemed to have been illegally acquired.

Prohibition for alterations of boundaries

14. The holder of any mineral right in the Controlled Area under these Regulations shall not be permitted to amend, make alteration or attempt to or permit any person to alter the boundaries and other details relating to the mineral right except with the approval of the Commission.

Identification cards

15.-(1) No person shall enter or remain upon the Controlled Area or attempt to work in the mineral right area without having an identification card issued by the Resident Mines Officer.

(2) Every holder of a mineral right, his employee, agent or contractor shall be issued with an identification card which provides access to work in the Controlled Area during the working shift.

(3) Identification cards issued under this regulation shall be valid-

- (a) in case of a holder of a mineral right, until the expiry period or revocation of a mineral right by the relevant authority; and
- (b) in case of the employee, agent or contractor, until the termination of the employment contract by the holder of the mineral right.

