MINERALS AND MINING (LOCAL CONTENT AND LOCAL PARTICIPATION) REGULATIONS, 2020

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IN exercise of the power conferred on the Minister responsible for Mines under section 110 of the Minerals and Mining Act, 2006 (Act 703), these Regulations are made this 15th day of October, 2020.

Preliminary Provisions

Purpose of Regulations

1. The purpose of these Regulations is to

   (a) promote job creation through the use of local expertise, goods and services, businesses and financing in the mining industry value chain and the retention of the jobs in the country;

   (b) achieve the minimum local level and in-country spend for the provision of goods and services in the mining industry value chain;

   (c) increase the capability and international competitiveness of domestic businesses;

   (d) create mining and mineral related support industries that will provide jobs and sustain economic development;

   (e) achieve and maintain a degree of participation for Ghanaians or companies incorporated in the country in the mining industry value chain;

   (f) develop local capacities in the mining industry value chain through education, skills transfer and expertise development, transfer of technology and know-how and research and development programmes;

   (g) provide for a monitoring and reporting system in relation to the delivery of local content policy objectives;

   (h) provide for the submission of the local content plan and related sub-plans by persons, businesses and any other allied entity involved in the mining industry value chain including

      (i) the provision of goods and services; and

      (ii) a recruitment and training programme; and

   (i) supervise, coordinate, implement and monitor local content in the mining industry.
Application of Regulations

2. These Regulations apply to an applicant or
   (a) a holder of a reconnaissance licence, a prospecting licence
       or a mining lease;
   (b) a holder of a licence to export or deal in minerals; and
   (c) a person who is registered to provide mine support services.

Localisation programme

3. (1) A holder of a reconnaissance licence or a prospecting licence
      shall submit to the Commission for approval, a localisation programme
      for recruitment and training of Ghanaians.

      (2) The localisation programme to be submitted under
          subregulation (1) shall include
          (a) details of ongoing and planned recruitment and training
              of Ghanaians to replace expatriates;
          (b) the number of expatriate staff relative to the total number
              of senior staff to be maintained by a holder of a reconnaissance
              licence or a prospecting licence as specified in the First
              Schedule; and
          (c) indication of gender inclusive recruitment.

      (3) A person whose localisation programme has been approved by
          the Commission under these Regulations shall submit an annual report
          to the Commission on or before the thirty-first day of January each year,
          showing the level of compliance with the approved programme.

      (4) A person who does not comply with the localisation programme
          approved under these Regulations is liable to pay to the Commission an
          administrative penalty of one year’s gross salary of the expatriate
          involved for each month or part of each month that the expatriate worked.

      (5) The administrative penalty shall be paid into an account
          established by the Commission for training of citizens for employment
          in the mining sector.

      (6) The payment of the penalty shall not prejudice any other
          actions that may be taken against the person or the expatriate involved
          under any other enactment.
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Recruitment of expatriates

4. (1) A person who applies for a mineral right, a licence to export or deal in minerals, or to provide mine support services under the Act or Regulations made under the Act, shall submit particulars of proposals with respect to the recruitment of expatriates and employment and training of Ghanaians having due regard for gender inclusion.

(2) The particulars to be submitted under subregulation (1) shall include

(a) the curriculum vitae of the expatriates;
(b) the positions to be filled by the expatriates and the job description;
(c) the conditions of service of the expatriates, including remuneration, allowances, and other benefits;
(d) the duration of the contract of the expatriates;
(e) a statement indicating how the applicant intends to employ and train Ghanaians to replace the expatriates with due regard to gender inclusion within a specified time frame; and
(f) the level of compliance with the ratios specified in these Regulations.

(3) The particulars shall be submitted

(a) with Form One as set out in the Second Schedule; and
(b) at intervals of three years after the application has been granted.

(4) An immigration quota shall be granted to a holder of a mineral right under the Act subject to the approval by the Commission of the proposals submitted under subregulation (2).

(5) The approved proposals shall form part of the conditions to the mineral right agreement or the appropriate licence granted under the Act.

(6) The Commission shall not recommend the approval of an immigration quota or an application to recruit an expatriate unless the Commission is satisfied that no Ghanaian has the requisite qualification and experience to occupy the position for which the expatriate is to be recruited.
Employment and training of Ghanaians

5. (1) Where the employment of expatriate skilled labour is critical, a holder of a reconnaissance licence or a prospecting licence may,

(a) after two years, substitute part or all of the holder's proportion of expatriate staff allowed in the technical, supervisory and management category for skilled labour; or

(b) after four years, substitute part or all of the holder's proportion of staff allowed in the management category for skilled labour.

(2) A holder of a mining lease shall submit for approval, a programme for recruitment and training of Ghanaians which shall include

(a) details of ongoing and planned recruitment and training of Ghanaians to replace expatriates;

(b) the percentage of expatriate staff relative to the total number of senior staff to be maintained by a holder of a mining lease which is as follows:

(i) for the first three years from the commencement of mining operations, the percentage shall not exceed ten per cent;

(ii) after the third year of the commencement of mining operations, the percentage shall not exceed five per cent; and

(iii) after the sixth year of the commencement of mining operations, the holder shall ensure that the five per cent is consistently reduced with the intent to attain full Ghanaian participation.

(3) Subject to subregulation (6), a person specified under regulation 2 shall not employ an expatriate in an unskilled or clerical position.

(4) Where the application of the percentages specified in subregulation (2) results in

(a) the holder of a mining lease being entitled to employ less than three expatriates, the Commission may permit the holder of a mining lease to employ three expatriates; or
(b) a fraction, the next whole number shall be the number of expatriates to be employed.

(5) A person registered to provide mine support services or licensed to export or deal in minerals shall
(a) submit for approval a programme for training and recruitment of Ghanaians having due consideration for gender inclusion including details of ongoing and planned training and recruitment of Ghanaians to replace expatriates; and
(b) maintain expatriate staff as specified in the First Schedule.

(6) Subject to paragraph (b) of subregulation (5), unskilled labour, skilled labour, and clerical positions shall be reserved for Ghanaians.

(7) Where the employment of expatriate skilled labour, is critical for the purposes of training Ghanaians personnel, a mine support service provider or a holder of a licence to export or deal in minerals may substitute part of the proportion of expatriate staff allowed as specified in the First Schedule with the required skilled labour.

(8) The Commission may approve the employment of additional expatriates in exceptional circumstances upon consideration of justification submitted by the applicant, including
(a) where specialised technology is used,
(b) where a special project including a new mine development, expansion or rehabilitation is to be undertaken, provided that the duration of the project does not exceed three years; or
(c) where Ghanaians are transferred to work as expatriates in the operations of the company in other countries.

(9) Where prospecting operations are being carried out on five or more prospecting licences and a corporate office is maintained separately from the exploration site offices, a maximum of two additional expatriates may be employed in the corporate office.

(10) Where mining operations are being carried out on two or more mining leases and a corporate office is maintained separately from the mine offices, a maximum of two additional expatriates may be employed in the corporate office.
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(11) For the purposes of making a decision under subregulation (6) of regulation 4, the Commission may among others request an applicant to
   (a) advertise for a particular job for which no Ghanaian is deemed suitable or qualified to occupy; or
   (b) recruit from the database that shall be established by the Commission.

(12) Subject to subregulation (2) of regulation 3 and subregulation (2) of regulation 5, an expatriate shall not be recruited for the roles specified in the Third Schedule.

Procurement of local products

6. (1) A mine support service provider, a holder of a mineral right or a licence to export or deal in minerals shall procure goods and services with Ghanaian content to the maximum extent possible and consistent with safety, efficiency and economy.

   (2) A mine support service provider, a holder of a mineral right or a licence to export or deal in minerals shall submit to the Commission for approval, a procurement plan in accordance with subregulation (1).

   (3) The procurement plan under subregulation (2) shall be submitted within one year of the commencement of the operations of that person.

   (4) The procurement plan shall be for an initial period of five years and subsequently for every five-year period.

   (5) The procurement plan shall include
        (a) targets for local procurement covering at least the items specified in the local procurement list specified in regulation 7;
        (b) prospects for local procurement; and
        (c) specific support to providers or suppliers and other measures to develop the supply of local goods and services, including broadening access to opportunities and technical and financial assistance.

   (6) A person who fails to comply with subregulation (2) is liable to pay to the Commission an administrative penalty of the Ghana Cedi equivalent of ten thousand United States Dollars for each month of the first six months of default and subsequently the Ghana Cedi equivalent of ten thousand United States Dollars for each day that the default continues.
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(7) The mine support service provider, a holder of a mineral right or a licence to export or deal in minerals shall review the procurement plan annually to take account of the requirements in the local procurement list.

(8) The holder of a mineral right, a licence to export or deal in minerals or a registered mine support services provider shall submit semi-annually, reports on the implementation of the procurement plan.

(9) A person who fails to comply with subregulation (8) is liable to pay to the Commission an administrative penalty of ten thousand United States dollars for each month of the first two months of default and subsequently the Ghana Cedi equivalent of ten thousand United States dollars for each day that the default continues.

(10) In assessing tenders for goods and services on the local procurement list, the mine support service provider, a holder of a mineral right or a licence to export or deal in minerals shall select the bid containing the highest level of Ghanaian participation in terms of ownership and management by Ghanaians and employment of Ghanaians as set out in the Fourth Schedule.

Procurement list

7. (1) The Commission shall publish, in the Gazette, the website of the Commission and a newspaper of nationwide circulation, a local procurement list which stipulates the goods and services with Ghanaian content which are to be procured in the country by a

(a) holder of a mineral right or a licence to export or deal in minerals; or

(b) person registered to provide mine support services.

(2) A holder of a mineral right, a licence to export or deal in minerals or a person registered to provide mine support services who fails to comply with subregulation (1) is liable to pay

(a) in respect of goods, the full customs import duty in respect of the goods imported and an administrative penalty of five per cent of the total import value; and

(b) in respect of services, an administrative penalty of five per cent of the gross contract sum.
(3) The Commission shall review the local procurement list annually.

**Promotion of research and skills development**

8. (1) The Commission shall, in consultation with the mining industry, universities, research, technical and vocational training institutions, develop guidelines for applicable areas of training, research and skills development.

(2) A holder of a mining lease shall, within one year of commencement of mining operations, submit to the Commission

(a) a plan based on the guidelines issued under subregulation (1) for research, skills development; and

(b) a budget for the promotion of education, practical attachments, training and research and skills development.

**Technical and engineering services**

9. (1) Subject to subregulations (2) and (3), technical and engineering services shall be rendered by companies owned by citizens and registered with the relevant regulatory bodies and with the Commission.

(2) A foreign technical and engineering consultant, firm or company incorporated in Ghana and registered with the Commission shall only be engaged when the required services are rendered in collaboration with a firm or company owned by a citizen licensed to provide such technical and engineering services in the country and registered with the Commission.

(3) Despite subregulation (2), where there is inadequate or no capacity for any Ghanaian consultant or company owned by a citizen to undertake a particular engineering service, the Commission may, in consultation with the relevant professional body, permit the holder of a mining lease to engage an expatriate or foreign company subject to terms and conditions determined by the Commission.

**Insurance and reinsurance services**

10. (1) A mine support service provider, a holder of a mineral right or a licence to deal in minerals shall insure all insurable risks related to its mining business or operations with a company licensed by the National Insurance Commission.
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(2) Where there is a need for a mine support service provider, a holder of a mineral right or a licence to deal in minerals to engage the services of an offshore insurance or reinsurance company, the mine support service provider, the holder of the mineral right or licence to deal in minerals shall obtain the prior approval of the National Insurance Commission.

(3) A mine support service provider, a holder of a mineral right or a licence to deal in minerals shall, within thirty days after the end of the licence year, submit a report to the Commission on

(a) all companies through which insurance or reinsurance coverage was obtained,

(b) the classes of cover obtained; and

(c) the premiums paid for the coverage.

(4) A mine support service provider, a holder of a mineral right or a licence to deal in minerals shall not place an insurance offshore without the written approval of the National Insurance Commission.

Accounting and legal services

11. (1) A mine support service provider, a holder of a mineral right or a licence to export or deal in minerals shall only engage the services of lawyers, certified accountants or a firm or company of lawyers or accountants that are licensed or certified to practice or work in the country.

(2) A mine support service provider, a holder of a mineral right or a licence to export or deal in minerals shall only engage a foreign firm, company or consultant for legal or accounting services when the services required are rendered in collaboration with individuals, firms or companies that are licensed or certified to practice or work in the country.

Financial services

12. (1) A mine support service provider, a holder of a mineral right or a licence to export or deal in minerals that requires financial transactions with respect to the operations of the mineral support service provider, holder of a mineral right or a licence to export or deal in minerals shall retain only the services of financial institutions incorporated in the country.
(2) Despite subregulation (1), a mine support service provider, a holder of a mineral right or a licence to export or deal in minerals shall ensure that not less than twenty per cent of the transactions are undertaken with financial institutions owned by citizens.

**Listing on the Ghana Stock Exchange**

13. (1) The Minister shall on the recommendation of the Commission and in consultation with the Securities and Exchange Commission determine the limits of local equity of capital expenditure for listing on the Ghana Stock Exchange.

(2) A holder of a mineral right whose planned capital expenditure exceeds the limits determined under subregulation (1) shall list at least twenty per cent of the equity of the holder on the Ghana Stock Exchange within five years after commencement of mining operations.

(3) The Minister shall, on the recommendation of the Commission and in consultation with the Securities and Exchange Commission, extend the period specified in subregulation (2), for reasons that the market conditions do not allow for a successful completion of the offer on the Ghana Stock Exchange.

**Reservation of certain services for citizens**

14. (1) The following services shall be provided only by a citizen:

(a) catering and camp management services;

(b) haulage services to and from mine sites including transportation of personnel;

(c) security services;

(d) contract mining services for small-scale mining operations including mining and processing of ore, reclamation, revegetation and management of mining operations; and

(e) supply of fuel.

(2) A citizen shall apply to the Commission to be registered to provide the following services:

(a) supply of stationery and printing of name tags;

(b) supply of provisions including toiletries;

(c) weeding, grassing, reshaping, cutting or trimming of hedges, mowing and fencing services;

(d) cleaning, painting and disinfection or fumigation services;
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(e) collection of rubbish, emptying of sewages and other sanitary services;
(f) physical training, gym training and swimming instructions;
(g) local security, local patrol and neighbourhood watch services;
(h) local health education services; and
(i) minor maintenance services including plumbing and electrical fittings.

(3) A person specified under subregulation (2) shall not
(a) be financed by a non-citizen; and
(b) engage or employ an expatriate to provide the services specified under subregulation (2).

(4) An application for registration under subregulation (2) shall be
(a) in writing as set out in Form Two of the Second Schedule; and
(b) accompanied with the following:
   (i) incorporation documents;
   (ii) a copy of the contract of the applicant with a mineral rights holder;
   (iii) a profile of the applicant;
   (iv) Tax Clearance Certificate of the applicant;
   (v) VAT Registration Certificate of the applicant;
   (vi) Social Security and National Insurance Trust Clearance Certificate; and
   (vii) National Identity Card of the applicant.

Miscellaneous Provisions

Reporting requirements

15. (1) A mine support service provider, a holder of a mineral right or a licence to export or deal in minerals shall, not later than thirty days after the beginning of year, submit to the Commission an annual report on Ghanaian content indicating compliance with the approved localisation programme and procurement plan.
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(2) The report in subregulation (1), shall include other reports as may be required under these Regulations or under the Act.

Guidelines by Commission

16. (1) The Commission shall issue guidelines for the effective implementation of these Regulations.

(2) Without limiting subregulation (1), the guidelines shall include

(a) requirements and targets for the growth of research and development of the mining industry; and

(b) minimum standards, facilities, personnel and technology for training in the mining industry.

Local content monitoring

17. The Commission shall monitor the implementation of these Regulations.

Investigations

18. (1) The Commission may for the purposes of enforcing these Regulations initiate an investigation into an activity of a person specified under regulation 2.

(2) Without limiting subregulation (1), the Commission may launch investigations to ensure

(a) that the purposes of local content and local participation are not diluted by the operation of a front;

(b) that bid rigging and cartelisation are avoided in the procurement process; and

(c) compliance with the gender inclusive provisions under these Regulations.

Administrative penalties

19. (1) A person who

(a) fails to submits a plan, returns, report or other document,

(b) makes a false statement;

(c) acts as a front or connives with a foreign citizen or company to deceive the Commission as representing a citizen to achieve the local content requirement under these Regulations,
(d) connives with a citizen or a Ghanaian company to deceive the Commission as representing a Ghanaian company to achieve the local content requirement under these Regulations, or

(e) fails to

(i) engage technical and engineering services relating to a mining activity in contravention of regulation 9,

(ii) insure an insurable risk related to the mining business or operation of that person with a company licensed by the National Insurance Commission in contravention of regulation 10;

(iii) retain the services of lawyers, certified accountants or any such firm or company in the country in contravention of regulation 11,

(iv) retain financial services in contravention of regulation 12,

(v) list on the Ghana Stock Exchange in contravention of regulation 13,

(vi) comply with the gender inclusive provisions under these Regulations,

(vii) comply with a directive or guidelines issued by the Commission,

(viii) comply with a request to furnish information or a document under these Regulations within the period specified in the request; or

(ix) comply with any other provision of these Regulations,

is liable to pay to the Commission an administrative penalty of the Ghana Cedi equivalent of ten thousand United States Dollars and in the case of a continuing contravention to a penalty of five thousand United States Dollars for each day that the contravention continues.

(2) Where the contravention continues after the time specified for remedying the contravention, the Commission shall withhold the approvals and permits required by the person for the conduct of mining activities until the time that the contravention is remedied.
INTERPRETATION
20. In these Regulations, unless the context otherwise requires,
"bid rigging" means the manipulation of a bid process by dishonest means;
"cartelisation" means a collection of businesses that act together as a single producer and agree to influence prices for certain goods and services by controlling supply through their production and marketing activities;
"Commission" means the Minerals Commission established under section 1 of the Minerals Commission Act, 1993 (Act 450);
"employee" means a person who undertakes to work for a mineral right holder, a holder of a licence to deal in minerals or a registered mine support services provider under a contract of employment or apprenticeship;
"front" means to deceive or behave in a particular manner to conceal the fact that a company is not a citizen;
"gender inclusive" means creating an environment that ensures gender equity;
"Ghanaian content" means the quantum of value added to or created in the Ghanaian economy by a systematic development of capacity and capabilities through the deliberate utilisation of Ghanaian human and material resources and services rendered in the mining industry value chain;
"haulage services" means the exclusive transportation of ore, goods and persons by road to a mine site, within a mine site or from a mine site;
"localisation programme" includes proposals or particulars with respect to the employment or recruitment of expatriates, employment and training of citizens towards the eventual replacement of expatriate personnel by Ghanaian personnel and preference for local product as the context permit;
"manager" means a manager appointed by the operator in accordance with section 16 of the Act;
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“mining industry value chain” means the processes involved in the mining industry which including exploration, development, production, refining, smelting, polishing and marketing of minerals; and

“senior staff” means an employee of a holder of a mineral right or a mine support services provider above the level of supervisor.

Revocation and savings

21. (1) Regulations 1 and 2 of the Minerals and Mining (General) Regulations, 2012 (L.I. 2173) are revoked.

(2) Despite the revocation in subregulation (1), a certificate, licence, permit or authorisation issued under the revoked provisions and which was in force immediately before the coming into force of these Regulations shall continue to be in force until it expires or is revoked under these Regulations.

(3) Despite the revocation in subregulation (1), any person holding an expatriate contract of employment approved by the Commission and subsisting before the coming into force of these Regulations, shall continue in force until the contract of employment expires or is revoked under these Regulations.

Transitional provision

22. A person listed under regulation 2 shall, within one year after coming into force of these Regulations, make arrangements and plans to the satisfaction of the Commission as required for complying with these Regulations.
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FIRST SCHEDULE

Percentage of Expatriate Staff to the Total Number of Senior Staff to be Maintained by a Holder of a Reconnaissance Licence or a Prospecting Licence

(regulations 3(2)(b), 5(3)(b) and 5(7))

A. EXPATRIATE PROPORTIONS: EXPLORATION

RECONNAISSANCE AND PROSPECTING LICENCE HOLDERS

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<tr>
<th>Category</th>
<th>Commencement</th>
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<th>After 4 years</th>
<th>After 6 years</th>
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<td>Clerical</td>
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<td>Technical and Supervisory</td>
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<tr>
<td>Management (number of expatriates)</td>
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<td>Up to 2</td>
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## A. EXPATRIATE PROPORTIONS: PERSONS REGISTERED TO PROVIDE MINE SUPPORT SERVICES OR LICENSED TO EXPORT OR DEAL IN MINERALS

<table>
<thead>
<tr>
<th>Activity</th>
<th>Management/investor</th>
<th>Expatriate per each MARC* contract with a Mine</th>
<th>Expatriate per each MARC contract with a support service</th>
<th>Regional Office</th>
<th>Expatriate per all VHS*** contracts</th>
<th>Expatriates for Workshops and Training</th>
<th>Expatriate per two active drill rigs</th>
<th>Expatriate per each mineral rights holder</th>
<th>Expatriate per total number of senior staff (%)</th>
<th>Expatriate for company producing own inputs locally</th>
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<tr>
<td>Engineering, Procurement &amp; Construction &amp; Mine Infrastructure</td>
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<tr>
<td>Fabrication of pipes, equipment, spares and parts</td>
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<td>Haulage services</td>
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<tr>
<td>Contract mining for SSM (Surface operations)</td>
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<tr>
<td>Contract mining for SSM (Underground operations)</td>
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<tr>
<td>Contract mining for large scale mines (Surface operations)</td>
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<tr>
<td>Electrical and Civil Engineering services</td>
<td>2</td>
<td>2</td>
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MINERALS AND MINING (LOCAL CONTENT AND LOCAL PARTICIPATION) REGULATIONS, 2020
<table>
<thead>
<tr>
<th>Service Description</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
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<td>Medical services</td>
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<td>Production of supply of energy</td>
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<tr>
<td>Provision of logistic services on turnkey basis</td>
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<tr>
<td>Manufacturing of grinding, media and steel products</td>
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<td>2</td>
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<td>Dust management and suppression services</td>
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<td>Catering and camp Management services</td>
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<tr>
<td>Provision of security services</td>
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<td>Supply of fuel</td>
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<td>Supply of general lubricants</td>
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<tr>
<td>Introduction and refining of grinding mills</td>
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<td>Manufacture and supply of PSA plants and related industrial gases</td>
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<tr>
<td>Manage, operate and maintain water treatment</td>
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<tr>
<td>Provision of corrosion protection service</td>
<td>2</td>
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<tr>
<td>Aerial survey and mapping service</td>
<td>2</td>
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<tr>
<td>Geotechnical and geophysical site investigation</td>
<td>2</td>
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</tbody>
</table>

* MARC refers to Maintenance and Repair Contract.
** VHS refers to Vendor Held Stock Contact

1. For all other expatriate staff required for the execution of a project or a specific contract, the company shall submit a staffing plan which details desired qualifications and experience, estimated start date, estimated end date and justification for choice of expatriates for the positions for consideration and approval.

2. Expatriates required to undertake short term contracts (up to six months) for installation and testing of equipment shall be considered on a case by case after submission of a staffing plan which details desired qualifications and experience, estimated start date, estimated end date and justification for choice of expatriates for consideration and approval.

3. Up to a maximum of five expatriates will be considered where the company establishes a gold refinery in Ghana or set-up a processing facility for treating tailings.

4. In any case not more than five expatriates shall be engaged for the execution of the contract.

5. The total number of expatriates shall be ten per cent of the total number of Senior Staff after two years of commencement of every new mining contract. However, renewed contracts shall not be considered as new contracts.

6. The total number of expatriates shall be fifteen per cent of the total number of Senior Staff after two years of commencement if every new mining contract. However, renewed contracts shall not be considered as new contracts.

7. For all other expatriate staff required for the execution of a project or a specific contract, the company shall submit staffing plan which details desired qualifications and experience, estimated start date, estimated end date and justification for choice of expatriate for consideration and approval.
8. For all other expatriate medical staff required for the executive of a contract with a mineral rights holder, the company shall submit staffing plan which details desired qualification and experience, estimated start date, estimated end date and justification for choice of expatriates for consideration and approval.
MINERALS AND MINING (LOCAL CONTENT AND LOCAL PARTICIPATION) REGULATIONS, 2020

SECOND SCHEDULE
FORM ONE
(regulation 4(3)(a))
Expatriate Recruitment Application Form

Minerals Commission
#12 Switchback Road Residential Area, Cantonments, P.O. Box M248
Accra-Ghana
Tel: 233 302 772783, 773053, 771318 Fax: 233 302 773324 Website:
www.ghana-mining.org Email: Mincom@mc.ghanaminining.org

SECTION 1: LICENCEE’S IDENTIFICATION DATA

<table>
<thead>
<tr>
<th>Full Name of Licencee</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Postal Address</td>
<td>Facsimile</td>
</tr>
<tr>
<td>City/Town/ Village</td>
<td>Email Address</td>
</tr>
<tr>
<td>Region</td>
<td>Website</td>
</tr>
<tr>
<td>Fixed Phone Line #</td>
<td>Licence #</td>
</tr>
<tr>
<td>Mobile Phone Line #</td>
<td>Licence Type #</td>
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</table>
## SECTION 2: EXPATRIATE'S DATA

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>Full Name of Expatriate</td>
<td></td>
</tr>
<tr>
<td>Position</td>
<td></td>
</tr>
<tr>
<td>Date of Employment</td>
<td></td>
</tr>
<tr>
<td>Duration of Employment</td>
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<tr>
<td>Fixed Phone Line #</td>
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<tr>
<td>Facsimile #</td>
<td></td>
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<tr>
<td>Permanent Address</td>
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<tr>
<td>Remuneration Per Month (US$)</td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>Date of Birth</td>
<td></td>
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<tr>
<td>Place of Birth</td>
<td></td>
</tr>
<tr>
<td>Nationality</td>
<td></td>
</tr>
<tr>
<td>Passport Number</td>
<td></td>
</tr>
<tr>
<td>Non-Citizen</td>
<td></td>
</tr>
<tr>
<td>Ghana ID Card #</td>
<td></td>
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<tr>
<td>Email Address</td>
<td></td>
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<tr>
<td>Mobile Phone #</td>
<td></td>
</tr>
<tr>
<td>Remuneration Per Month (GHS)</td>
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## SECTION 3: GHANAIAN COUNTERPART'S DATA

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>Full Name of Ghanaian Counterpart</td>
<td></td>
</tr>
<tr>
<td>Expected Takeover Date</td>
<td></td>
</tr>
<tr>
<td>Fixed Phone Line #</td>
<td></td>
</tr>
<tr>
<td>Facsimile #</td>
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<tr>
<td>Mobile Phone #</td>
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<tr>
<td>Email Address</td>
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<tr>
<td>Permanent Address</td>
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</table>

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Present Position</td>
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</tr>
<tr>
<td>Qualification</td>
<td></td>
</tr>
<tr>
<td>Ghana ID card #</td>
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</table>

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Picture of Expatriate</td>
<td></td>
</tr>
<tr>
<td>Picture of Ghanaian Counterpart</td>
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</tbody>
</table>
SECTION 4: SUMMARY OF PLANNED PROGRAMMES FOR GHANAIAN COUNTERPART

<table>
<thead>
<tr>
<th>Planned Training Program</th>
<th>Timelines</th>
<th>Training Cost</th>
</tr>
</thead>
</table>

I declare that the information provided above is true and correct. I agree to abide and be bound by the terms, conditions and contractual provisions governing the expatriate recruitment into Ghana’s mining sector.

Signature

Right Thumb Print

SECTION 5: DOCUMENTS SUBMITTED BY APPLICANT (OFFICIAL USE ONLY)

<table>
<thead>
<tr>
<th>Photocopy of Expatriate's Passport</th>
<th>Receipt of Payment for Application Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resume of Expatriate with supporting certificates</td>
<td>Evidence of Payment of Prescribed Application</td>
</tr>
<tr>
<td>2 Passport Size Pictures of both the Expatriate and Ghanaian counterpart</td>
<td>Processing Fee (Bankers Print #)</td>
</tr>
<tr>
<td>Submission Date: 00/00/0000</td>
<td>Checked and Received:</td>
</tr>
</tbody>
</table>

Submitted by

Signature of Applicant/Rep

Signature of Receiving Officer
**MINERALS AND MINING (LOCAL CONTENT AND LOCAL PARTICIPATION) REGULATIONS, 2020**

**FORM TWO**

(regulation 14(3)(a))

Application for the Registration of Services reserved for Citizens

Minerals Commission

#12 Switchback Road Residential Area, Cantonments, P. O. Box M248 Accra-Ghana
Tel: 233 302 772783, 779823, 773053, 771318 Fax: 233 302 773324 Website: www.ghanaminning.org Email: Mincom@mc.ghanaminning.org

APPLICATION FOR REGISTRATION AS MINE SUPPORT SERVICE COMPANY - (GHANAIAN CITIZENS)  

APPLICATION NO: ___________

SECTION 1: APPLICANT'S IDENTIFICATION DATA

<table>
<thead>
<tr>
<th>NEW APPLICANT</th>
<th>RENEWAL OF EXISTING REGISTRATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are you applying for the first time?</td>
<td>Have you previously been registered as a mine support service company by Minerals Commission?</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>If Yes please provide the following information:</td>
<td></td>
</tr>
<tr>
<td>Date of Previous Registration:</td>
<td></td>
</tr>
<tr>
<td>Name under which Previous Registration was issued:</td>
<td></td>
</tr>
</tbody>
</table>

Full Name of Applicant

Registered Office of Applicant (Location Address)

Postal Address

City/Town/Village

Region

Fixed Phone Line #

Applicant's Tax Identification Number (TIN)

<table>
<thead>
<tr>
<th>P. O. Box</th>
<th>Facsimile #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email Address</td>
<td></td>
</tr>
<tr>
<td>Website</td>
<td></td>
</tr>
<tr>
<td>Mobile Phone Line #</td>
<td></td>
</tr>
<tr>
<td>Applicant's VAT Identification Number</td>
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SECTION 2: APPLICANT'S FINANCIAL DETAILS

<table>
<thead>
<tr>
<th><strong>Full Name of Bankers and/or Financiers</strong></th>
<th><strong>Postal Address</strong></th>
<th><strong>P. O. Box</strong></th>
<th><strong>Facsimile #</strong></th>
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</table>

<table>
<thead>
<tr>
<th><strong>City/Town/Village</strong></th>
<th><strong>Email Address</strong></th>
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<tr>
<th><strong>Region</strong></th>
<th><strong>Website</strong></th>
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</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Fixed Phone Line #</strong></th>
<th><strong>Capital Invested or Proposed for Investment</strong></th>
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</table>

<table>
<thead>
<tr>
<th><strong>Source(s) of Funding</strong></th>
</tr>
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</table>

SECTION 3: OTHER DETAILS

State specific proposed activity (ies)

Whether applicant holds Contracts/MOU/Letter of Intent with a mineral rights holder or Mine Support Service Company, and if so, give details.

Whether Applicant holds any license, registration or permit from Ministries/Department/Agencies of Government of Ghana, and if so list them

I declare that the information provided above is true and correct. I agree to abide and be bound by the terms, conditions and contractual provisions governing the operation of the registration sought which I have received, read and understood.

------------------------------ Dated ........... Day of .................. 20, .........

Signature(s) or Seal as Appropriate
SECTION 4: DOCUMENTS SUBMITTED BY APPLICANT (OFFICIAL USE ONLY)

- VAT Registration Certificate
- Tax Clearance Certificate

Applicant's Profile

For existing companies, a Social Security and National Insurance Trust (SSNIT) Clearance Certificate is required.

Registered Company - Certified True Copies of Certificate of Incorporation, Company Constitution, Registration of Business Name.

Submission Date: ......................................... Checked and Received by: .........................................

Submitted by: ...................................

Signature of Applicant/Rep.: .........................................

Signature of Receiving Officer: .........................................
THIRD SCHEDULE

Roles Reserved for Citizens
(regulation 5(12))

1. General Manager roles after three years from the commencement of mining operations.
2. Mine Manager roles.
3. All non-technical services and non-engineering roles irrespective of the level or grade including
   (a) human resource and related roles;
   (b) finance and accounting and related roles;
   (c) communication, community relations or sustainability and related roles;
   (d) legal and compliance and related roles; and
   (e) corporate affairs and related roles.
4. All roles below the grade of supervisor.
FOURTH SCHEDULE
Selection of Tenders
(regulation 6(10))

In assessing tenders for goods and services on the local procurement list, the bid containing the highest level of Ghanaian participation in terms of ownership and management by Ghanaians and employment of Ghanaians shall be selected as set out below:

(a) for bids of Ghana Cedi equivalent of $4,500,000.00 and above, the margin of preference shall be two point five per cent of each other;

(b) for bids of Ghana Cedi equivalent of $2,000,000.00 to $4,499,999.99, the margin of preference shall be three per cent of each other;

(c) for bids of Ghana Cedi equivalent of $1,000,000.00 to $1,999,999.99, the margin of preference shall be five per cent of each other;

(d) for bids of Ghana Cedi equivalent of below one million United States Dollars, the margin of preference shall be ten per cent of each other.
MINERALS AND MINING (LOCAL CONTENT AND LOCAL PARTICIPATION) REGULATIONS, 2020

HON. KWAKU ASOMAH-CHEREMEH
Minister responsible for Mines

Date of Gazette notification: 16th October, 2020.

Entry into force: