

MINISTERIAL DIPLOMA No. 64/2016**of 16 November****ON THE SPECIFIC RULES FOR MINING PERMIT**

Considering that the policy and legislative intention underlying Ministerial Diploma no. 1/2008, of July 30, as amended by Ministerial Diploma no. 1/2009, of August 12, and Ministerial Diploma no. 2/2014, of February 19 (hereinafter referred to as "Ministerial Diploma"), aimed at regulating the extraction of construction materials classified therein;

Considering that the Ministry of Petroleum and Mineral Resources of Timor-Leste is of the opinion that, in terms of its practical implementation, the Ministerial Diploma did not prove adequate to regulate the sector, noting the need to improve the licensing administrative processes and procedures, the general obligations of license holders, the classification of activities, the application of fees due, the strengthening of technical requirements for evaluation, planning, implementation and monitoring, inspection, audit and reporting of Mining Activities in the territory of Timor-Leste;

Considering that, in the absence of a mining code that regulates in an integral way the Mining Activities, the Ministry of Petroleum and Mineral Resources of Timor-Leste understands that this Ministerial Diploma offers an immediate solution for the improvement of the regulation of the exploration and exploitation of the different minerals classified in this Ministerial Diploma;

Considering that by Decree-Law no. 1/2016, of 9 February, which amended the wording of Decree-Law no. 20/2008, of 19 June, creating the National Petroleum and Minerals Authority and attributing to it, among others, the responsibility for the regulation and guardianship of sectors/industries related to the petroleum and mineral resources sector, thus acting as the regulatory authority of the said sector;

Considering, the intention of the government to promote the participation of Timorese cooperatives and companies, constituted in accordance with the law of Timor-Leste, in the exploration and exploitation of Construction Materials, as best stated in the Government Resolution no. 36/2016, of 19 October;

In these terms,

Pursuant to the provisions of Article 28, paragraph 1(a) of Decree-Law no. 6/2015, of 11 March, which approved the Organic Law of the VI Constitutional Government, the Government represented by the Minister of Petroleum and Mineral Resources hereby orders the repeal of the said Ministerial Diploma and approves a new Ministerial Diploma under the following terms:

**CHAPTER I
GENERAL ARRANGEMENTS****Article 1
Object and Scope**

This Ministerial Diploma applies to the Research and Exploration of Construction Materials, certain Transformation Materials and Ornamental Rocks, regulating the licensing procedure for Mining Activities in the Territory of Timor-Leste, with the exception of the Special Administrative Region of Oe-cusse.

Article 2 Definitions

For the purposes of this Diploma, the following terms have the meaning given below:

- a) **"Artisanal Exploration"**: means the activity of exploration that fulfils the requirements laid down in Article 6(1)(a) and Article 6(2);
- b) **"Auditor"** means a person appointed by the Regulatory Authority to audit the books and accounting records of the Mining Rights Holder;
- c) **"Building Materials"** means any minerals and/or stones that occur abundantly in nature, such as sand, gravel, soil, stones, pebbles and rocks of low unit value even if they are subject to minimal processing before being used as aggregates or basic materials in the building industry, as classified in Article 28, paragraph 1 of this Ministerial Diploma;
- d) **"Classified Areas"**: means areas that are considered of special interest for nature conservation, namely protected areas, sites of community interest, special areas of conservation or special protection, whether existing or to be created under the terms of the legislation in force;
- e) **"Exploration"**: means the operations and works carried out with a view to collecting or extracting, loading, transporting and processing Construction Materials, Transformation Materials and Ornamental Rocks, excluding Artisanal Exploration;
- f) **"Inspector"** means the person designated by the Regulatory Authority to carry out inspections;
- g) **"Licensed Area"**: means an area authorized to carry out Mining Activities, as defined in the respective license or authorization;
- h) **"Mine"**: means a site built within the Licensed Area from which Building Materials, Transformation Materials, Ornamental Stones from the Earth's crust are extracted;
- i) **"Mine Closure Activities"**: means the activities related to the decommissioning of installations, remediation, recovery, restoration, rehabilitation and monitoring, carried out during all phases of the Mining Activities, with the purpose of reducing the environmental impact and ensuring that the site does not present future risks to the health of the environment or society;
- j) **"Mining Activities"**: means the activities and operations aimed at the prospecting, research, evaluation, development, exploration, processing and refining, transportation and commercialization of minerals, as well as the Mine Closing Activities;
- k) **"Mining Contract"** means the contract entered into between the State of Timor-Leste and a Mineral Rights Holder regulating the conduct of exploration operations in the territory of Timor-Leste;
- l) **"Mining Plan"** means the plan prepared in support of exploration operations pursuant to Article 21 of this Ministerial Order;
- m) **"Mining Rights"**: means the rights to conduct Mining Activities under the terms of this Ministerial Diploma;
- n) **"Mining Rights Holder"**: means any natural or legal person authorized to conduct Mining Activities under this Ministerial Diploma.

- o) **"Ornamental Rocks"** means rocks or minerals constituting rocks with distinctive characteristics, such as their color, texture, patterns and resistance to atmospheric conditions, which make them commercially valuable to be exploited for building materials and raw materials for ornamentation, as classified in Article 28, paragraph 3, of this Ministerial Diploma;
- p) **"Processing Materials"** means non-metallic minerals or minerals constituting rocks, which have special characteristics that allow their use as raw materials in specific processing industries, as classified in Article 28, paragraph 2, of this Ministerial Diploma;
- q) **"Prospecting"** means work of a technical nature, including geological, geophysical and geochemical work, aimed at carrying out mineral exploration studies prior to the submission of an application for the award of mineral rights;
- r) **"Regulatory Authority"** means the National Petroleum and Minerals Authority;
- s) **"Research"** means the set of studies and operations conducted for the purpose of discovering and evaluating mineral deposits, using geological, geochemical, geophysical and any other relevant methods; and
- t) **"Scientific Research"** means theoretical or empirical research aimed at the development of geological knowledge of a site.

Article 3

Mining Activities Standards and Best Practices

1. To ensure the implementation of the best practices of Exploitation, the Mining Rights Holder must comply with the health and safety requirements of the Mining Activities provided in the applicable law.
2. All Mining Activities must be planned and carried out in accordance with:
 - a) The laws and regulations in force, aimed at protecting and preserving the environment in order to use and produce minerals in a sustainable manner; and
 - b) The generally accepted practices and standards in the mining industry in order to prevent and reduce the generation of waste and the loss of natural resources, protecting them from unnecessary damage.
3. The Mining Rights Holder shall ensure that Mining Activities are carried out by competent personnel. In the case of Exploration operations, the Mining Rights Holder shall ensure in particular the competence of personnel in the fields of health and safety, engineering, geology, human resources and finance.
4. The Holder of the Mining Rights shall ensure that the Mine Closure Activities are carried out in accordance with the approved mine closure plan.
5. Without prejudice to the applicable Occupational Accident Law, whenever an accident occurs during the course of Mineral Activities resulting in loss of life, serious personal injury or significant material damage, or endangering the safety of persons and property, the Mineral Rights Holder or his representative on the site shall immediately notify the Regulatory Authority of the occurrence, as well as the nearest administrative or police authorities, in order to allow the implementation of the most urgent measures.
6. Mining Activities in Classified Areas are prohibited.

Article 4

Restrictions

1. Considering the provisions of Article 54, paragraph 4, of the Constitution of the Democratic Republic of Timor-Leste, Mining Activities may only be conducted under a license. The license shall be granted upon application by the owner of the property, or by a person who has entered into a contract with the owner.
2. Under no circumstances may the Mining Rights for any category be issued for a period longer than the duration of the lease entered into with the owner of the property in which the mine is installed.
3. Each mining right granted is valid for the performance of mining activities in a specific location.
4. The Mining Rights may only be validly assigned *intervivos* or *mortis causa* to the person designated by the Regulatory Authority as the Holder of the Mining Rights.
5. It is prohibited for the holder of the mining rights to assign the licensed rights to third parties.
6. Sampling of rock outcrops shall not exceed 20 kilograms per Licensed Area.
7. Export of commercial samples of Ornamental Stones for commercial assessment may only be carried out with the approval of the Regulatory Authority.
8. Construction Materials, Transformation Materials and Ornamental Rocks may not be extracted without a valid Mineral License pursuant to this Ministerial Diploma.
9. The Exploration License for Building Materials may be granted to cooperatives or companies incorporated in accordance with the law of Timor-Leste, owned by more than fifty percent (50%) by national citizens, and the ownership of the share capital shall be evidenced by a sufficient suitable document.
10. The Government may waive the verification of the requirements of subsection 9 above in the following cases:
 - a) Large-scale public construction projects when, for any commercial reason and due to specific requirements concerning certain types of Building Materials, the Government allows the company to operate its own Building Materials;
 - b) When the Government enters into a bilateral or multilateral agreement with other countries or regional organizations to promote the free movement of goods and services, the abolition of trade and nontrade barriers, this Ministerial Diploma shall be duly adapted.

Article 5

Ownership of Mineral Resources

1. All mineral resources found on public and private lands in the territory of Timor-Leste shall be considered to be in the public domain of the State.
2. The declaration of public purpose of private land (property) for the purpose of expropriation necessary for Mineral Activities existing in the soil or subsoil that are vital to the national economy shall be made in accordance with the law, upon payment of fair compensation.

CHAPTER II MINING ACTIVITIES

SECTION I ACTIVITY CLASSIFICATION AND EXPLOITATION RATES

Article 6 Classifications

1. For the purposes of this Ministerial Diploma, Exploration operations shall be classified into three categories, in ascending order of quantity of material, method of exploration and applicable fees:
 - a) Any economic unit which exploits up to 60 tons/month of Building Materials using manual means of Exploration and transport is classified as a craft activity;
 - b) Any economic unit which Operates between 61 and 250 tons/month of Construction Materials, Processing Materials and Ornamental Stones using mechanical equipment is classified as medium scale;
 - c) Any economic unit that Exploits more than 250 tons/month of Building Materials, Process Materials and Ornamental Stones using heavy equipment and fixed installations is classified as large scale.
2. Without prejudice to the provisions of paragraph 1(a) above, non-profit-making Community projects using mechanical means may be classified as a Craft Farm.

Article 7 Licensing Fee

The licensing fees that apply to the different Mining Activities, with the exception of Artisanal Exploration, are fixed by this legal diploma. The fee established in this article applies to both new and extended licenses.

- a) **Artisanal**, No fee is applied;
- b) **Prospecting**, USD \$500.00 (five hundred United States dollars);
- c) **Research**, USD \$1,500.00 (one thousand five hundred United States dollars);
- d) **Exploration**:
 - i. **Middle Scale**, USD \$500.00 (five hundred US dollars);
 - ii. **Large Scale**, USD \$1,500.00 (one thousand five hundred US dollars).

Article 8 Operating Fees

1. The operating rates for the value of Construction Materials, Processing Materials and Ornamental Stones shall be fixed by this legal diploma.
2. The Mining Rights Holder who performs the Mining Activities under this Ministerial Diploma is subject to the payment of the exploitation fees under the terms of the following table:

	CONSTRUCTION MATERIALS (in USD/tons exploited)		PROCESSING MATERIALS (in USD/tons exploited)			ORNAMENTAL ROADS (in USD/tons exploited)	
	Others 16mm	Sand (size =16mm)	Limestone	Clay	Gypsum	Limestone, Granite and Marble	Others provided for in Article 28
Artisanal	0.00	0.00	N/A	N/A	N/A	N/A	N/A
Middle Scale	3.00	2.00	0.75	0.50	0.75	8.00	7.00
Large Scale							

3. The Regulatory Authority shall settle the licensing fee provided for in Article 7 and the operating fees established in this Article, which shall be deposited in an account designated by the Ministry of Finance of Timor-Leste.

Article 9

Provisional Payment of Operating Fees

The payment of operating fees on the basis of the quantity of material which is proposed to be exploited before the granting of the operating license is considered a provisional payment of operating fees.

Article 10

Definitive Payment of Farm Fees

The amount of Building Materials, Transformation Materials and Ornamental Stones actually exploited in any licensing year may exceed the licensed quantity. In that case, a review mechanism shall be triggered after the annual audit to be conducted by the Regulatory Authority to compensate for the additional quantity exploited. The resulting additional fee shall be considered as final payment of the operating fees and shall be paid before any extension of the operating license is granted.

SECTION II LICENSING

Article 11

Prior Localization Opinion

1. Except for Scientific Research, the granting of Mining Rights provided for in this Ministerial Diploma is subject to a prior favorable opinion on the location.
2. A favorable prior opinion on the location shall be issued by the Regulatory Authority upon the granting of the location approval.
3. Interested parties applying for localization approval must complete form 1 of this Ministerial Diploma.
4. After obtaining approval for the location, the interested party must immediately prepare and submit to the Regulatory Authority the documents necessary for the assessment for issuing the corresponding license within 30 (thirty) working days.
5. If the documents required for the evaluation to issue the corresponding license are not presented within the period established in Article 15, paragraph 4, the approval of the location is automatically cancelled.

Article 12

Types of Permits

1. The Regulatory Authority may grant licenses to conduct Mining Activities in any of the following categories:
 - a) Prospecting License;
 - b) Research License; and
 - c) Mining License.
2. The Prospecting License allows the Holder of Mining Rights to carry out prospecting studies in the Licensed Area.
3. The Exploration license allows the Mining Rights Holder to carry out exploration activities in the Licensed Area.

4. The Exploration license allows the Holder of the Mining Rights to carry out Mining Activities in the Licensed Area.
5. The Construction Materials, Transformation Materials and Ornamental Rocks that are to be exploited for transformation and export shall be subject to autonomous treatment under a Mining Contract assigned by the Government.

Article 13

Scientific Research

1. Authorization shall be issued for all Scientific Research activities, in coordination with the Institute of Petroleum and Geology I.P. and with the prior consent of the Minister of Petroleum and Mineral Resources.
2. The application for authorization for Scientific Research must comply with form 5 of this Ministerial Order.
3. Applications for authorization for Scientific Research must include a proposal for field activity and a letter of recognition of the research project to be issued by the Institute of Petroleum and Geology I.P.
4. After the conclusion of the Scientific Research, the entity authorized for this purpose must submit to the Regulatory Authority the final report of the Scientific Research carried out.
5. Scientific Research authorization is granted for a period of 6 (six) months or for the duration of the academic year.
6. The export of all samples taken for further testing of scientific research activities is subject to approval by the Regulatory Authority.

Article 14

License Application

1. The application for a Prospecting License must comply with form 2 of this Ministerial Diploma.
2. The application for a Research License must comply with form 3 of this Ministerial Diploma.
3. The application for an Exploration License must comply with form 4 of this Ministerial Diploma.

Article 15

Granting of the Application for a License

1. The Regulatory Authority shall approve and authorize the Mining Activities whenever the applicant complies with the requirements of this Ministerial Order.
2. With the exception of the Ornamental Rock Exploration License, all licenses must have a duration of one (1) year, unless the respective approval order sets a different deadline.
3. Within 30 (thirty) working days following the submission of the application, the Regulatory Authority may request, on a reasoned basis, clarifications and propose measures to improve the proposed activities and the conditions for their implementation. The Regulatory Authority shall notify the said request to the applicant, who shall respond within 10 (ten) working days.
4. The Regulatory Authority shall notify the applicant if its application meets the requirements laid down in this Ministerial Diploma and issues notice for payment of the fee due.
5. The applicant must pay the fees due for the application in accordance with the provisions of this Ministerial Diploma within five (5) working days after receiving the respective notice.

Article 16

Rejection of the Application for a License

1. The Regulatory Authority may reject any applications that do not meet the requirements of this Ministerial Diploma. In this case, the Regulatory Authority shall notify the applicant of the reason for rejection.
2. Notwithstanding Article 15, paragraph 1, the Regulatory Authority may reject the application at any time during the respective process in the following cases:
 - a) on grounds of public interest; and
 - b) for failure to pay the fees within the time limit established in this Ministerial Diploma.

Article 17

Issue of License Certificate

1. The license for Mining Activities must be incorporated in a certificate to be issued by the Regulatory Authority.
2. The Mineral Activities license certificate shall be granted to a natural or legal person who holds a valid license to carry out economic activities related to the mining sector under the terms of the Applicable Law in Timor-Leste and who fulfils the requirements foreseen in this Ministerial Diploma.
3. The license certificate for mining activities shall be issued after the applicant has provided proof to the Regulatory Authority of payment of the licensing and operating fees.

Article 18

Application for Extension of the Mining Activities License

1. The application for extension of the license must comply with form 6 of this Ministerial Diploma and be submitted to the Regulatory Authority at least 30 (thirty) working days before the end of the license in force.
2. Provided that the grounds for granting it remain valid, the Prospecting and Research license may be renewed for an equal period, up to a maximum of two (2) times.
3. Within 10 (ten) days, the Regulatory Authority may request, with reasons, clarifications and propose measures for the improvement of the work program and the conditions for its implementation. This request and/or proposal shall be communicated to the applicant, who shall respond within 10 (ten) days, after which the respective decision shall be taken.

Article 19

Issuance of Environmental License for Mining Activities

1. The environmental license for mining activities provided for in this Ministerial Diploma shall be issued jointly by the Regulatory Authority and the environmental authority.
2. Mining Activities may only commence after the issuance of the respective environmental permit.

Article 20

Termination of the License

1. The license shall cease in the following cases:
 - a) At the end of the initial term or any extension thereof (if granted); termination of the contract with the owner of the building; abandonment of the Mine; exhaustion of the reserves to be economically exploited; or death of the natural person or liquidation of the legal person holding the permit;

- b) By renunciation, provided that the Mining Rights Holder notifies the Regulatory Authority accordingly;
 - c) By revocation of the license by the Regulating Entity, should the Holder of the Mining Rights fail to comply with the present Ministerial Diploma or other legislation in force, or with the terms and conditions of the license, or by giving up his/her position in the contract entered into with the owner of the building on the basis of which the license was issued by the Regulating Authority.
2. Notwithstanding the provisions of the previous paragraph 1, the termination of the license shall not extinguish the obligation of the Owner of the Mining Rights to close the Mine in accordance with the approved mine closure plan.

Article 21

Mining Plan

1. After the completion of the Research work, the company may submit the Mining Plan to the Regulatory Authority.
2. The Mining Plan must contain at least the following elements:
 - a) The delineation of the proposed area of Exploration;
 - b) An estimate of the resources;
 - c) Details of the equipment, machinery and installations to be used in the holding;
 - d) A map of the facilities and other infrastructures to be installed in the Exploration area;
 - e) Summary of risks and controls in terms of health and safety;
 - f) Summary of the environmental management plan and monitoring program;
 - g) The management and operating structure, including the workforce.

Article 22

Mine closure plan

1. The Mining Rights Holder shall draw up the mine closure plan and submit it to the Regulatory Authority for approval when the application for an operating license is submitted.
2. The mine closure plan must contain at least the following information:
 - a) Identification of the closure commitment and obligations;
 - b) Consultation of interested parties;
 - c) Ways of using the land after operation and objectives for closure;
 - d) An estimate of responsibilities arising from the closure;
 - e) Implementation of closure; and
 - f) Monitoring and maintenance of the closure.
3. After the first approval, the mine closure plan shall be reviewed annually for further approval by the Regulatory Authority.

Article 23

Mining Rehabilitation Fund

1. Mining Rights Holders, with the exception of Craft License Holders, shall carry out Mine Closure Activities in accordance with the approved mine closure plan and establish the mining rehabilitation fund.
2. Mining Rights Holders, with the exception of Artisanal license holders, shall conduct a study to estimate the liability arising from the rehabilitation and submit it to the Regulatory Authority for approval.

3. The estimate of liability arising from the rehabilitation shall be analyzed as part of the assessment of the mine closure plan and approved by the Regulatory Authority.
4. The amount of the mine rehabilitation fund shall be calculated on the basis of the estimated liability arising from the rehabilitation of each mine and expressed in the respective environmental permit, taking into account its specific nature and respective environmental risks, as provided for in the approved mine closure plan and its modifications.
5. Miners' Rights Holders, with the exception of Artisanal License Holders, shall open an interest-bearing escrow account with the Regulatory Authority as the beneficiary, into which contributions shall be deposited for the mine rehabilitation fund to be used as a contingency fund for the closure and rehabilitation of the mine, including environmental remediation if necessary.
6. The Regulatory Authority shall carry out a detailed inspection of each site where Mining Activities are carried out, within 3 (three) to 6 (six) months before the total or partial abandonment of the site, to assess the size of the operations and verify the adequacy of the respective mine closure plan.
7. The annual provision for the mining rehabilitation fund is calculated as follows:

$$FAR = FRR \times A / (A+B)$$

Where;

FAR is the annual provision for the rehabilitation fund.

FRR is the remaining rehabilitation fund to be recovered at the beginning of the year, multiplied by 2.5%,

The remaining rehabilitation fund in each year is calculated on the basis of the total estimated rehabilitation liability minus the total annual mining rehabilitation fund previously recovered.

A is the estimated amount of production each year.

B is the estimate of the amount of future production as foreseen in the approved Mining Plan.

Article 24

Registration and Disclosure of Data and Information

1. The Regulatory Authority shall establish and maintain a register and database of all Mining Rights to monitor Mining Activities.
2. The Regulatory Authority shall be free to use the data and information for internal studies conducted directly by itself or by independent third parties.
3. The Regulatory Authority may use the information under the terms of the previous paragraph 2, for the purpose of complying with the rules established by the Extractive Industries Transparency Initiative (EITI).

Article 25

Publication

After verification of the information provided by the holder of Mining Rights, the Regulatory Authority shall publish the following:

- a) The fees paid by the holder of the mining rights;
- b) The state of the license; and
- c) A map showing the geographical location of the Operating Activity.

Article 26
Migration to Higher Classification

1. The Mining Rights Holder of a given classification may request the extension of the scale of the respective Exploration operation to a higher classification, provided that
 - a) It meets the requirements under this Ministerial Diploma;
 - b) Submit a duly completed request for renewal of the license, accompanied by the Mineral Rights certificate before the end of the licensing period, as well as a declaration signed by the Mineral Rights Holder that he intends to be licensed for a higher category than the current one as of the renewal date;
 - c) The requirements to which the change of category is subject are those that apply to the highest category sought.

Article 27
**Employment and Training within the
Scope of Mining Activities**

1. Employment in Mining Activities is exclusively reserved to Timorese citizens and is awarded on the basis of competition and the qualifications and competence of candidates.
2. Without prejudice to the provisions of the previous paragraph 1, Holders of Mining Rights may temporarily resort to foreign workers if Timorese citizens do not possess the required level of competence.
3. Holders of Mineral Rights shall ensure the provision of adequate training to their workers so that they develop their skills in order to participate in Mining Activities.

SECTION III
CATEGORIES OF MINERAL RESOURCES

Article 28
Building Materials, Transformation Materials, Ornamental Stones

1. For the purposes of this Ministerial Order, the following are Construction Materials:

1. Andesite;	8. Gravel;	15. Gneiss;	22. Riolite;
2. Slate;	9. Conglomerates;	16. Granite;	23. Serpentine;
3. Sand;	10. Dacrite;	17. Granodiorite;	24. Peridotite;
4. Sandstone;	11. diabase;	18. Grauvaque;	25. Quartzite;
5. Basalt;	12. Dolerite;	19. Marble;	26. Syenite; and
6. Brecha;	13. Dolomite;	20. Obsidian;	27. Schist;
7. Limestone;	14. Gabbro;	21. Pumice Stone;	

2. For the purposes of this Ministerial Diploma, Transformation Materials are Limestone, Clay and Gypsum.
3. For the purpose of this Ministerial Order, the following are Ornamental Stones:

1. Alabaster;	7. Limestone;	13. Gabbro;	19. Travertine;
2. Andesite;	8. Conglomerates;	14. Gneiss;	20. Tufus;
3. Slate;	9. Diabase;	15. Granite;	21. Shale;
4. Sandstone;	10. Diorite;	16. Marble;	
5. Basalt;	11. Dolomite;	17. Peridotite;	
6. Breck;	12. Steatite;	18. Quartzite;	

Article 29

Other Mineral Resources

1. If, during the course of the Mining Activities, the Mining Rights Holder discovers other minerals of potential value within the Licensed Area, in addition to those referred to in Article 28, he/she must notify the Regulatory Authority of the said discoveries within 24 hours.
2. The respective Mining Activities shall be immediately suspended so that the Regulatory Authority may proceed with the necessary investigations.
3. After the said investigations, the Regulatory Authority may decide to isolate or relocate the Operating Activity to a new location.

Article 30

Extraction of Beach Sand

1. For the purpose of environmental, maritime and coastal protection and preservation, the extraction of sand from the beach is strictly prohibited.
2. For the purpose of requalification of the maritime or coastal landscape, the optimization of its public purpose, the establishment of conditions, equipment, or support infrastructures that improve the use of this domain, or in other situations where a relevant public interest is identified, or where the intervention results in a direct benefit to the population, the Regulatory Authority may authorize, as an exception, the execution of this extraction.
3. The exceptional authorization to be obtained under the terms of the preceding paragraph may only be requested by public entities, and the extraction, when authorized, shall be directly performed by the services of the competent public entity.

CHAPTER III

MONITORING, INSPECTION AND AUDIT

Article 31

Monitoring

The Regulatory Authority shall monitor the sites of the Prospecting, Research and Exploration activities in order to ensure that those activities are carried out in accordance with the requirements of this Ministerial Diploma.

Article 32

Inspection and Audit

1. Inspections of sites, buildings, installations, equipment in which Mineral Activities are carried out or employed in the same, and audits of books and accounting records are carried out to ensure compliance with this Ministerial Diploma and to confirm that they meet the necessary technical and security conditions.
2. The Regulatory Authority shall notify the holders of prospecting, exploration and exploitation licenses, within 15 (fifteen) days and in writing, of its intention to carry out the inspection or audit provided for in the previous paragraph.
3. Without prejudice to the previous paragraph, the Regulatory Authority may carry out random inspections whenever it deems necessary.

4. The inspections and audits referred to in the previous paragraph 1 shall be carried out by Inspectors and Auditors designated by the Regulatory Authority.
5. The Inspectors are responsible for the inspection, investigation and supervision of the Mining Activities and the fulfillment of this Ministerial Diploma.
6. The Auditors are responsible for auditing the books and accounting records of the holders of the prospecting, research and mining licenses.
7. The Regulatory Authority may carry out inspections and audits in articulation with other competent public entities.

Article 33

Scope of Intervention

Within the scope of inspection, auditing and supervision of Research and Exploration operations, Inspectors and Auditors practice, among others, the following acts:

- a) Inspectors carry out inspections and perform other acts with a view to supervising Mining Activities and Crafts activities;
- b) Inspectors inspect the Licensed Area, including the facilities and operations developed by the Mining Rights Holder;
- c) Inspectors inspect and test machinery and equipment;
- d) Inspectors collect copies and samples of minerals or other goods produced as a result of the Mining Activities, as well as carrying out or ordering the necessary analysis of the same;
- e) Inspectors and Auditors verify compliance with this Ministerial Diploma and with the obligations provided for in the license;
- f) Inspectors interview, question and take statements from relevant parties, including witnesses;
- g) Inspectors photograph, film, record or otherwise collect evidence in the course of inspections;
- h) The Inspector takes immediate action whenever he/she becomes aware of the occurrence of an accident, following any complaint or mandatory participation of the Mining Rights Holder; and
- i) At the conclusion of the inspection and audit, the respective inspection and audit report shall be drawn up confirming compliance with this Ministerial Diploma and the terms of the license and indicating the measures to be taken to achieve such compliance.

Article 34

General Powers of Inspectors and Auditors

1. For the purpose of monitoring and ensuring compliance with this Ministerial Diploma, after access to the respective site, the Inspectors may:
 - a) Conduct searches in any part of it;
 - b) Inspect, measure, test, photograph or film any part of it or any object found there;
 - c) Take any object or sample found there for analysis or testing;
 - d) Analyze and copy documents;
 - e) Bring to the site any persons, equipment and materials that the Inspector reasonably needs to exercise any of the powers provided for in this Ministerial Diploma;
 - f) Require any person on site to provide reasonable assistance to the Inspector in exercising the powers conferred upon him/her;

- g) Interview any person on the spot and collect any evidence necessary to enable the Inspector to determine whether a misdemeanor has been committed or is being committed;
 - h) Take all necessary measures to avoid loss or destruction of evidence; and
 - i) Notify any other competent authorities of any infringement or potential infringement identified.
2. For the purpose of guaranteeing and complying with this Ministerial Diploma, the Auditors may:
- a) Request the delivery of evidence, namely contracts, invoices, receipts and any other means of proof;
 - b) Preserve or make copies of documents;
 - c) Access books and accounting records, including the accounting software used;
 - d) Access warehouses to inventory important spare parts or check stocks; and
 - e) Interviewing the relevant responsible persons.

Article 35

Professional Identification

1. In performing their duties, Inspectors and Auditors have the right to be holders of a professional identification card or badge, which guarantees them free access to all companies, sites, infrastructures and equipment in which Mining Activities are carried out.
2. The professional identification card or badge shall be displayed before carrying out any inspection and auditing activities.
3. The professional identification card or badge shall be issued in accordance with the regulations to be approved by the Regulatory Authority.

Article 36

Regional Centers

1. In order to ensure the effective and efficient control and verification of Mining Activities, the following regional centers are established:
 - a) Region 1 - Lospalos, Baucau and Viqueque;
 - b) Region 2 - Aileu, Same, Ainaro, Maliana and Suai;
 - c) Region 3 - Dili, Liquica, Ermera and Manatuto;
2. The regional centers are responsible for assisting the Regulatory Authority in the inspection and monitoring of mining activities before and after licensing.

Article 37

Joint Accident Investigation

1. The Regulatory Authority and the member of the Government responsible for employment shall investigate mining accidents that cause serious personal injury, property damage or environmental damage, serious fatal accident and dangerous occurrences.
2. An accident investigation commission shall be established, consisting of at least two (2) members appointed by the Regulatory Authority and the member of the Government with responsibility for employment, within fifteen (15) days from the date of the accident.

3. The commission of investigation shall have the following functions:
 - a) Investigate and determine the main causes of the accident;
 - b) Propose any corrective measures that may be necessary to prevent the occurrence of a similar accident in the future; and
 - c) Publish the results of the investigation after the conclusion of legal proceedings.
4. The investigating committee shall be composed of persons with appropriate technical competence, knowledge of investigative techniques and experience in the field.

Article 38

Notification of Clearance

1. Notification of remedy may be issued whenever an Inspector finds that any requirement of this Ministerial Diploma has been or has been breached, in circumstances that make it likely that the offence will be continued or repeated.
2. The notification of remedy shall include the following elements:
 - a) The opinion of the Inspector regarding the contravention;
 - b) Guidelines as to what should be done to remedy the situation;
 - c) The time limit for remedying the breach indicated.
3. Upon receipt of the notification of remedy, the site manager shall
 - a) submit the notification to the principal employer
 - b) post the notification on the mine
 - c) to implement the corrective measures within the indicated period, and to post the measures to be taken on the site and enter them in the logbook.

Article 39

Notification of Suspension

1. A suspension notice may be issued whenever the Inspector considers that the Mining Rights Holder:
 - a) has used any equipment in a manner which constitutes a danger to himself or other workers
 - b) provided false information to an inspector
 - c) has not implemented the corrective measures required under Article 38(3)(c).
2. The notification of suspension shall contain the following information:
 - a) the opinion of the Inspector concerning the contravention;
 - b) guidance as to what should be done to remedy the situation;
 - c) the time limit for remedying the breach indicated.
3. Upon receipt of the notification of improvement, the site manager must:
 - a) deliver the notification to the main employer;
 - b) post the notification on the mine;
 - c) implement the corrective measures within the indicated period and post the measures to be taken on the site and enter them in the logbook.

Article 40
Mining Activities Report

1. The Mining Rights Holder shall report on the progress of the Mining Activities in accordance with the following articles.
2. A monthly report shall be prepared, to be submitted on the 15th day of the following month, containing at least the following information:
 - a) Production and sales/marketing;
 - b) Health, Safety and Environment;
 - c) Training and Employment;
 - d) Recovery of the Operating Site.
3. A quarterly report shall also be drawn up, to be submitted on the 15th day of the following month, containing at least the following information:
 - a) Estimated vs. actual production;
 - b) Health, Safety and Environment;
 - c) Training and Employment;
 - d) Recovery of the Operating Site;
 - e) Plan for the following quarters.
4. Whenever an extension of the license is requested, an annual report shall be drawn up and submitted.
5. The Regulatory Authority may request additional information to be reported on a monthly and quarterly basis for the purpose of monitoring the Mining Activities.

CHAPTER IV
GENERAL OBLIGATIONS OF THE HOLDER
OF MINERAL RIGHTS

Article 41
General Obligations

1. The holder of the Mining Rights, the administrators, managers and technicians shall be jointly and severally liable for any damage caused due to non-compliance with the rules of art and requirements in the performance of the Mining Activities, without prejudice to the provisions of the general law on accidents at work.
2. The holder of the Mining Rights shall maintain insurance in force covering his activity and his employees.
3. The operators and technicians responsible for the Operation shall take the appropriate measures to ensure the safety of their workers and third parties on the site.
4. The Owner of the Mining Rights shall provide the Regulatory Authority with access to all works, premises and annexes of the Exploration, and provide all information and clarifications that may be requested regarding the Mining Activities developed.
5. While the Exploration activity lasts, the installation of an identification plate of the Mine and the Exploration Company is mandatory, indicating the licensing date and licensing entity.
6. It is mandatory to install the appropriate health and safety signs on the site.

7. The Mining Rights Holder shall ensure that the excavation edges where dismantling work has been carried out are protected by a fence of characteristics appropriate to the specific conditions of the site.
8. The Mining Rights Holder shall immediately inform the Regulatory Authority of any incident or accident that occurs during the Mining Activities.
9. The Mining Rights Holder shall prepare and submit the Mining Plan, the Mine Closing Plan and other plans required under this Ministerial Diploma before developing Mining Activities.
10. The Mining Rights Holder shall ensure the employment of Timorese citizens in their operations and ensure that the remuneration and benefits applicable to them comply with applicable law.

Article 42

Revocation of Licenses, Suspension and Termination of Mining Activities

1. The Regulatory Authority may revoke the license for Mining Activities in the following cases:
 - a) for a period of 12 months, if the license holder violates the provisions relating to the safety of persons and property 3 times;
 - b) the license holder fails, without justification, to comply with the orders issued following the inspections carried out by the entities responsible for approving the Mining Plan;
 - c) the license holder is not able to carry out the Mining Activities properly due to serious or repeated negligence;
 - d) the operator does not properly post signs or seal the edges of the licensed area;
2. For Mining Activities that are being carried out without a valid license, the Regulatory Authority may take the following measures:
 - a) Suspend the Mining Activities and oblige the natural or legal person to pay for the Construction Materials, Processing Materials or Ornamental Rocks that have been collected or extracted; and
 - b) Shut down or stop the Mining Activities if the natural or legal person does not submit an application for a license for Mining Activities within thirty (30) working days after the notification to the Regulatory Authority.
3. The Regulatory Authority may request the assistance of the National Police of Timor-Leste to avoid or neutralize any danger or to ensure compliance with their orders.
4. The cancellation of the preventive measures provided for in this article shall be decided, upon request of the interested party, after inspection of the mine that confirms that the circumstances that caused the cancellation no longer occur.

CHAPTER V

FINAL PROVISIONS

Article 43

Complementary Procedures and Guidelines

The Regulatory Authority may establish and publish on its website procedures and guidelines to complement the requirements of this Ministerial Diploma.

Article 44
Transition Regime

Any entities that carry out licensed Mining Activities or that require a license to carry out Mining Activities before this Ministerial Order comes into force shall immediately regularize their situation under the terms set forth herein, upon extension of the license, without prejudice to any other acts or formalities already carried out previously.

Article 45
Repeal

Ministerial Diploma no. 1/2008, of July 30, as amended by Ministerial Diploma no. 1/2009, of August 12 and Subsequent Ministerial Diploma no. 2/2014, of February 19 are hereby repealed.

Article 46
Entry into Force

This Ministerial Diploma shall enter into force on the day following its publication in the Official Gazette.

Minister of Petroleum and Mineral Resources

Alfredo Píres

ANNEX:

APPLICABLE FORMS/TEMPLATES



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

**FORM - 1: APPLICATION FOR
LOCATION APPROVAL**

- ☐ CONSTRUCTION MATERIALS
- ☐ PROCESSING MATERIALS
- ☐ DECORATIVE ROCKS

To the attention of:

Director of Mineral Exploration and Production
National Petroleum and Minerals Authority, Timor-Leste

In accordance with the provisions of Article 11 of Ministerial Diploma no. ..., of the Ministry of Petroleum and Mineral Resources of Timor-Leste, I, the undersigned, on behalf of its representative, hereby apply for the issuance of a Location Approval for the purpose of extraction and commercialization of approximately _____ (tons or cubic meters) of the ores identified above, in the area delineated under the following terms:

POINT	LATITUDE	LONGITUDE
-------	----------	-----------

with a total area of approximately _____ hectares.

The area that is the object of this application is in land in the public and/or private domain, community land, river, stream or other waters in the public domain (please highlight the applicable option), located in the Village of _____, Suco of _____, Municipality of _____.

The Applicant:

Company: _____

Representative: _____

Address: _____

Telephone Number: _____



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

Attach the following documents:

- ☐ Certificate of Authorization to Exercise Activities issued by the SERVE
- ☐ Negative Certificate of Fiscal Debts
- ☐ Location map of the proposed area
- ☐ Written consent of private landowners, community land adjacent to the area that may be affected by excavations to be carried out
- ☐ Commitment to obtain an Environmental Permit prior to extraction in accordance with applicable law
- ☐ Commercial certificate, with the content of the registration and all entries in force, concerning the applicant company

The applicant _____ declares that the information contained in this application, or which may be submitted at a later stage for the purpose of examining it, is true to the best of his knowledge. The applicant acknowledges that the provision of false information in this application may result in the rejection of the application.

(Signature)

(The Applicant)



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

INSTRUCTIONS

1. This form must be completed by the applicant and submitted to ANPM headquarters in physical and digital form.
2. All information requested in the mandatory fields must be marked and provided accordingly.
3. Any application that is not accompanied by the requested documents will not be accepted.



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

**FORM - 2: APPLICATION FOR
A PROSPECTING LICENCE**

- ☐ CONSTRUCTION MATERIALS
- ☐ PROCESSING MATERIALS
- ☐ DECORATIVE ROCKS
- ☐ OTHER MINERALS

To the attention of:

Director of Mineral Exploration and Production
National Petroleum and Minerals Authority, Timor-Leste

In accordance with the provisions of Article 14 of the Ministerial Diploma No. _____ of the Ministry of Petroleum and Mineral Resources of Timor-Leste, the undersigned, on behalf of his or her representative, hereby apply for the issuance of a Prospecting License for the purpose of conducting exploration activities.

The area that is the object of this application is in land in the public and/or private domain, community land, river, stream or other waters in the public domain (please highlight the applicable option), located in the Village of _____, Suco of _____, Municipality of _____.

Attach the following documents

- ☐ Data of the applicant (Society / Cooperative)
- ☐ Representative's data
- ☐ Financial data
- ☐ Data on technical competence and experience
- ☐ Data on other requirements
- ☐ Statement

(Signature)

(The Applicant)



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

**INFORMATION TO BE PROVIDED FOR THE PURPOSE OF
ISSUING A GENERAL PROSPECTING LICENCE**

APPLICANT DATA		
Representative's name:		
Type of Identification Document:	Identification Document No:	
Tax Identification Number (TIN):		
Address:		
Municipality:	Administrative Post:	Suco:
		Village
Telephone:	Fax:	
Email:		
COMPANY/COOPERATIVE		
Company:		
Address:		
Certificate of Authorization to Exercise Activities issued by the SERVE and Articles of Association of the Company (with supporting document)		
Tax Identification Number (TIN):		
Capital Stock:		
Name and Nationality of the Executive Director of the Company:		
FINANCIAL CAPACITY DATA		
Data on the financial capacity for the intended operations (with supporting documents)		
Insurance contracted for the proposed prospecting activity (with documents supporting documents)		



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

DATA CONCERNING TECHNICAL CAPACITY AND EXPERIENCE

Relevant data from prospecting/exploitation experience (with supporting documents)

Data relating to earlier exploitation rights

Data regarding the project team for the proposed prospecting activity and the respective resumes:

DATA RELATING TO OTHER REQUIREMENTS

Description of the area and its coordinates (map)

Prospecting program

- Objectives
- Scope and program of the prospection activity
- Calendar
- Products

STATEMENT

The applicant, _____ (insert name), hereby:

1. declare that the information contained in this application, or which may be submitted at a later stage for the purpose of examining it, is true to the best of the applicant's knowledge. The applicant acknowledges that the provision of false information in this application may result in the rejection of the application.

2. and consent that **all** information gathered from the proposed activity and the results of further analysis will be made available to ANPM, in any form, free of charge.

Signature of the applicant's representative:	To be filled in by ANPM
[Signature]	Fees due: USD: _____
_____ [Name]	[Signature]
Place: _____	_____ [Name]
Date: ____/____/____	Date: ____/____/____



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

INSTRUCTIONS

1. This form must be completed by the applicant and submitted to ANPM headquarters in physical and digital form.
2. All information requested in the mandatory fields must be marked and provided accordingly.
3. Any application that is not accompanied by the requested documents will not be accepted.



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

**FORM - 3: RESEARCH PERMIT
APPLICATION**

☐ CONSTRUCTION MATERIALS

☐ PROCESSING MATERIALS

☐ DECORATIVE ROCKS

To the attention of:

Director of Mineral Exploration and Production
National Petroleum and Minerals Authority, Timor-Leste

In accordance with the provisions of Article 14 of the Ministerial Diploma No. _____ of the Ministry of Petroleum and Mineral Resources of Timor-Leste, the undersigned hereby requests the issuance of an Exploration License for the purpose of conducting exploration activities.

The area object of this application is in land of public and/or private domain, community land, river, stream or other waters of public domain (underline the applicable option), located in the Village of _____, Suco of _____, Municipality of _____.

Attach the following documents

☐ Data of the applicant (Society / Cooperative)

☐ Representative's data

☐ Financial data

☐ Data on technical competence and experience

☐ Data on other requirements

☐ Statement

(Signature)

(The Applicant)



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

**INFORMATION TO BE PROVIDED FOR THE PURPOSE OF
ISSUING A RESEARCH LICENCE**

APPLICANT DATA		
Representative's name:		
Type of Identification Document:	Identification Document No:	
Tax Identification Number (TIN):		
Address:		
Municipality:	Administrative Post:	Suco:
		Village
Telephone:	Fax:	
Email:		
COMPANY/COOPERATIVE		
Company:		
Address:		
Certificate of Authorization to Exercise Activities issued by the SERVE and Articles of Association of the Company (with supporting document)		
Tax Identification Number (TIN):		
Capital Stock:		
Name and Nationality of the Executive Director of the Company:		
FINANCIAL CAPACITY DATA		
Data on the financial capacity for the intended operations (with supporting documents)		
Insurance contracted for the proposed prospecting activity (with documents supporting documents)		



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

DATA CONCERNING TECHNICAL CAPACITY AND EXPERIENCE

Relevant data from prospecting/exploitation experience (with supporting documents)

Data relating to earlier exploitation rights

Data regarding the project team for the proposed prospecting activity and the respective resumes:

DATA RELATING TO OTHER REQUIREMENTS

Description of the area and its coordinates (map)

Research program

- Objectives
- Knowledge of the Geological features of the proposed area
- Scope and program of the research activity
- Research Method
- Calendar
- Budget
- Products

STATEMENT

The applicant, _____ (insert name), hereby:

1. declare that the information contained in this application, or which may be submitted at a later stage for the purpose of examining it, is true to the best of the applicant's knowledge. The applicant acknowledges that the provision of false information in this application may result in the rejection of the application.

2. and consent that **all** information gathered from the proposed activity and the results of further analysis will be made available to ANPM, in any form, free of charge.

Signature of the applicant's representative:	To be filled in by ANPM
[Signature]	Fees due: USD: _____
_____	[Signature]
[Name]	_____
Place: _____	[Name]
Date: ____/____/____	Date: ____/____/____



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

INSTRUCTIONS

1. This form must be completed by the applicant and submitted to ANPM headquarters in physical and digital form.
2. All information requested in the mandatory fields must be marked and provided accordingly.
3. Any application that is not accompanied by the requested documents will not be accepted.



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

**FORM - 4: APPLICATION FOR AN
EXTRACTION LICENSE**

To the attention of:

Director of Mineral Exploration and Production
National Petroleum and Minerals Authority, Timor-Leste

In accordance with the provisions of Article 14 of the Ministerial Diploma No..... of the Ministry of Petroleum and Mineral Resources of Timor-Leste, the undersigned, on behalf of his or her representative, hereby apply for the issuance of an Extraction License for the purpose of conducting extraction activities.

The area subject to this application is in the public and/or private domain, community land, river, stream or other waters in the public domain (please highlight the applicable option), located in the Village of _____, Suco of _____, Municipality of _____.

Attach the following documents

- ☐ Data of the applicant (Society / Cooperative)
- ☐ Representative's data
- ☐ Financial data
- ☐ Data on technical competence and experience
- ☐ Data on other requirements
- ☐ Statement

(Signature)

(The Applicant)



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

**INFORMATION TO BE PROVIDED FOR THE PURPOSE OF
ISSUING AN EXTRACTION LICENCE**

CATEGORIES		CLASSIFICATION	
_____	CONSTRUCTION MATERIALS	_____	CRAFTSHIP
_____	PROCESSING MATERIALS	_____	ESCALA MÉDIA
_____	DECORATIVE ROCKS	_____	BIG SCALE

APPLICANT DATA		
Representative's name:		
Type of Identification Document:	Identification Document No:	
Tax Identification Number (TIN):		
Address:		
Municipality:	Administrative Post:	Suco:
		Village
Telephone:	Fax:	
Email:		
COMPANY/COOPERATIVE		
Company:		
Address:		
Certificate of Authorization to Exercise Activities issued by the SERVE and Articles of Association of the Company (with supporting document)		
Tax Identification Number (TIN):		
Capital Stock:		
Name and Nationality of the Executive Director of the Company:		
FINANCIAL CAPACITY DATA		
Data on the financial capacity for the intended operations (with supporting documents)		
Insurance contracted for the proposed prospecting activity (with documents supporting documents)		



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

DATA CONCERNING TECHNICAL CAPACITY AND EXPERIENCE

Relevant data from prospecting/exploitation experience (with supporting documents)

Data relating to earlier exploitation rights

Data regarding the project team for the proposed prospecting activity and the respective resumes:

DATA RELATING TO OTHER REQUIREMENTS

A. Proposal for extraction (to be attached separately to this application), containing at least the following information:

- Executive Summary
- Purpose of the extraction
- Geology and Research Results that indicate the regional geology, geology of the area, types of minerals in the area, resources and reserve.
- Development plan that includes the site configuration of the operations, construction and facilities, requirements and specification of equipment used in extraction, material handling, casing and inter-canvas land, drilling/dismounting, processing, transportation and marketing of extracted materials, estimated investment and production costs, etc.
- Extraction plan including extraction method, production estimation, etc.
- Health and Safety Plan
- Organization and Manpower
- Mine Closure Plan
- Declaration of Commitment to Contribute to the Mine Closure Fund

B. Present the following documents

- Commercial Registry Certificate
- Negative certificate of tax debts
- Bank Statement related to the capital
- Company Statutes
- Proof of the insurance contracted in relation to the operation
- CV of the main technicians and Declaration signed by the technician in charge
- Environmental License
- Authorization from the National Directorate of Land, Property and Cadastral Services
- Proof of payment of the application fee



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

STATEMENT

The applicant, _____ (insert name), hereby:

1. declare that the information contained in this application, or which may be submitted at a later stage for the purpose of examining it, is true to the best of the applicant's knowledge. The applicant acknowledges that the provision of false information in this application may result in the rejection of the application.
2. and consent that **all** information gathered from the proposed activity and the results of further analysis will be made available to ANPM, in any form, free of charge.

Signature of the applicant's representative:	To be filled in by ANPM
[Signature] _____	Fees due: USD: _____
[Name] _____	[Signature] _____
Place: _____	[Name] _____
Date: ____/____/____	Date: ____/____/____



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

INSTRUCTIONS

1. This form must be completed by the applicant and submitted to ANPM headquarters in physical and digital form.
2. All information requested in the mandatory fields must be marked and provided accordingly.
3. Any application that is not accompanied by the requested documents will not be accepted.



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

**FORM - 5: APPLICATION FOR
SCIENTIFIC RESEARCH AUTHORIZATION**

To the attention of:

Director of Mineral Exploration and Production
National Petroleum and Minerals Authority, Timor-Leste

In accordance with the provisions of Article 13 of the Ministerial Diploma No. _____ of the Ministry of Petroleum and Mineral Resources of Timor-Leste, the undersigned, on behalf of his or her representative, hereby request the issuance of a Scientific Research Authorization.

The area subject to this application for Scientific Research is in the public and/or private domain, community land, river, stream or other waters in the public domain (underline the applicable option), located in the Village of _____, Suco of _____, Municipality of _____.

Attach the following documents

- ☐ Data of the applicant (Society / Cooperative)
- ☐ Representative's data
- ☐ Financial data
- ☐ Data on technical competence and experience
- ☐ Data on other requirements
- ☐ Statement

(Signature)

(The Applicant)



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

**INFORMATION TO BE PROVIDED FOR THE PURPOSE OF
ISSUING AN ACADEMIC RESEARCH PERMIT**

APPLICANT DATA		
Representative's name:		
Type of Identification Document:	Identification Document No:	
Tax Identification Number (TIN):		
Address:		
Municipality:	Administrative Post:	Suco:
		Village
Telephone:	Fax:	
Email:		
ORGANIZATION		
Name of University/Research Institute:		
Address:		
Telephone:	Fax:	
Email:		
FINANCIAL CAPACITY DATA		
Data on the financial capacity for the intended operations (with supporting documents)		
Insurance contracted for the proposed research (with supporting documents)		
DATA CONCERNING TECHNICAL CAPACITY AND EXPERIENCE		
Team data for the proposed search activity and respective resumes.		



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

DATA RELATING TO OTHER REQUIREMENTS
Description of the search area and its coordinates (map)
Program of the research activity - Objectives - Scope and program of the research activity - Calendar - Products
STATEMENT
The applicant, _____ (insert name), hereby: 1. declare that the information contained in this application, or which may be submitted at a later stage for the purpose of examining it, is true to the best of the applicant's knowledge. The applicant acknowledges that the provision of false information in this application may result in the rejection of the application. 2. and consent that <u>all</u> information gathered from the proposed activity and the results of further analysis will be made available to ANPM, in any form, free of charge.

Signature of the applicant's representative:	To be filled in by ANPM
[Signature]	Fees due: USD: _____
_____ [Name]	[Signature]
Place: _____	_____ [Name]
Date: ____/____/____	Date: ____/____/____



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

INSTRUCTIONS

1. This form must be completed by the applicant and submitted to ANPM headquarters in physical and digital form.
2. All information requested in the mandatory fields must be marked and provided accordingly.
3. Any application that is not accompanied by the requested documents will not be accepted.



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

**FORM - 6: APPLICATION FOR
LICENSE EXTENSION**

TYPE OF LICENCE TO BE EXTENDED		CATEGORIES		CLASSIFICATION	
___	PROSPECTION LICENSE (See Annex-6.1)	___	CONSTRUCTION MATERIALS	___	CRAFTSHIP
___	RESEARCH LICENSE (See Annex-6.2)	___	PROCESSING MATERIALS	___	ESCALA MÉDIA
___	EXTRACTION LICENCE (See Annex-6.3)	___	DECORATIVE ROCKS	___	BIG SCALE

To the attention of:

Director of Mineral Exploration and Production
National Petroleum and Minerals Authority, Timor-Leste

In accordance with the provisions of Article 18 of Ministerial Order No..... of the Ministry of Petroleum and Mineral Resources of Timor-Leste, I, the undersigned, on behalf of the represented party, hereby request the extension of the above-mentioned license.

The area subject to this application is in the public and/or private domain, community land, river, stream or other waters in the public domain (underline the applicable option), located in the Village of _____, Suco of _____, Municipality of _____.

Attach the following documents

- ☐ Data of the applicant (Society / Cooperative)
- ☐ Representative's data
- ☐ Financial data
- ☐ Data on technical competence and experience
- ☐ Data on other requirements
- ☐ Statement

(Signature)

(The Applicant)



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

Annex -6.1 PROSPECTION LICENSE EXTENSION

APPLICANT DATA		
Representative's name:		
Type of Identification Document:	Identification Document No:	
Tax Identification Number (TIN):		
Address:		
Municipality:	Administrative Post:	Suco:
		Village
Telephone:	Fax:	
Email:		
COMPANY/COOPERATIVE		
Company:		
Address:		
Certificate of Authorization to Exercise Activities issued by the SERVE and Articles of Association of the Company (with supporting document)		
Tax Identification Number (TIN):		
Capital Stock:		
Name and Nationality of the Executive Director of the Company:		
FINANCIAL CAPACITY DATA		
Data on the financial capacity for the intended operations (with supporting documents)		
Insurance contracted for the proposed prospecting activity (with documents supporting documents)		
DATA CONCERNING TECHNICAL CAPACITY AND EXPERIENCE		
Relevant data from prospecting/exploitation experience (with supporting documents)		
Data relating to earlier exploitation rights		
Data regarding the project team for the proposed prospecting activity and the respective resumes:		



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

DATA RELATING TO OTHER REQUIREMENTS

Description of any changes in the area and its coordinates (map)

Prospecting report for the previous licensing year

- Objectives
- Scope and program of the previous year's prospecting activity
- Progress and Results
- Conclusion

Program of the prospecting activity during the extension period

- Objectives
- Scope and program of the prospecting activity
- Calendar
- Products

STATEMENT

The applicant, _____ (insert name),
hereby:

1. declare that the information contained in this application, or which may be submitted at a later stage for the purpose of examining it, is true to the best of the applicant's knowledge. The applicant acknowledges that the provision of false information in this application may result in the rejection of the application.
2. and consent that all information gathered from the proposed activity and the results of further analysis will be made available to ANPM, in any form, free of charge.

Signature of the applicant's representative:	To be filled in by ANPM
[Signature] _____ [Name] _____ Place: _____ Date: ____/____/____	Fees due: USD: _____ [Signature] _____ [Name] _____ Date: ____/____/____



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

INSTRUCTIONS

1. This form must be completed by the applicant and submitted to ANPM headquarters in physical and digital form.
2. All information requested in the mandatory fields must be marked and provided accordingly.
3. Any application that is not accompanied by the requested documents will not be accepted.



**VI CONSTITUTIONAL GOVERNMENT
MINISTRY OF PETROLEUM AND MINERALS RESOURCES**

Annex -6.2 RESEARCH LICENSE EXTENSION

APPLICANT DATA		
Representative's name:		
Type of Identification Document:	Identification Document No:	
Tax Identification Number (TIN):		
Address:		
Municipality:	Administrative Post:	Suco:
		Village
Telephone:	Fax:	
Email:		
COMPANY/COOPERATIVE		
Company:		
Address:		
Certificate of Authorization to Exercise Activities issued by the SERVE and Articles of Association of the Company (with supporting document)		
Tax Identification Number (TIN):		
Capital Stock:		
Name and Nationality of the Executive Director of the Company:		
FINANCIAL CAPACITY DATA		
Data on the financial capacity for the intended operations (with supporting documents)		
Insurance contracted for the proposed prospecting activity (with documents supporting documents)		
DATA CONCERNING TECHNICAL CAPACITY AND EXPERIENCE		
Relevant data from prospecting/exploitation experience (with supporting documents)		
Data relating to earlier exploitation rights		
Data regarding the project team for the proposed prospecting activity and the respective resumes:		



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DATA RELATING TO OTHER REQUIREMENTS

Description of any changes in the area and its coordinates (map)

Research Report for the previous licensing year

- Objectives
- Scope and program of the research activity in the previous year
- Activity developed
- Progress and Results
- Conclusion

Research Program for the extension period

- Objectives
- Scope and program of the research activity
- Research Method
- Calendar
- Budget
- Products

STATEMENT

The applicant, _____ (insert name), hereby:

1. declare that the information contained in this application, or which may be submitted at a later stage for the purpose of examining it, is true to the best of the applicant's knowledge. The applicant acknowledges that the provision of false information in this application may result in the rejection of the application.
2. and consent that **all** information gathered from the proposed activity and the results of further analysis will be made available to ANPM, in any form, free of charge.

Signature of the applicant's representative:	To be filled in by ANPM
[Signature]	Fees due: USD: _____
_____ [Name]	[Signature]
Place: _____	_____ [Name]
Date: ____/____/____	Date: ____/____/____



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INSTRUCTIONS

1. This form must be completed by the applicant and submitted to ANPM headquarters in physical and digital form.
2. All information requested in the mandatory fields must be marked and provided accordingly.
3. Any application that is not accompanied by the requested documents will not be accepted.



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Annex -6.3 EXTRACTION LICENSE EXTENSION

APPLICANT DATA		
Representative's name:		
Type of Identification Document:	Identification Document No:	
Tax Identification Number (TIN):		
Address:		
Municipality:	Administrative Post:	Suco:
		Village
Telephone:	Fax:	
Email:		
COMPANY/COOPERATIVE		
Company:		
Address:		
Certificate of Authorization to Exercise Activities issued by the SERVE and Articles of Association of the Company (with supporting document)		
Tax Identification Number (TIN):		
Capital Stock:		
Name and Nationality of the Executive Director of the Company:		
FINANCIAL CAPACITY DATA		
Data on the financial capacity for the intended operations (with supporting documents)		
Insurance contracted for the proposed prospecting activity (with documents supporting documents)		
DATA CONCERNING TECHNICAL CAPACITY AND EXPERIENCE		
Relevant data from prospecting/exploitation experience (with supporting documents)		
Data relating to earlier exploitation rights		
Data regarding the project team for the proposed prospecting activity and the respective resumes:		



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DATA RELATING TO OTHER REQUIREMENTS

A. Extraction Performance Report for the Previous Year

- Executive Summary (Brief summary of the extraction performance for the year prior to the extension period)
- Productivity
 - *Geology of the site*
 - *Exploration progress*
 - *Production profiles*
 - *Efficiency*
 - *Operating costs*
 - *Profit*
 - *others*
- Health, Safety and Environment (HSE)
 - *Statistics on Incidents and Accidents*
 - *Site Recovery and Revival*
 - *Efforts and Initiatives to improve HSE aspects of the site*
 - *others*
- Maps
 - *General layout of the site*
 - *Geology*
 - *Exploration progress*
 - *Recovery and revegetation area of the site*
 - *others*

B. Programs During the Recovery Period

- *Site Geology*
- *Production Estimation*
- *SSA Initiatives*
- *Training and Employment*
- *Budget*

C. Present the following documents

- *Commercial Registry Certificate*
- *Negative certificate of tax debts*
- *Bank Statement related to the capital*
- *Company Statutes*
- *Proof of the insurance contracted in relation to the operation*
- *CV of the main technicians and Declaration signed by the technician in charge*
- *Environmental License*
- *Authorization from the National Directorate of Land, Property and Cadastral Services*
- *Proof of payment of the application fee*



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STATEMENT

The applicant, _____ (insert name),
hereby:

1. declare that the information contained in this application, or which may be submitted at a later stage for the purpose of examining it, is true to the best of the applicant's knowledge. The applicant acknowledges that the provision of false information in this application may result in the rejection of the application.
2. and consent that **all** information gathered from the proposed activity and the results of further analysis will be made available to ANPM, in any form, free of charge.

Signature of the applicant's representative:	To be filled in by ANPM
[Signature] _____	Fees due: USD: _____
[Name] _____	[Signature] _____
Place: _____	[Name] _____
Date: ____/____/____	Date: ____/____/____