

Mining (Local Content) (Amendments)

GOVERNMENT NOTICE NO. 139 published on 8/2/2019

THE MINING ACT
(CAP. 123)

REGULATIONS

(Made under sections 102 and 112)

THE MINING (LOCAL CONTENT) (AMENDMENTS) REGULATIONS, 2019

Citation
GN. No.
3 of 2018

1. These Regulations may be cited as the Mining (Local Content) (Amendments) Regulations, 2019 and shall be read together with the Mining (Local Content) Regulations, 2018 hereinafter referred to as the “principal Regulations”.

Amendment
of regulation
3

2. Regulation 3 of the principal Regulations is amended in the definition of the term “indigenous Tanzanian company” by deleting the words “fifty-one percent” appearing immediately after the words “at least” in paragraph (a) and replacing them with the words “twenty percent”.

Amendment
of regulation
11

3. The principal Regulations are amended in regulation 11-

- (a) in subregulation (1), by deleting the words “twenty-five” appearing immediately after the word “within” and replacing them with the word “sixty”;
- (b) in subregulation (5), by deleting the word “seven” appearing immediately after the word “within” and replacing it with the word “thirty”;
- (c) in subregulation (6), by deleting the word “seven” appearing immediately after the word “within” and replacing it with the word “thirty”; and
- (d) by deleting subregulation 8.

Amendment
of regulation
13

4. The principal Regulations are amended in regulation 13 by adding immediately after subregulation (4) the following new

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subregulation-

“(5) The Minister shall, in prescribing additional minimal local contents level under subregulation (4), ensure that views of stakeholders have been sought.”

Amendment
of regulation
34

5. The principal Regulations are amended in regulation 34 by adding immediately after subregulation (2) the following new subregulation:

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“(3) For the purpose of this regulation, “a Tanzanian financial institution or organization” and “foreign financial institution or organization” have the meaning ascribed to them under the Banking and Financial Institutions Act”.

Amendment
of Regulation
of 36

6. The principal Regulations are amended in regulation 36 by-

- (a) deleting the words “an indigenous” appearing in subregulation (1);
- (b) deleting subregulation (2) and replacing it with the following:

“(2) For the purpose of this regulation, “Tanzanian bank” means a bank that has one hundred percent Tanzanian or not less than twenty percent of Tanzanian shareholding.”

Amendment
of First
Schedule

7. The principal Regulations are amended in the First Schedule by deleting the words “Regulations 13(2)” appearing immediately below the words “FIRST SCHEDULE” and replacing them with the words “(Made under regulation 13(1),(2) and (4))”.

Amendment
of Second
Schedule

8. The principal Regulations are amended in the Second Schedule by deleting the words “Regulations 17(2)” appearing immediately below the words “SECOND SCHEDULE” and replacing them with the words “(Made under regulation 17(2))”.

Amendment
of Third
Schedule

9. The principal Regulations are amended in the Third Schedule by-

- (a) deleting the words “Regulations 18(1)” appearing immediately below the words “THIRD SCHEDULE” and replacing them with the words “(Made under regulation 18(1))”;
- (b) deleting the words “(Regulations 15(1)(b))” appearing

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- immediately below the words PART-B and replacing them with the words “(Made under regulation 18(1) (b))”;
- (c) deleting the words “(Regulations 15(1)(e))” appearing immediately below the words PART-C and replacing them with the words “(Made under regulation 18(1) (c))”.

Dodoma
30th January, 2019

DOTO MASHAKA BITEKO,
Minister for Minerals