

THE UNITED REPUBLIC OF TANZANIA

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**SUBSIDIARY LEGISLATION**

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THE MINING ACT,  
(CAP. 123)

**REGULATIONS**

*(Made under Section 86B)*

THE MINING (IMPORTATION OF MINERALS FOR MINERAL  
AND GEM HOUSES) REGULATIONS, 2019

PART 1

PRELIMINARY PROVISIONS

- Citation                    1. These Regulations may be cited as the Mining (Importation of Minerals for Mineral and Gem Houses) Regulations, 2019.
- Application                2.-(1) These Regulations shall apply to importation of any minerals specifically for sell or disposal at the Mineral and Gem Houses or sell or disposal at the selling and buying stations as may be specified by the Commission.  
                                  (2) These Regulations shall not apply to the import of diamonds.
- Interpretation            3. In these regulations, unless the context otherwise requires-

Cap.123	<p>“Act” means the Mining Act; “Authorised Officer” has the meaning ascribed to it under the Act; “Commission” has the meaning ascribed to it under the Act; “Mineral and Gem Houses” has the meaning ascribed to it by the Act; “Minerals Import Permit” means a permit issued by the Commission for importing minerals to be sold at the Mineral and Gem Houses established under the Act; “Minister” means the Minister responsible for mining affairs; “Point of entry” means the boarder through which the imported minerals enter the land of the United Republic;</p>
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PART II  
MINERAL IMPORT PERMIT

Restriction for sale of disposal of imported minerals	<p>4. A person shall not import minerals for the purpose of sale or disposal at Mineral and Gems House without obtaining a Minerals Import Permit issued by the Commission.</p>
Application of mineral Import Permit	<p>5.-(1) A person who wishes to import any minerals for the purpose of sale or disposal at a Mineral and Gem House shall submit an application to that effect to the Commission.</p> <p>(2) An application to be made under sub-regulation (1) shall be in a prescribed Form AMIP as set out in the First Schedule, with which the applicant shall provide for the following information-</p> <p>(a) in the case of an applicant who is individual-</p> <ul style="list-style-type: none"><li>(i) name of the applicant;</li><li>(ii) nationality;</li><li>(iii) physical and postal address;</li><li>(iv) telephone;</li><li>(v) e-mail address;</li><li>(vi) a current coloured passport size picture to be appended; and</li><li>(vii) copy of travelling passport issued by</li></ul>

- the relevant authority to be appended;
- (b) in the case of a body corporate or partnership-
- (i) name, physical and postal address, telephone, email of the company or partners;
  - (ii) name and nationality of directors or shareholders of the company partners; or
  - (iii) copy of a certificate of incorporation of the company or deed of partnership;
  - (iv) copy of the Memorandum and Articles of Association of the company; and
  - (v) copy of travelling passport of the director or legal representative of the company or sole proprietor of the Partnership or the representative thereof; or;
- (c) in the case of both the individual, body corporate or a partnership, generally provide for the following-
- (i) type of minerals;
  - (ii) amount and weight of minerals to be imported;
  - (iii) grade of the minerals;
  - (iv) value of minerals;
  - (v) minerals acquisition;
  - (vi) the country from where the imported minerals are mined or extracted;
  - (vii) point of entry or port of entry of the minerals;
  - (viii) purpose of importation;
  - (ix) name of region or selling and buying station the imported minerals are to be sold in Tanzania.
  - (x) importation vessel or means of transport of the mineral; and
  - (xi) any other requirements as may be required by the Commission.

Grant of Mineral  
Import Permit

6.-(1) The Commission shall, upon being satisfied that an applicant for Minerals Import Permit has fulfilled the requirements under regulation 5 shall grant the Minerals Import Permit for the minerals specified in the application form.

(2) The Minerals Import Permit granted under these

Regulations shall be for the specified transaction and shall be valid for a period specified in the permit.

Contents of Minerals import Permit

7. The Minerals Import Permit issued by the Commission shall provide for the following-
- (a) the name of the importer;
  - (b) type of minerals to be imported;
  - (c) weight and value of minerals to be imported;
  - (d) means of transport and purpose of importation;
  - (e) point of entry;
  - (f) destination/the name of the region or station the Mineral and Gem Houses are situated, for the sale of the imported minerals;
  - (g) import fee (if any);
  - (h) date of issuance of the permit; and
  - (i) name of the issuing officer.

PART III  
RIGHTS AND OBLIGATIONS OF HOLDER OF  
MINERALS IMPORT PERMIT

Rights and obligations of holder of Minerals Import Permit

8.-(1) The holder of Minerals Import Permit shall be entitled to sell the imported minerals at the Mineral and Gem Houses or at the selling and buying stations specified in the permit.

(2) A holder of permit to import minerals for sale at the Mineral and Gem Houses shall comply with the terms and conditions specified in the permit.

(3) The holder of Minerals Import Permit shall submit to the Mining Commission a true copy of the register in duplicate for the preceding year together with a statutory declaration of the correctness thereof not later than fourteen days from the end of each calendar year.

Keeping of records

9. The holder of the Minerals Import Permit shall keep a register of the mineral dealings in respect of imports, and shall record the following information in respect of each import-

- (a) the name, quantity, grade and weight of the mineral or minerals imported under each permit;
- (b) the value of the minerals for each import;
- (c) the name, address of the importer the holder of Mineral Import Permit and the country of origin of the minerals imported;

- (d) the name of the point of entry of each transactional route of importation; and
- (e) copies of all documents or declaration made at the point of entry for each import.

Declaration of minerals to be imported

10.-(1) A person who imports minerals shall, upon entry into Tanzania, make a declaration before the Commission regarding the type and quantity of minerals imported, after which the Commission shall issue the mineral import permit thereof.

(2) The holder of the Minerals Import Permit granted under these Regulations shall make a declaration at the point of entry or before entering Tanzania by filling in the Declaration Form DMI as set out in the Second Schedule.

Offences and penalty

11. A person who imports any minerals into Tanzania for the purpose of sale or disposal contrary to with the requirements of these Regulations commits an offence and is liable, on conviction, to a fine not less than five million shillings or to imprisonment for a term of not less than three years, or to both.

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SCHEDULES  
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FIRST SCHEDULE

*(Made under Regulation 5(2))*

THE MINING ACT, CAP. 123

THE MINING (IMPORTATION OF MINERALS FOR MINERAL AND GEM HOUSES)  
REGULATIONS, 2019

APPLICATION FORM FOR PERMIT TO IMPORT MINERALS FOR MINERAL AND  
GEM HOUSES

I, (full name) \_\_\_\_\_ of (full address and  
physical address) \_\_\_\_\_ hereby apply for a permit  
to import minerals in accordance with the following particulars:-

1. I wish to import one package(s) containing (variety, grade and net  
weight of minerals)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ of a total  
value of TZS/US Dollar \_\_\_\_\_
2. The importation of the said minerals will be made at (place of entry  
through  
customs) \_\_\_\_\_
3. The said minerals will be transmitted or shipped from (name of the  
place and address) \_\_\_\_\_ by (means of  
transmission/transport) \_\_\_\_\_  
\_\_\_\_\_ on \_\_\_\_\_ (date)  
\_\_\_\_\_
4. The Country of Origin of the Mineral to be imported is

*Mining (Importation of Minerals for Mineral and Gem Houses)*

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- \_\_\_\_\_
5. The said minerals are the property of (name and address)\_\_\_\_\_ and will be for sale at \_\_\_\_\_(name the Mineral and Gem Houses or selling and buying station the minerals are imported for sell).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

SECOND SCHEDULE

(Made under Regulation 10(2))

FORM DMI

THE GOVERNMENT OF THE REPUBLIC OF TANZANIA  
MINISTRY OF MINERALS  
THE MINING COMMISSION

THE MINING ACT, CAP 123  
THE MINING (IMPORTATION OF MINERALS FOR MINERAL AND GEM  
HOUSES) REGULATIONS, 2019

DECLARATION FORM FOR MINERALS IMPORTED FOR MINERAL AND GEM  
HOUSES

1. Name of Importer the holder of Mineral Import Permit:

\_\_\_\_\_ (full name) of  
(Full Address) (Physical  
Location): \_\_\_\_\_  
City/Town: \_\_\_\_\_ County: \_\_\_\_\_  
Phone number: \_\_\_\_\_  
Email address: \_\_\_\_\_

2. Holder of Mineral Import Permit No. \_\_\_\_\_ issued on  
\_\_\_\_\_

3. Name of the Officer Issued the Mineral Import  
Permit \_\_\_\_\_

Name and Address of the Importer	Type of Mineral (s)	Quantity of imported Minerals (carrats/ Tonnes/ Kilograms )	Grade and weight	Value of imported minerals (US Dollars)	Country of Origin of the imported minerals	Others (specify)

4. This permit is valid for a period of \_\_\_\_\_ days from the date hereof.



5. This permit is issued subject to (the following condition(s) ), that the holder of the Mineral Import Permit shall:
  - (a) Use the mineral solely for the purpose for which the permit is issued; and
  - (b) Keep a register of the mineral dealings in respect of all imports.
  
6. Declaration

I hereby declare that the above information is true to the best of my knowledge.

.....

.....

Signature of the holder of Mineral Import Permit  
Date

Dodoma,  
12<sup>th</sup> August, 2019

**DOTO M. BITEKO**  
*Minister for Mineral*